



Kenai City Council - Regular Meeting

December 04, 2019 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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. **Branden Bornemann, Kenai Watershed Forum** - The Value of Non-profits in Our Community and a Highlight of the Ways in Which the Kenai Watershed Forum and the City of Kenai Have Successfully Partnered with One Another Past, Present, and Future.
2. **Jennifer LeMay, Lemay Engineering** - City of Kenai Draft Hazard Mitigation Plan Presentation.
3. **Joy Merriner, BDO Inc.** - Presentation of the FY19 City of Kenai Comprehensive Annual Financial Report.

C. UNSCHEDULED PUBLIC COMMENTS

(Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)

D. PUBLIC HEARINGS

- 1. Ordinance No. 3095-2019** - Increasing Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting a Grant from the Department of Justice for the Purchase of Ballistic Vests. (Administration)
- 2. Ordinance No. 3096-2019** - Determining that Real Property Described as Lot One (1), Aleyeska Subdivision Part 3, According to Plat No. 1531 and Lot One A (1-A), Aleyeska Subdivision Part 3, According to Plat K-1531, City-Owned Airport Land Located Outside the Airport Reserve, is not Needed for a Public Purpose and Authorizing the Sale of the Property to MITAK, LLC. (Administration)
- 3. Ordinance No. 3097-2019** - Increasing Estimated Revenues and Appropriations in the Terminal Improvements Capital Fund, and Authorizing an Increase to the Construction Purchase Order to Blazy Construction, Inc. (Administration)
- 4. Resolution No. 2019-71** - Repealing Policy No. 2017-02, Supervisory Sub-Committee. (Council Member Knackstedt) *[Clerk's Note: At its November 6 meeting Council postponed this item to the December 4 meeting; a motion to adopt is on the floor.]*
 - **Substitute Resolution No. 2019-71** – Amending Council Policy 2017-02, Establishing Procedures and Responsibilities of the Sub-Committee of Council for the Supervision of the City Attorney, City Clerk, and City Manager for Improved Efficiency. (Council Members Knackstedt and Navarre)
- 5. Resolution No. 2019-76** - Identifying the Projects to be Funded through State of Alaska Grant No. 15-DC-078 for Personal Use Fishery Related Improvements on North and South Beaches. (Administration)
- 6. Resolution No. 2019-77** - Authorizing a Sole Source Purchase Agreement for Proprietary Water Treatment Chemicals for the City's Water Treatment Plant to Nalco, an Ecolab Company. (Administration)
- 7. Resolution No. 2019-78** - Authorizing the City Manager to Enter Into an Amended Restaurant Concession Agreement with the Kenai Municipal Airport. (Administration)

E. MINUTES

- 1.** *Regular Meeting of November 6, 2019. (City Clerk)

F. UNFINISHED BUSINESS

G. NEW BUSINESS

- 1.** ***Action/Approval** - Bills to be Ratified. (Administration)
- 2.** ***Ordinance No. 3098-2019** - Increasing Estimated Revenues and Appropriations in the General Fund, Police Department and Amending Kenai Municipal Code Sections 23.25.040 – Appointee Compensation, 23.25.065 – Shift Differential Pay, 23.50.010 – Employee Classification, and 23.55.030 – Qualification Pay to Improve

Recruitment and Retention for Police Officers and Other Eligible Employees Receiving Shift Differential Pay. (Administration)

- [3.](#) ***Ordinance No. 3099-2019** - Amending Kenai Municipal Code Section 23.50.010 – Employee Classification to Amend Class Titles in the Public Works Water and Sewer and Wastewater Classes.(Administration)
- [4.](#) ***Ordinance No. 3100-2019** - Increasing Estimated Revenues and Appropriations by \$4,786.53 in the General Fund - Police Department for Drug Investigation Overtime Expenditures. (Administration)
- [5.](#) **Discussion** - Old Town Kenai Signage. (Council Member Knackstedt)
- [6.](#) **Discussion** - Kenai Peninsula Borough Substitute Ordinance 2019-24 - Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions. (Administration)
- [7.](#) **Discussion** - Potential Parcel Purchase by Ron Hyde. (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 comment limited to five (5) minutes per speaker*)
2. Council Comments

L. **EXECUTIVE SESSION**

1. Review and Discussion of the Terms of an Employment Agreement Extension for the City Manager which Pursuant to AS 44.62.310(C)(2) May be a Subject that Tends to Prejudice the Reputation and Character of the Applicant and per AS 44.62.310(c)(1) is a Matter of which the Immediate Knowledge may have an Adverse Effect Upon the Finances of the City.

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATION ITEMS

1. Purchase Orders between \$2,500 and \$15,000.
2. Notice of two Right-of-Way Leases for the Alaska LNG Project

The agenda and supporting documents are posted on the City's website at 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.

Draft City of Kenai Hazard Mitigation Plan



Photo Credit: Eagle Eye Gallery

Prepared for:
State of Alaska
DMVA/DHS&EM
P.O. Box 5800
JBER, Alaska 99505

Prepared by:



November 2019



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Appendices

A Public Involvement

B Glossary

C FEMA Review Tool

D Benefit-Cost Analysis Fact Sheet

E Plan Maintenance Documents

F FEMA Approval Letter and City Council Adoption Resolution

Acronyms/Abbreviations

°F	Degrees Fahrenheit
ACS	American Community Survey
AEC	Alaska Earthquake Center
AFS	Alaska Fire Service
AICC	Alaska Interagency Coordination Center
AVO	Alaska Volcano Observatory
BLM	Bureau of Land Management
CFR	Code of Federal Regulations
City	City of Kenai
DCCED	Department of Commerce, Community, and Economic Development
DCRA	Division of Community and Regional Affairs
DGGS	Division of Geological and Geophysical Survey
DHS&EM	Division of Homeland Security and Emergency Management
DMA 2000	Disaster Mitigation Act of 2000
DMVA	Department of Military and Veterans Affairs
DNR	Department of Natural Resources
DOF	Division of Forestry
E	Earthquake
F	Fire
F&E	Flooding and Erosion
FEMA	Federal Emergency Management Agency
FMA	Flood Mitigation Assistance
FP&S	Fire Prevention and Safety
FY	Fiscal Year
G	General
<i>g</i>	gravity as a measure of peak ground acceleration
GI	Geophysical Institute
HAZUS	Multi-Hazard Software
HMA	Hazard Mitigation Assistance
HMGP	Hazard Mitigation Grant Program
HMP	Hazard Mitigation Plan
HVAC	Heating, Ventilation, and Air Conditioning
KPB	Kenai Peninsula Borough
M	Magnitude
MAP	Mitigation Action Plan

mm	millimeters
MMI	Modified Mercalli Intensity
mph	miles per hour
NFIP	National Flood Insurance Program
NWS	National Weather Service
PDM	Pre-Disaster Mitigation
PGA	peak ground acceleration
Stafford Act	Robert T. Stafford Disaster Relief and Emergency Assistance Act
STAPLEE	Social, Technical, Administrative, Political, Legal, Economic, and Environmental
SW	Severe Weather
TF	Technical Feasibility
UHMA	United Hazard Mitigation Assistance
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USFS	U.S. Forest Service
U.S.	United States
USC	United States Code
USGS	United States Geological Survey
V	Volcanic Ash
WUI	Wildland Urban Interface

This section provides a brief introduction to hazard mitigation planning, associated grants, and a description of this 2019 Hazard Mitigation Plan (HMP) for the City of Kenai (City).

1.1 HAZARD MITIGATION PLANNING

Hazard mitigation, as defined in Title 44 of the Code of Federal Regulations (CFR), Section §201.2, is “any sustained action taken to reduce or eliminate the long-term risk to people and property from natural hazards and their effects. Hazard mitigation is the only phase of emergency management specifically dedicated to breaking the cycle of damage reconstruction and repeated damage. As such, States and Local governments are encouraged to take advantage of funding provided by Hazard Mitigation Assistance (HMA) grant programs.” (FEMA, 2015c). Hazard mitigation is any work done to minimize the impacts of any type of hazard event before it occurs and aims to reduce losses from future disasters. Hazard mitigation is a process in which hazards are identified and profiled, people and facilities at risk are analyzed, and mitigation actions are developed. Implementation of mitigation actions, which include long-term strategies such as planning, policy changes, programs, projects, and other activities, is the end result of this process.

1.2 PLANNING REQUIREMENTS

1.2.1 Local Mitigation Plans

On October 30, 2000, Congress passed the Disaster Mitigation Act of 2000 (DMA 2000) (P.L. 106-390) which amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) (Title 42 of the United States Code [USC] 5121 et seq.) by repealing the act’s previous mitigation planning section (409) and replacing it with a new mitigation planning section (322). Section 322 directs State and Local entities to closely coordinate mitigation planning and implementation efforts. Additionally, it establishes the HMP requirement for the Federal Emergency Management Agency’s (FEMA) HMA.

On October 2, 2015, FEMA published the Mitigation Planning Final Rule in the Federal Register, [Docket ID: FEMA-2015-0012], 44 CFR Part 201, effective November 2, 2015. Planning requirements for Local entities are described in detail in Section §201.6. Locally-adopted and FEMA-approved HMPs qualify jurisdictions for several HMA grant programs. This 2019 HMP for the City complies with Title 44 CFR Section §201.6 and applicable FEMA guidance documents as well as the 2018 *State of Alaska HMP* by the Department of Military and Veterans Affairs (DMVA) Division of Homeland Security and Emergency Management (DHS&EM).

Section 322 of the Stafford Act (42 USC 5165) as amended by P.L. 106-390 provides for State and Local governments to undertake a risk-based approach to reducing risks to natural hazards through mitigation planning. The National Flood Insurance Act of 1968 (42 USC 4001 et seq.) as amended, further reinforces the need and requirement for HMPs, linking Flood Mitigation Assistance (FMA) programs to State and Local HMPs. This change also requires participating National Flood Insurance Program (NFIP) communities’ risk assessments and mitigation strategies to identify and address repetitively flood-damaged properties.

1.3 GRANT PROGRAMS WITH MITIGATION PLAN REQUIREMENTS

FEMA HMA grant programs provide funding to Local entities that have a FEMA-approved HMP. Two of the grants are authorized under the Stafford Act and DMA 2000, while the remaining

three are authorized under the National Flood Insurance Act and the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act. As of June 19, 2008, the grant programs were segregated. The Hazard Mitigation Grant Program (HMGP) is a competitive, disaster-funded grant program whereas the other Unified Mitigation Assistance Programs (Pre-Disaster Mitigation [PDM] and FMA, although competitive) rely on specific pre-disaster grant funding sources, sharing several common elements.

*“The DHS&EM FEMA HMA grant programs present a critical opportunity to protect individuals and property from natural hazards while simultaneously **reducing reliance on Federal disaster funds**. The HMA programs provide PDM grants annually. The statutory origins of the programs differ, but all share the common goal of reducing the loss of life and property due to natural hazards.*

The PDM program is authorized by the Stafford Act and focuses on mitigation project and planning activities that address multiple natural hazards, although these activities may also address hazards caused by manmade events. The FMA program is authorized by the National Flood Insurance Act and focuses on reducing claims against the NFIP” (FEMA, 2019h).

1.3.1 Hazard Mitigation Assistance (HMA) Unified Programs

The HMGP provides grants to Local entities to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. Projects must provide a long-term solution to a problem; for example, elevation of a home to reduce the risk of flood damages as opposed to buying sandbags and pumps to fight the flood. In addition, a project’s potential savings must be more than the cost of implementing the project. Funds may be used to protect either public or private property or to purchase property that has been subjected to, or is in danger of, repetitive damage. The amount of funding available for the HMGP under a particular disaster declaration is limited. FEMA may provide a State or Local entity with up to 20% of the total aggregate disaster damage costs to fund HMGP project or planning grants. The cost-share for this grant is 75% Federal/25% non-Federal.

The PDM grant program provides funds to Local entities for hazard mitigation planning and mitigation project implementation prior to a disaster event. PDM grants are awarded on a nationally-competitive basis. Like HMGP funding, a PDM project’s potential savings must be more than the cost of implementing the project. In addition, funds may be used to protect either public or private property or to purchase property that has been subjected to, or is in danger of, repetitive damage. The total amount of PDM funding available is appropriated by Congress on an annual basis. In Fiscal Years (FY) 2016 and 2017, PDM program funding totaled approximately \$90 million each year. The cost-share for this grant is 75% Federal/25% non-Federal.

The goal of the FMA grant program is to reduce or eliminate flood insurance claims under the NFIP. Particular emphasis for this program is placed on mitigating repetitive loss properties. The primary source of funding for this program is the

The City of Kenai does not participate in the NFIP.

National Flood Insurance Fund. Grant funding is available for three types of grants, including Planning, Project, and Technical Assistance. Project grants, which use the majority of the program's total funding, are awarded to States and Local entities to apply mitigation measures to reduce flood losses to properties insured under the NFIP. In FY 2016, FMA funding totaled \$199 million. In FY 2017, FMA funding totaled \$160 million. The cost-share for this grant is 75% Federal/25% non-Federal.

1.4 HMP DESCRIPTION

The remainder of this HMP consists of the following sections and appendices:

Prerequisites

Section 2 addresses the prerequisites of plan adoption, which includes adoption by the City Council. The adoption resolution is included in Appendix F.

Community Description

Section 3 provides a general history and background of the City, including historical trends for population and the demographic and economic conditions that have shaped the area.

Planning Process

Section 4 describes the planning process and identifies the Project Team Members, the meetings held as part of the planning process, and the key stakeholders within the City. In addition, this section documents public outreach activities (Appendix A) and the review and incorporation of relevant plans, reports, and other appropriate information.

Hazard Analysis

Section 5 describes the process through which the Project Team identified, screened, and selected the hazards to be profiled in this 2019 HMP. The hazard analysis includes the characteristics, history, location, extent, impact, and recurrence probability statements of future events for each hazard. In addition, historical and hazard location figures are included.

Vulnerability Analysis

Section 6 identifies potentially vulnerable assets—people, residential and nonresidential buildings, critical facilities, and critical infrastructure—in the City. The resulting information identifies the full range of hazards that the City could face and potential social impacts, damages, and economic losses. Land use and development are also discussed.

Mitigation Strategy

Section 7 defines the mitigation strategy which provides a blueprint for reducing the potential losses identified in the vulnerability analysis. The Project Team developed a list of mitigation goals and potential actions to address the risks facing the City. Mitigation actions include preventive actions, property protection techniques, natural resource protection strategies, structural projects, emergency services, and public information and awareness activities.

Plan Maintenance

Section 8 describes the Project Team's formal plan maintenance process to ensure that the 2019 HMP remains an active and applicable document. The process includes monitoring, evaluating (Appendix E), and updating the HMP; implementation through existing planning mechanisms; and continued public involvement.

References

Section 9 lists the reference materials used to prepare this HMP.

Appendix A

Appendix A provides public outreach information, including newsletters, meeting sign-in sheets, trip reports, and presentations.

Appendix B

Appendix B contains a glossary of terms that are used throughout this HMP.

Appendix C

Appendix C provides the FEMA crosswalk, which documents compliance of this HMP with FEMA criteria.

Appendix D

Appendix D contains the Benefit-Cost Analysis Fact Sheet used to prioritize mitigation actions.

Appendix E

Appendix E provides plan maintenance documents, such as an annual review sheet, the progress report form, and a community survey.

Appendix F

Appendix F provides the adoption resolution by the City Council and FEMA's approval letter.

2.1 ADOPTION BY CITY COUNCIL AND SUPPORTING DOCUMENTATION

Requirements for the adoption of this 2019 HMP by the local governing body, as stipulated in the DMA 2000 and its implementing regulations, are described below.

DMA 2000 REQUIREMENTS: PREREQUISITES

Local Plan Adoption

Requirement §201.6(c)(5): The local hazard mitigation plan shall include documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval of the plan (e.g., City Council).

Element

- Has the local governing body adopted the local hazard mitigation plan?
- Is supporting documentation, such as a resolution, included?

Source: FEMA, 2015.

The City is the local jurisdiction represented in this 2019 HMP and meets the requirements of Section 322 of DMA 2000. The City will comply with all applicable Federal statutes and regulations in effect with respect to the periods for which it receives grant funding, in compliance with 2 CFR Parts 200 and 3002 and will amend this HMP whenever necessary to reflect changes in Federal laws and statutes.

The local governing body of the City is the City Council, and they adopted the 2019 HMP by resolution on _____, 2020. A scanned copy of the resolution is included in Appendix F.

This section describes the location, history, demographics, and economy of the City.

3.1 LOCATION

Kenai is located on the western coast of the Kenai Peninsula in Southcentral Alaska, fronting Cook Inlet. It lies on the western boundary of the Kenai National Wildlife Refuge, on the Kenai Spur Highway. It is approximately 65 air miles and 160 highway miles southwest of Anchorage via the Sterling Highway at approximately 60.5537 North



Latitude and -151.2546 West Longitude. Kenai is located in the Kenai Peninsula Borough (KPB) Recording District” (Department of Community, Commerce, and Economic Development [DCCED], Division of Community and Regional Affairs [DCRA], 2019).

The City covers approximately 29.9 square miles of land and 5.6 square miles of water. Kenai falls within the gulf coast transitional climate zone, characterized by a semi-arid atmosphere; long, cold winters; and mild summers. Summer temperatures typically range from 46 to 65 degrees Fahrenheit (°F), and winter temperatures from 4 to 22°F. Annual precipitation is 20 inches. Kenai’s northern climate is tempered by Upper Cook Inlet to the west and the Kenai Mountain Range to the south and east. Average wind speeds are 7.8 miles per hour (mph) (WeatherSpark, 2019).

3.2 HISTORY

Prior to Russian settlement, Kenai was a Dena'ina Athabascan village. Russian fur traders first arrived in 1741. At that time, about 1,000 Dena'ina lived in the village of Shk'ituk't, near the river. The traders called the people "Kenaitze" or "Kenai people." In 1791, a fortified Russian trading post, Fort St. Nicholas, was constructed for fur and fish trading. It was the second permanent Russian settlement in Alaska. In 1849, the Holy Assumption Russian Orthodox Church was established by Egumen Nicholai. In 1869, the U.S. Military established a post for the Dena'ina in the area, called Fort Kenay, which was abandoned in 1870 after Alaska was purchased by the U.S. A post office was established in 1899. Through the 1920s, commercial fishing was the primary activity. In 1940, homesteading enabled the area to develop. The first

dirt road from Anchorage was constructed in 1951. In 1957, oil was discovered at Swanson River, 20 miles northeast of the City - the first major Alaska oil strike. The City was incorporated in 1960. In 1965, offshore oil discoveries in Cook Inlet fueled a period of rapid growth. After rapid increases during the economic booms of the 1960s through the 1980s, population growth in Kenai began to stabilize by 2000, with more long-term residents and a generally older population. Several other communities, such as Soldotna, Nikiski, Kasilof, and Sterling, are within 20 miles of the City, giving the northwest peninsula a population of roughly 34,000. Kenai has been a growing center for oil exploration, production, and services since that time.

3.3 DEMOGRAPHICS

The 2010 U.S. Census recorded 7,100 residents for the City. The 2016 American Community Survey (ACS) recorded 7,551 residents, of which the median age was 37, indicating a relatively young population and is expected to continue increasing as depicted in Figure 1. Over 74% of the population is 18 years of age or older (ACS, 2016).

The City is a blended community. About 77% of residents recognize themselves as White, 11% of residents recognize themselves as Alaska Native, and 8% recognize themselves as two or more races. The percentage of males is 51.6%, and the percentage of females is 48.4%. The 2010 U.S. Census indicated that there are 3,508 households with the average household having approximately three individuals.

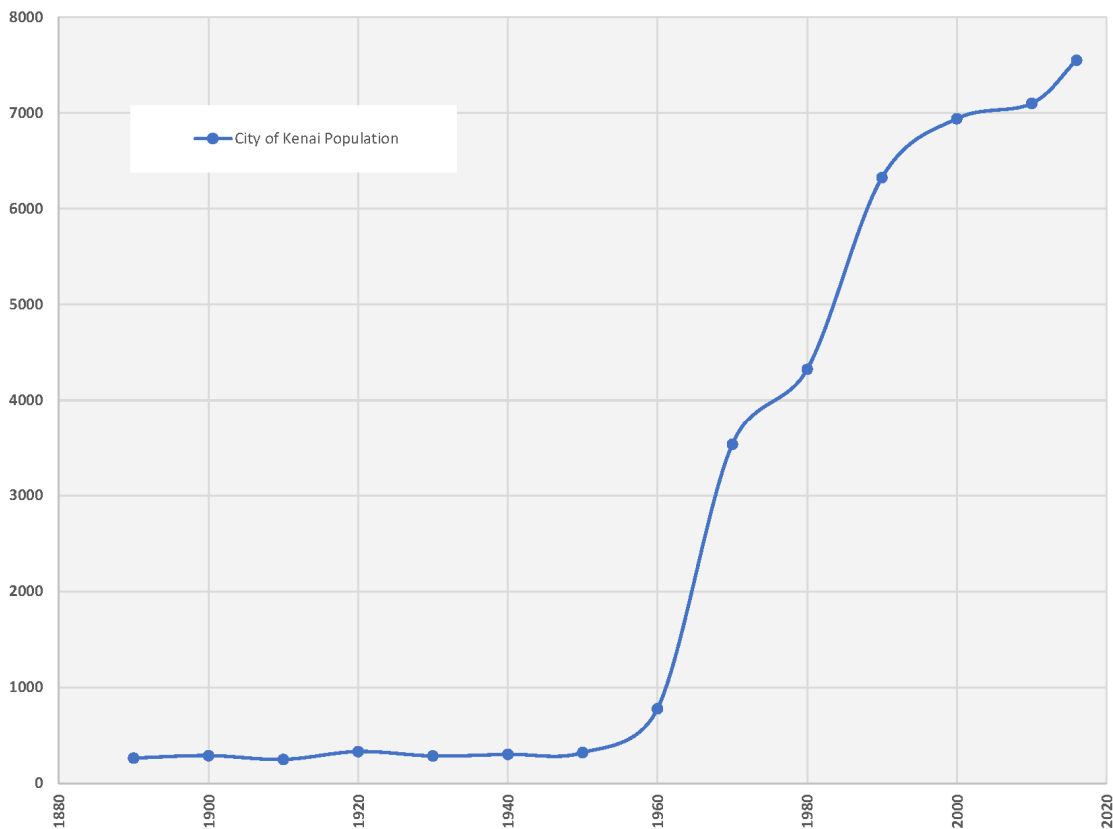


Figure 1. Kenai's Historic Population

3.4 ECONOMY

The City of Kenai's economic well-being is closely tied to general economic conditions in the Kenai/Soldotna area. This area continues to be the trade and service center for the western Kenai peninsula and a local government center. The area has an industrial base and a healthy visitor industry centered on the recreational fisheries of the Kenai River and Cook Inlet.

According to the 2010 U.S. Census, the median household income for the City was \$58,732. Approximately 991 individuals (14%) were reported to be living below the poverty level. The potential work force (those aged 16 years or older) for the City was estimated to be 5,820, of which 3,716 were actively employed.

The Kenai River is a major sport fishing location for Anchorage residents and tourists. The river is world-renowned for trophy king and silver salmon. The Kenaitze (Tanaina Athabascans) live borough-wide and utilize the rich resources of Cook Inlet.

This section provides an overview of the planning process; identifies the Planning Team members and key stakeholders; documents public outreach efforts; and summarizes the review and incorporation of existing plans, studies, and reports used to develop this HMP. Additional information regarding the Planning Team and public outreach efforts is provided in Appendix A. Requirements for the planning process, as stipulated in DMA 2000 and its implementing regulations, are described below.

DMA 2000 Requirements: Planning Process

Local Planning Process

Requirement §201.6(c)(1): [The plan shall document] the planning process used to develop the plan, including how it was prepared, who was involved in the process, and how the public was involved.

Element

- Does the plan provide a narrative description of the process followed to prepare the plan?
- Does the plan indicate who was involved in the planning process?
- Does the plan indicate how the public was involved?
- Does the plan discuss the opportunity for neighboring communities, agencies, businesses, academia, nonprofits, and other interested parties to be involved in the planning process?
- Does the planning process describe the review and incorporation, if appropriate, of existing plans, studies, reports, and technical information?
- Does the plan document how the planning team reviewed and analyzed each section of the plan?

Source: FEMA, 2015.

4.1 OVERVIEW OF PLANNING PROCESS

The DMVA DHS&EM provided funding and project oversight to LeMay Engineering & Consulting, Inc. Ms. Jennifer LeMay, PE, PMP guided the Hazard Mitigation Project Team to assist the City with development of the HMP.

The following five-step process occurred from August through December 2019.

1. **Organize resources:** Members of the Hazard Mitigation Project Team identified resources, including staff, agencies, and local community members, who could provide technical expertise and historical information needed in developing the HMP.
2. **Assess risks:** The Hazard Mitigation Project Team identified hazards specific to the City and developed a risk assessment for the identified hazards, including the vulnerability analysis, prior to and during the development of the mitigation strategy.
3. **Assess capabilities:** The Hazard Mitigation Project Team reviewed current administrative and technical, legal and regulatory, and fiscal capabilities to determine whether existing provisions and requirements adequately address relevant hazards.
4. **Develop a mitigation strategy:** After reviewing the risks posed by each hazard, the Hazard Mitigation Project Team developed a comprehensive range of potential mitigation goals and actions based on hazard events. Goals were then integrated into mitigation actions and were then prioritized based on community concerns with the top three hazards being fire, erosion of the Kenai Bluffs, and earthquakes.

5. Monitor, evaluate, and update the HMP: The Hazard Mitigation Project Team developed a process to monitor the HMP to ensure it will be used as intended while fulfilling community needs. The Hazard Mitigation Project Team then developed a process to evaluate the HMP on a yearly basis to compare how their decisions affect hazard impacts. They then outlined a method to share their successes with community members to encourage support for mitigation activities and to provide data for incorporating mitigation actions into existing planning mechanisms and providing data for the HMP’s five-year update. Opportunities are described in the Continued Public Involvement Section of this HMP (Section 8).

4.2 HAZARD MITIGATION PLANNING TEAM

Table 1 lists the Hazard Mitigation Planning Team members and contact information.

Table 1. Hazard Mitigation Planning Team

NAME	TITLE	ORGANIZATION	EMAIL
Elizabeth Appleby	City Planner	City of Kenai	eappleby@kenai.city
David Ross	Police Chief	City of Kenai	dross@kenai.city
Jeff Tucker	Fire Chief	City of Kenai	jtucker@kenai.city
Jeremiah Hamilton	Fire Marshal	City of Kenai	jhamilton@kenai.city
Bob Frates	Parks and Recreation Director	City of Kenai	bfrates@kenai.city
Mary Bondurant	Kenai Municipal Airport Director	City of Kenai	mbondurant@kenai.city
Scott Curtin	Public Works Director	City of Kenai	pcurtin@kenai.city
Jennifer LeMay, PE, PMP	Mitigation Planner	LeMay Engineering & Consulting, Inc.	jlemay@lemayengineering.com
Rick Dembroski	State of Alaska PDM Project Manager	DHS&EM	rick.dembroski@alaska.gov
Brent Nichols, CFM	State of Alaska Hazard Mitigation Officer	DHS&EM	brent.nichols@alaska.gov

4.3 PUBLIC INVOLVEMENT & OPPORTUNITY FOR INTERESTED PARTIES TO PARTICIPATE

Table 2 lists the community’s public involvement initiatives to encourage participation and insight for the HMP effort.

Table 2. Public Involvement Mechanisms

Mechanism	Description
Newspaper Advertisement, dated October 25, 2019	On October 25, 2019, the City advertised in the <i>Peninsula Clarion</i> , a newspaper of general circulation. The newspaper advertisement contained the agenda for the October 30, 2019 Planning and Zoning Commission meeting as Item A: SCHEDULED PUBLIC COMMENT: Jennifer

Mechanism	Description
	LeMay, LeMay Engineering & Consulting, Inc. to discuss the City of Kenai Local Hazard Mitigation Plan. This advertisement is contained in Appendix A.
Newsletter #1 Distribution (November 8, 2019)	On November 8, 2019, the City distributed a newsletter describing the Draft 2019 HMP’s availability and identifying a 30-day public comment period. The newsletter encouraged the community to provide comments and was posted at the City Hall, the Post Office, and the Kenai Community Library. The newsletter also invited the community to a December 4, 2019 City Council meeting for a public hearing on the HMP. The newsletter was posted on the City’s website, City Facebook page, and read on radio.
Public Notice, dated November 29, 2019	On November 29, 2019, the City advertised in the <i>Peninsula Clarion</i> . The newspaper advertisement contained the agenda for the December 4, 2019 City Council meeting as Item A: SCHEDULED PUBLIC COMMENT: Jennifer LeMay, LeMay Engineering & Consulting, Inc. to discuss the City of Kenai Local Hazard Mitigation Plan. This advertisement is contained in Appendix A.

The 2010 KPB HMP included an annex which identified the City of Kenai’s hazards. In 2019, the City of Kenai chose to have its own standalone HMP. Rather than begin the process at the stakeholder level, it was necessary for a rough draft to be developed which could be used by the community to provide constructive feedback. LeMay Engineering & Consulting, Inc. developed a standalone HMP with consultation with the City Planner. The Hazard Mitigation Planning Team fine-tuned the HMP via email and met on October 30, 2019 from 2-4 pm to further discuss input into the HMP.

On October 30, 2019 at 7 pm, Jennifer LeMay gave a hazard mitigation planning presentation as an agenda item for the regularly scheduled Planning and Zoning Commission meeting (see Appendix A for meeting attendees, agenda, Powerpoint® presentation slides, minutes, and trip report). Hazards were confirmed, the risk assessment was summarized, and mitigation actions were presented. The Planning and Zoning Commission recommended sending the HMP to the City Council.

A 30-day public comment period began on November 8, 2019 to allow the community the opportunity to read the HMP and provide comments. The Draft HMP was posted on the City’s web page. A newsletter was also posted at City Hall, the Post Office, and the Kenai Community Library notifying the public of the availability of the Draft HMP and inviting the public to provide comments.

On December 4, 2019 at 6 pm, Jennifer LeMay presented an HMP summary as an agenda item for the regularly scheduled City Council meeting (see Appendix A for meeting attendees, agenda, Powerpoint® presentation slides, minutes, and trip report). A public hearing was held, and comments are summarized in the trip report in Appendix A.

The HMP was updated based on public comments provided at the December 4, 2019 City Council meeting and comments that were emailed or telephoned to the City Planner during the 30-day public comment period. This updated document known as the Draft HMP was then submitted to DHS&EM for review before being submitted to FEMA for evaluation.

4.4 INCORPORATION OF EXISTING PLANS AND OTHER RELEVANT INFORMATION

During the planning process, the Hazard Mitigation Project Team reviewed and incorporated information from existing plans, studies, and reports into the HMP. The following were

reviewed and used as references for the jurisdiction information and hazard profiles in the risk assessment (see Section 6) of the HMP:

- *Draft KPB Comprehensive Plan, 2019*: provides the goals, visions, and conditions of the KPB. Kenai is a city within the KPB.
- *U.S. Army Corps of Engineers (USACE), Alaska Kenai Bluffs Bank Stabilization Section 116 Feasibility Study, Kenai, Alaska, 2018*: addresses storm damage, coastal erosion, and ice and glacial damage occurring at the Kenai Bluffs site. The Kenai Bluffs, lining the north shore of the Kenai River estuary for roughly 5,000 feet, have been receding at an average rate of approximately three feet per year, due to a combination of coastal storm surge, tidal currents, and other erosive forces. Public and private property, structures and infrastructure, and cultural resources have been lost and continue to be threatened by the receding bluff.
- *FEMA Region X – KPB, Alaska Risk Report for the KPB and the Incorporated Cities of Homer, Kachemak, Kenai, Seldovia, Seward, and Soldotna, 2017*: contains the results of an in-depth risk assessment for flood, earthquake, erosion, tsunami, and dam failure hazards for KPB cities, including a summary of the Risk Assessment Database.
- *City of Kenai Comprehensive Plan, 2016*: documents the City’s effort to guide development in the community until 2030 and provides important information about the population, environment, economy, transportation, and land use.
- *City of Kenai’s Annex to the KPB Local All-Hazard Mitigation Plan, 2010*: provides a brief overview of natural hazards that have the potential to affect the City.
- *City of Kenai Emergency Operations Plan, 2007*: addresses authorities, roles, and responsibilities for disaster-specific functions.
- *Kenai Area: Community Wildfire Protection Plan, 2006*: provides a risk assessment and mitigation plan for the City regarding wildfire.
- *State of Alaska, DCCED Community Profile*: provides historical and demographic information.

This section identifies and profiles the hazards that could potentially affect the City.

5.1 OVERVIEW OF A HAZARD ANALYSIS

A hazard analysis includes the identification, screening, and profiling of each hazard. Hazard identification is the process of recognizing the natural events that threaten an area. Natural hazards result from unexpected or uncontrollable natural events of sufficient magnitude. Even though a particular hazard may not have occurred in recent history in the study area, all-natural hazards that may potentially affect the study area are considered; the hazards that are unlikely to occur or for which the risk of damage is accepted as being very low, are eliminated from consideration. Human and Technological, and Terrorism-related hazards are beyond the scope of this HMP.

Hazard profiling is accomplished by describing hazards in terms of their characteristics, history, location, extent, breadth, magnitude, frequency, and recurrence probability. Hazards are identified through the collection of historical and anecdotal information, review of existing plans and studies, and preparation of hazard maps of the study area. Hazard maps are used to determine the geographic extent of the hazards and define the approximate boundaries of the areas at risk.

5.2 HAZARD IDENTIFICATION AND SCREENING

Requirements for hazard identification, as stipulated in DMA 2000 and its implementing regulations, are described below.

DMA 2000 Requirements: Risk Assessment: Identifying Hazards

Identifying Hazards

Requirement §201.6(c)(2)(i): The risk assessment shall include a] description of the type, location, and extent of all-natural hazards that can affect the jurisdiction. The plan shall include information on previous occurrences of hazard events and on the probability of future hazard events.

Element

- Does the plan include a description of the types of all-natural hazards with the potential to affect the jurisdiction?
- Does the risk assessment identify the location (i.e., geographic area affected) of each natural hazard addressed in the plan?
- Does the risk assessment identify the extent (i.e., breadth, magnitude, or severity) of each hazard addressed in the plan?
- Does the plan provide information on previous occurrences of each hazard?
- Does the plan include recurrence probability statements of future events (i.e., chance of occurrence) for each hazard addressed?

Source: FEMA, 2015.

For the first step of the hazard analysis, the Hazard Mitigation Project Team reviewed possible hazards that could affect the City according to the 2018 *State of Alaska HMP* (DHS&EM, 2018a). They then evaluated and screened the comprehensive list of potential hazards based on a range of factors, including prior knowledge or perception of their threat and the relative risk presented by each hazard, the ability to mitigate the hazard, and the known or expected availability of information on the hazard (see Table 3). The Hazard Mitigation Project Team determined that the hazards that have the potential to impact the City include: changes in the

cryosphere, earthquakes, flood/erosion, volcanic ashfall, severe weather, and wildland/conflagration fires. The remaining hazards excluded through the screening process were considered to pose a lower threat to life and property in the City due to the low likelihood of occurrence or the low probability that life and property would be significantly affected.

Table 3. Identification and Screening of Hazards

Hazard Type	Should It Be Profiled?	Explanation
Changes in the Cryosphere	Yes	Changes in the cryosphere is designated as a hazard in the 2018 <i>State of Alaska HMP</i> . The City suffers from “silent storms” where high-water storm surges erode and undercut the banks. This hazard is included under floods/erosion in Section 5.3. Both sea ice and river ice collect at the toe of the Kenai Bluffs during the winter months, although to what extent is dependent on temperatures, wind direction and intensity, tides, and ice concentration in Cook Inlet (USACE, 2018).
Earthquakes	Yes	Earthquakes are designated as a hazard in the 2018 <i>State of Alaska HMP</i> with a high probability of occurring in the KPB. The 1964 Great Alaska Earthquake and resulting tsunami caused significant damage in Seldovia. Land subsidence within the KPB occurred in Seward, Homer, Hope, and Seldovia, where some of the most drastic subsidence dropped land six feet. The City was relatively undamaged in the 1964 Great Alaska Earthquake. The 2018 earthquake caused damage to the City dock and wellhouse.
Floods/Erosion	Yes	Flooding is designated as a hazard in the 2018 <i>State of Alaska HMP</i> with a high probability of occurring in the KPB. The 2017 FEMA Risk Report did not identify flooding as a concern for the City; however, the Wastewater Treatment Plant was identified as having the potential to be affected by erosion.
Ground Failure	No	The terrain in the City is not likely to produce ground failure.
Volcanic Ashfall	Yes	The City has been affected by volcanic ashfall from volcanoes in the past. Volcanoes are designated as a hazard in the 2018 <i>State of Alaska HMP</i> with a high probability of occurring in the KPB.
Severe Weather	Yes	Annual weather patterns, such as fog and high winds, are predominant threats. Severe weather is designated as a hazard in the 2018 <i>State of Alaska HMP</i> with a high probability of occurring in the KPB. High winds cause trees to fall on power lines.
Wildland/Conflagration Fires	Yes	Dead and dying spruce trees pose the greatest risk of wild fire on the entire KPB, including the City. Wildland fire is designated as a hazard in the 2018 <i>State of Alaska HMP</i> with a high probability of occurring in the KPB.
Tsunamis	No	The City is not at risk for tsunamis based on its location near the relatively shallow depth of upper Cook Inlet.

5.3 HAZARD PROFILE

Requirements for hazard profiles, as stipulated in DMA 2000 and its implementing regulations, are described below.

The specific hazards selected by the Planning Team for profiling have been examined in a methodical manner based on the following factors:

- Hazard Characteristics;
 - Typical event characteristics;
 - Potential climate change impacts are primarily discussed in the Changes in the Cryosphere hazard profile but are also identified where deemed appropriate within selected hazard profiles;
- History (geologic as well as previous occurrences);
- Location;
- Extent (breadth, magnitude, and severity);
- Impact (general impacts associated with each hazard are described in the following profiles, and detailed impacts to the City’s residents and critical facilities are further described in Section 6 as part of the overall vulnerability summary for each hazard); and
- Recurrence probability statement of future events.

The hazards profiled for the City are presented in the rest of Section 5.3. They are placed in alphabetical order which does not signify the importance level or risk.

5.3.1 Changes in the Cryosphere

5.3.1.1 Hazard Characteristics

The “cryosphere” is defined as those portions of Earth’s surface and subsurface where water is in solid form, including sea, lake, and river ice, snow cover, glaciers, ice caps and ice sheets, and frozen ground (e.g., permafrost). The components of the cryosphere play an important role in climate. Snow and ice reflect heat from the sun, helping to regulate the Earth’s temperature. They also hold Earth’s important water resources, and therefore, regulate sea levels and water availability in the spring and summer. The cryosphere is one of the first places where scientists are able to identify global climate change.

Hazards of the cryosphere can be subdivided into four major groups:

- Glaciers;
- Permafrost and periglacial;
- Sea ice; and
- Snow avalanche.

Glaciers, permafrost, and snow avalanche are not applicable to the City of Kenai. Of these four major groups, sea ice applies to the City of Kenai.

Sea ice is frozen ocean water that forms, grows, and melts in the ocean. Sea ice grows in Cook Inlet during the winter and melts during the summer. The winds from a fall storm can push sea ice onto the beach. The ice will then gouge the beach and cause other damage. Both sea ice and river ice collect at the toe of the Kenai Bluffs during the winter months, although to what extent is dependent on temperatures, wind direction and intensity, tides, and ice concentration in Cook Inlet. The average Kenai River ice freeze-up is December 10, and the average ice break-

up is April 2. Ice can close the river to vessel traffic for short periods from December to early April (USACE, 2018).

5.3.1.2 Climate Factors

The cryosphere is strongly tied to climate, and thus, very responsive to climate warming. Changes in climate can modify natural processes and increase the magnitude and recurrence frequency of certain geologic hazards (e.g., floods caused by storm surge, erosion, and increased precipitation), which if not properly addressed, could have a damaging effect on Alaska’s communities and infrastructure, as well as on the livelihoods and lifestyles of Alaskans. Wave climate, and extreme water level events all have the potential to change with climate and influence coastal erosion rates.

During the last several decades, Alaska has warmed twice as fast as the rest of the U.S. The major climatic factor leading to warming is an increase in air temperatures. Even in non-ice-rich soils, process-driven models show more material is available for erosion and transport when soil is thawed, which leads to increased exposure of underlying material to thermal and physical stressors.

5.3.1.3 Cryosphere Hazard History

The 2016 *City of Kenai Comprehensive Plan* noted a drying trend in wetlands and that trees are growing at higher altitudes. The 2019 Draft *KPB Comprehensive Plan* states the average May to August temperature has increased nearly 2°F over the last 50 years. The increase in temperature changed the U.S. Department of Agriculture (USDA) plant hardiness zones for the KPB. The 2015 USDA Climate Change Vulnerability Assessment for the Chugach National Forest predicted the following climate conditions: shorter winter months, more snowpack at higher elevations and less snowpack at lower elevations, less rain in spring and more rain in autumn, and a drying trend for the western KPB that may increase the risk of wildland fire.

5.3.1.4 Location, Extent, Impact, and Recurrence Probability

Location

Within the City, sea ice primarily occurs in Upper Cook Inlet, and river ice occurs at the mouth of the Kenai River. Snow occurs everywhere on land.

Extent

The entire state of Alaska is at risk of affects from climate change. Historical climate data shows that the average annual temperature in Alaska has warmed about 4°F since the 1950s and 7°F in winter. The state has grown wetter, with a 30% increase in average precipitation between 1968 and 1990. The growing season has lengthened by about 14 days. Models predict continued warming, including an increase in temperature by 1.5 to 5°F by 2030 and 5 to 18°F by 2100.

Impact

Impacts of a warming climate may include:

- Springs, seeps, or wet ground that is not typically wet;
- New cracks or bulges in the ground or pavement;
- Soil subsiding from a foundation;
- Secondary structures (decks, patios) tilting or moving away from main structures;
- Broken water line or other underground utility;
- Leaning structures that were previously straight;
- Offset fence lines;
- Sunken or dropped-down road beds;
- Rapid increase in stream levels, sometimes with increased turbidity;
- Rapid decrease in stream levels even though it is raining or has recently stopped; and
- Sticking doors and windows, visible spaces indicating frames out of plumb.

Recurrence Probability

Changes to the cryosphere are occurring and will continue to do so.

5.3.2 Earthquake

Alaska is one of the most seismically active regions in the world and is at risk of societal and economic losses due to damaging earthquakes. On average, Alaska has one “great” magnitude [(M) >8] earthquake every 13 years and one M 7-8 earthquake every year. Earthquakes have killed more than 130 people in Alaska during the past 60 years (DHS&EM, 2018a).

It is not possible to predict the time and location of the next big earthquake, but the active geology of Alaska guarantees that major damaging earthquakes will continue to occur and can affect almost anywhere in the state. Scientists have estimated where large earthquakes are most likely to occur, along with the probable levels of ground shaking to be expected. With this information, as well as information on soil properties and landslide potential, it is possible to estimate earthquake risks in any given area.

Alaska earthquake statistics include:

- Alaska is home to the second-largest earthquake ever recorded (1964 Great Alaska Earthquake, M 9.2);
- Alaska has 11% of the world’s recorded earthquakes; and
- Three of the eight largest earthquakes in the world occurred in Alaska.

Since 1900, Alaska has had an average of:

- 45 M 5-6 earthquakes per year;

- 320 M 4-5 earthquakes per year; and
- 1,000 earthquakes located in Alaska each month.

Source: Alaska Earthquake Center (AEC)

5.3.2.1 Hazard Characteristics

An earthquake is a sudden motion or trembling caused by a release of stress accumulated within or along the edge of Earth’s tectonic plates. The effects of an earthquake can be felt far beyond the site of its occurrence. Earthquakes usually occur without warning, and after only a few seconds, can cause massive damage and extensive casualties. The most common effect of earthquakes is ground motion, or the vibration or shaking of the ground during an earthquake.

Ground motion generally increases with the amount of energy released and decreases with distance from the rupture area. An earthquake causes waves in the earth’s interior (i.e., seismic waves) and along the earth’s surface (i.e., surface waves). Two kinds of seismic waves occur: P (primary) waves are longitudinal or compressional waves similar in character to sound waves that cause back and forth oscillation along the direction of travel (vertical motion), and S (secondary) waves, also known as shear waves, are slower than P waves and cause structures to vibrate from side to side (horizontal motion). There are also two types of surface waves: Raleigh waves and Love waves. These waves travel more slowly and typically are more damaging than seismic waves because they cause larger motions and their frequency is close to harmonic frequencies for human structures and for sedimentary deposits.

In addition to ground motion, several secondary natural hazards can occur from earthquakes such as:

- **Strong Ground Motion** is ground shaking. Strong ground motion intensity is directly correlated with earthquake magnitude (i.e., the larger the earthquake magnitude, the more intense and widespread the ground shaking will be). The strong ground motion severity is also dependent on the distance from the energy source.
- **Surface Rupturing** occurs when the subsurface patch of fault that slips in an earthquake intersects the earth’s surface. This causes discrete, differential ground movement during intense earthquake shaking. The relative crustal block motion is dictated by the rupture’s fault type, which can be horizontal, vertical, or a combination of both. Earthquakes larger than a M of 6.5 have sufficient energy to create surface ruptures, but whether or not this occurs is dependent on the earthquake’s depth. The shallower a depth at which a significant earthquake occurs, the more likely it is to create a surface rupture. Permanent displacement along faults can be substantial. Surface ruptures, as a product of intense strong ground motion, can cause severe damage to existing structures.
- **Landslides/Debris Flows** occur as a result of horizontal seismic inertia forces induced in the slopes by ground shaking. The most common earthquake-induced landslides include shallow, disrupted landslides such as rock falls, rockslides, and soil slides. Debris flows are created when surface soil on steep slopes becomes completely saturated with water. Once the soil liquefies, it loses the ability to hold together and can flow downhill

at very high speeds, taking vegetation and/or structures with it. Slide risks increase after an earthquake during a wet winter.

The severity of an earthquake can be expressed in terms of intensity and M. Intensity is based on the damage and observed effects on people and the natural and built environment. It varies from place to place depending on the location with respect to the earthquake rupture (where the fault moved). While the area directly above the rupture usually experiences the most intense earthquake effects (e.g., shaking), the total area affected can cover hundreds of thousands of sq. miles, depending on the earthquake’s M.

Larger earthquakes are less common than smaller earthquakes, such that the smallest earthquakes are extremely frequent, while the largest earthquakes are relatively infrequent.

Earthquakes are also classified by their felt effects (e.g., perceived shaking intensity). However, the effects of an earthquake are directly related to the distance from the earthquake rupture, among other parameters such as the type of crust where the earthquake occurs. In general, the closer one is to an earthquake’s epicenter, the more severe the felt effects and damage will be. An earthquake’s intensity is described by the Modified Mercalli Intensity (MMI) Scale. As shown in Table 4, the MMI Scale consists of 10 increasing levels of intensity that range from imperceptible to catastrophic destruction. Peak ground acceleration (PGA) is also used to measure earthquake intensity by quantifying how hard the earth shakes in a given location. PGA can be measured as acceleration due to gravity (g) (MMI, 2006).

Table 4. Perceived Shaking, Potential Damage, and Peak Ground Acceleration

PERCEIVED SHAKING	Not felt	Weak	Light	Moderate	Strong	Very strong	Severe	Violent	Extreme
POTENTIAL DAMAGE	none	none	none	Very light	Light	Moderate	Mod./Heavy	Heavy	Very Heavy
PEAK ACC.(%g)	<0.05	0.3	2.8	6.2	12	22	40	75	>139
PEAK VEL.(cm/s)	<0.02	0.1	1.4	4.7	9.6	20	41	86	>178
MMI scale	I	II-III	IV	V	VI	VII	VIII	IX	X+

M is the measure of the earthquake’s strength and is related to the amount of seismic energy released at the earthquake’s hypocenter, the actual location of the energy released inside the earth. It is based on the amplitude of the earthquake waves recorded on instruments, known as the Richter magnitude test scales, which have a common calibration.

5.3.2.2 History

The KPB is subject to numerous earthquake events of varying magnitudes. Several fault lines traverse the KPB, including the Lake Clark Fault, Bruin Bay Fault, Sterling Fault, Border Ranges Fault, and Eagle River Fault. The region’s tectonic activity, documented back to 1933, includes 258 earthquakes centered within the KPB that registered over a M of 4.5 (FEMAj, 2017).

A 7.1 earthquake with an epicenter north of Anchorage on November 30, 2018 damaged some City facilities. Damage was not as extensive as that in the Municipality of Anchorage or the Matanuska-Susitna Borough since the epicenter was farther away from Kenai. The Kenai City Dock was damaged with structural cracks in the concrete. Well House #1 and the building surrounding the well house were damaged. A water main break in a residential neighborhood

resulting from the earthquake about a week after its occurrence was fixed by the City’s Public Works Department.

One of the largest earthquake events in the region occurred 53 miles west of Anchor Point on January 24, 2016, with a M of 7.1. This earthquake, referred to as the 2016 Old Iliamna Earthquake, occurred 123.4 kilometers below ground, approximately 54 miles west of Anchor Point. It was reported that the shaking could be felt from Fairbanks to Juneau. The earthquake caused immediate regionwide power outages, gas leaks, and fires, which destroyed four homes. Additionally, businesses reported damaged merchandise, and the Kalifornsky Beach Road dropped down a foot, creating a 150-foot-long-crack. The Red Cross provided shelters for those whose homes were damaged, and for residents unable to return home due to closed roads. No fatalities were reported, and the structural damage was minimal.

As a result of the 2016 Old Iliamna Earthquake, the City felt the greatest impact when a gas line broke on Lilac Lane and released 406,000 cubic feet of natural gas (KBBI, 2016). The Pipeline and Hazardous Materials Safety Administration and the Regulatory Commission of Alaska didn’t cite any corrosion or pre-existing problem with the line. There were two house explosions, and a fire claimed two more, resulting in a total of four homes on Lilac Lane being completely destroyed. Lindsay Hobson, a spokeswoman for Enstar Natural Gas, stated, “But for the earthquake, there wouldn’t have been any damage to the line at all. The earthquake moved the line, and we had the resulting release of gas.”

Since 1931, 27 earthquakes have been recorded with a M of 5.0 or greater within a 50-mile radius of the approximate center of the City (60.559454° N, 151.233000° W) (Table 5).

Table 5. Historical Earthquakes within a 50-Mile Radius of the Approximate Center of the City

Date	Latitude	Longitude	Depth	M	Place
2017-05-30	60.8341	-151.8152	81.2	5.2	33km WNW of Nikiski, Alaska
2017-05-07	60.1828	-151.6783	67.2	5.3	29km SW of Cohoe, Alaska
2014-05-10	60.0101	-152.126	89.1	5.8	30km NNW of Anchor Point, Alaska
2012-12-04	61.24	-150.7682	63.7	5.8	Southern Alaska
2011-06-16	60.7649	-151.076	58.9	5.1	Kenai Peninsula, Alaska
2009-08-19	61.2279	-150.8579	66.4	5.1	Southern Alaska
2004-05-30	61.056	-152.2015	124.9	5.3	Southern Alaska
2004-03-05	60.5023	-151.64	61.7	5	Kenai Peninsula, Alaska
2001-01-25	60.114	-152.363	86.9	5.5	Southern Alaska
1999-04-18	60.387	-151.852	73.4	5.3	Kenai Peninsula, Alaska
1995-05-24	61.007	-150.119	41.8	5.6	Southern Alaska
1994-04-25	60.899	-151.142	67.9	5.4	Kenai Peninsula, Alaska
1991-12-07	60.954	-150.344	50.9	5.2	Kenai Peninsula, Alaska
1990-08-13	60.115	-152.006	87.6	5.5	Southern Alaska
1990-03-09	60.307	-152.286	84.9	5.3	Southern Alaska
1984-04-18	60.833	-152.067	95	5.1	Southern Alaska
1971-06-02	61.055	-151.147	29	5	Southern Alaska
1960-06-30	60.3	-150.9	55	5.9	Kenai Peninsula, Alaska
1958-11-19	60.46	-150.91	46	5.9	Kenai Peninsula, Alaska
1958-01-24	60.16	-151.76	52	6.4	Kenai Peninsula, Alaska
1954-10-03	60.651	-150.392	61.5	6.4	Kenai Peninsula, Alaska
1941-07-30	60.927	-151.033	35	6.4	Kenai Peninsula, Alaska
1940-10-11	60	-150.5		6	Kenai Peninsula, Alaska
1934-06-18	60.855	-151.316	15	6	Kenai Peninsula, Alaska
1933-06-13	61	-151		6.25	Southern Alaska

1933-04-27	61.131	-151.004	15	6.8	Southern Alaska
1931-12-24	60	-152	100	6.25	Kenai Peninsula, Alaska

5.3.2.3 Location, Extent, Impact, and Recurrence Probability

Location

The Uniform Building Code rates the entire state of Alaska in Earthquake Zone 4, the highest hazard level. Figure 2 shows the locations of active and potentially active faults in Alaska. Approximately 75% of Alaska’s detected earthquakes occur in the Alaska Peninsula, Aleutian, Cook Inlet, and Anchorage areas. About 15% occur in Southeast Alaska, and the remaining 10% occur in the Interior. The greatest earthquake in North American history occurred in the Alaska-Aleutian Seismic zone. That earthquake was a M 9.2, lasting between four and five minutes and was felt over a 7,000,000 square mile area. The megathrust zone where the North Pacific Plate plunges beneath the North American Plate still has the potential to generate earthquakes up to a M of 9.

Extent

Although Southcentral Alaska is in a high seismic risk zone, the City was relatively undamaged in the 1964 Great Alaska Earthquake; however, the potential for seismic events remains high.

“Alaska has changed significantly since the damaging 1964 earthquake, and the population has more than doubled. Many new buildings are designed to withstand intense shaking; some older buildings have been reinforced, and development has been discouraged in some particularly hazardous areas.

Despite these precautions, and because practices to reduce vulnerability to earthquakes are not applied consistently in regions of high risk, future earthquakes may still cause life-threatening damage to buildings, cause items within buildings to be dangerously tossed about, and disrupt basic utilities and critical facilities.

FEMA estimates that with the present infrastructure and policies, Alaska will have the second highest average annualized earthquake-loss ratio (ratio of average annual losses to infrastructure) in the country. Reducing those losses requires public commitment to earthquake-conscious siting, design, and construction. The Seismic Hazards Safety Commission is committed to addressing these issues. Earthquake-risk mitigation measures developed by similar boards in other states have prevented hundreds of millions of dollars in losses and significant reductions in casualties when compared to other seismically active areas of the world that do not implement effective mitigation measures. The San Francisco (1989), Northridge (1994), and Nisqually (2001) earthquakes caused comparatively low losses as a result of mitigation measures implemented in those areas. Many of these measures were recommended by the states’ seismic safety commissions.”

Source: HAZUS 99 Estimated Annualized Earthquake Losses for the U.S., FEMA Report 66. September 2000. Via DHS&EM, 2018a.

Figure 2. Active and Potentially Active Faults in Alaska



Impact

Two earthquake risk assessments were performed by FEMA using multi-hazard software (HAZUS) (FEMAj, 2017). The first assessment used a U.S. Geological Survey (USGS) ShakeMap created from the January 2016 M 7.1 Old Iliamna earthquake event and provides an estimate of expected earthquake losses. The second assessment simulated the 1964 Great Alaska with a M of 9.2 (using a USGS-developed shaking scenario) to predict losses if the event were to happen in 2017. The results for the City are summarized in Table 6. See Table 7 for a detailed breakout of impacted facilities for the City.

Table 6. Hazus Earthquake Results for M7.1 and M9.2 Earthquakes in the City of Kenai

Total Estimated Value of Improved Parcels	Total Number of Improved Parcels	M 7.1 Event		M 9.2 Event	
		Total Dollar Loss	Loss Ratio (Dollar Losses/Total Value)	Total Dollar Loss	Loss Ratio (Dollar Losses/Total Value)
\$1,525,005,650	3,652	\$2,482,040	0.16%	\$52,539,885	3.45%

Recurrence Probability

While it is not possible to predict an earthquake, the USGS has developed Earthquake Probability Maps that use the most recent earthquake rate and probability models. These models are derived from earthquake rate, location, and M data as well as from mapping of active faults, from the USGS National Seismic Hazard Mapping Project.

The measure of peak ground acceleration is relative to the acceleration due to gravity (1 g). At 1 g vertical acceleration, objects will be lofted off the ground as it moves down, and then experience twice their own weight when the ground moves up. One g of horizontal

Table 7. FEMA RiskMap Identified Areas of Mitigation Interest

Category	Name	Total Value (Building and Contents)	Estimated Loss from M9.2 Earthquake	M9.2 Earthquake Loss Ratio
Water Treatment Facility	Kenai Wastewater Treatment Facility	\$14,625,200	\$453,829	3.1%
School	Kenai Central High School*	\$115,594,200	\$4,971,042	4.3%
School	Kenai Middle School*	\$46,243,200	\$1,988,654	4.3%
City Office	Kenai City Hall	\$3,279,950	\$123,822	3.78%
Fire Station	Kenai Fire Department	\$3,279,950	\$123,822	3.78%
City Office	Kenai Fire Department	\$3,279,950	\$123,822	3.78%
Police Station	Kenai Police Station	\$3,279,950	\$123,822	3.78%
Emergency Shelter	LDS Chapel	\$3,459,400	\$129,867	3.75%
Emergency Shelter	Kaleidoscope Charter School	\$20,886,600	\$783,338	3.75%
Federal Office	U.S. Army Corps of Engineers' Kenai Field Office	\$879,600	\$32,401	3.68%
Park	Beaver Creek Park	\$15,800	\$552	3.49%
School	Mountain View Elementary*	\$27,087,400	\$942,826	3.48%

Note: Hazards are considered identified if the following applies:

1. Earthquake: Subject has a M 9.2 Earthquake Loss Ratio greater than 3.48%.
2. Flood: Subject is identified in a 0.2 percent or 1 percent annual change flood hazard area.
3. Erosion: Subject is within a parcel along an identified Cook Inlet erosion zone.

* Facility is also a designated Emergency Shelter.

The results of each code type are summarized in Table 8.

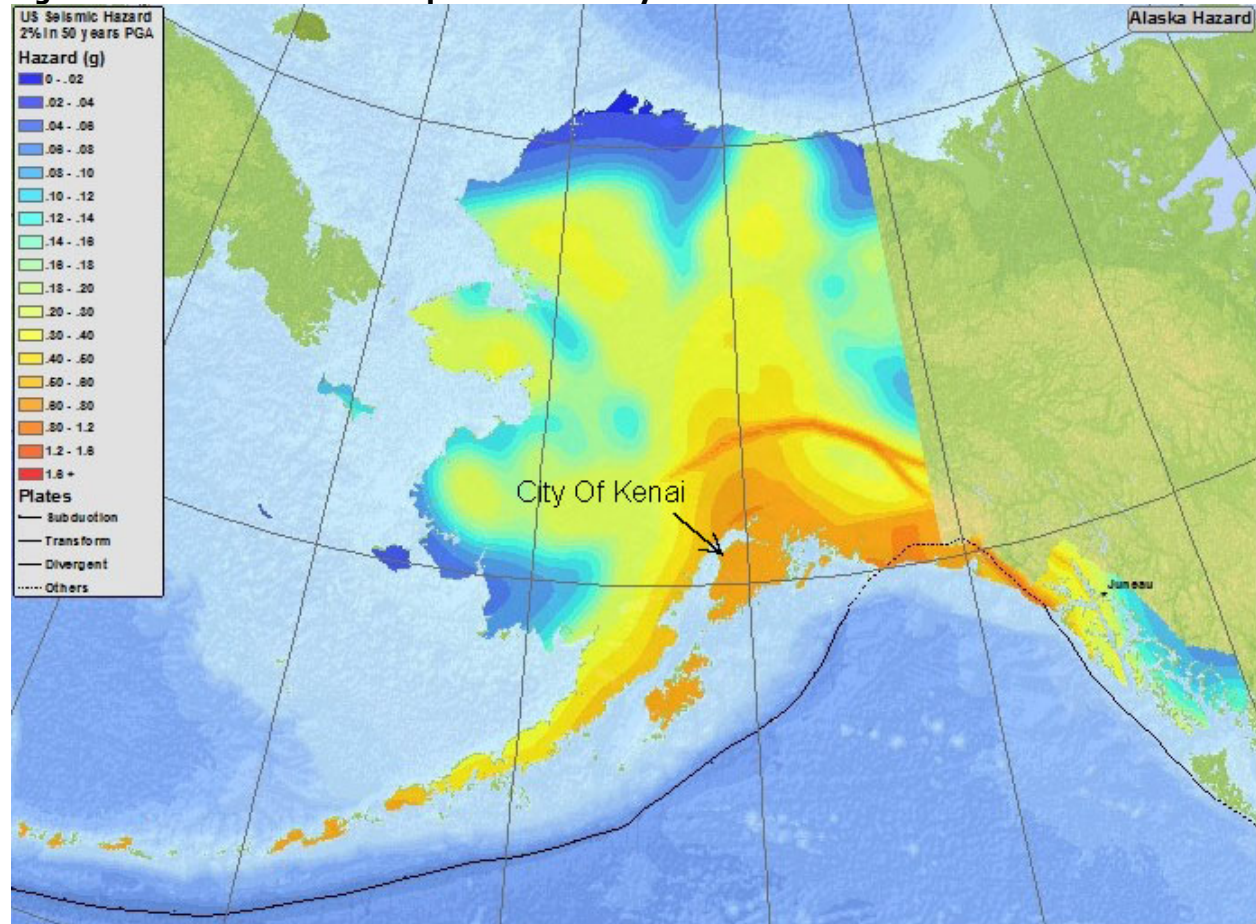
Table 8. Moderate- and High-Code Buildings in the City of Kenai

Total Moderate-Code Buildings	Percent Moderate-Code Buildings	Total High-Code Buildings	Percent High-Code Buildings	Total Number of Buildings
1,077	29.49%	2,575	70.51%	3,652

- Notes:
1. Pre-code buildings were built before 1941, without a wooden frame.
 2. Moderate-code means buildings were constructed after 1941, but with a wood frame and may include some earthquake building components.
 3. High-code means buildings built after 1975.

acceleration will make flat ground feel as though it is sloped at 45 degrees – steep enough that most things would fall. Figure 3 indicates that the USGS earthquake probability model places the probability of an earthquake in the City of Kenai with a likelihood of experiencing severe shaking (0.60g to 0.80g peak ground acceleration) at a 2% probability in 50 years, based on the USGS Alaska hazard model. A 2% probability in 50 years is the rare, large earthquake, and statistically, it happens on average every 2,500 years.

Figure 3. State of Alaska Earthquake Probability



5.3.3 Flood and Erosion

5.3.3.1 Hazard Characteristics

Floods

Approximately 6,600 miles of Alaska’s coastline and many low-lying areas along Alaska’s riverbanks are subject to severe flooding and erosion. The U.S. Government Accountability Office reported in 2003 that flooding and erosion affect 184 out of 213 (86%) of Alaska Native villages. Many of the problems are long-standing, although studies indicate that increased flooding and erosion are being caused in part by changes in the cryosphere (DHS&EM, 2018a).

Flooding is the overflow of excess water from a stream, river, lake, reservoir, glacier, or coastal body of water onto adjacent floodplains or normally dry land. Floodplains are lowlands adjacent to water bodies that are subject to recurring floods. Floods are natural events that are considered hazards only when people and property are affected. Flooding is Alaska’s most common disaster, often costing in excess of one million dollars annually, causing major disruptions to society and occasionally loss of life (DHS&EM, 2018a).

Many floods are predictable based on rainfall patterns. In the City, most of the annual precipitation is received from August through October with September being the wettest. This rainfall leads to flooding in winter. Spring snowmelt increases runoff, which can cause flooding.

To develop flood predictions, the National Weather Service (NWS) and DHS&EM operate a flood-forecasting network in the most populated parts of Alaska (River Watch), including the KPB. Predictions are also difficult for many of the smaller rivers because of the short time span between when the precipitation occurs and the flooding starts.

Erosion

Erosion is the action of surface processes (such as water) that remove soil, rock, or dissolved material from one location and transport it to another location. Erosion can be gradual or occur quite quickly as the result of a flash flood, storm, or other event. Most of the geomorphic change to a river system is due to peak flow events that can dramatically increase the erosion rate. Erosion is a problem in developed areas where disappearing land threatens development and infrastructure (DHS&EM, 2018a). Erosion rarely causes death or injury. However, erosion causes the destruction of property, development, and infrastructure. There are three main types of erosion that affect human activity in the City:

- Coastal erosion;
- Riverine erosion; and
- Wind erosion.

Coastal and Riverine Erosion

Coastal erosion is the wearing away of coastal land. This term is commonly used to describe the horizontal retreat of the shoreline along the ocean, or the vertical down cutting along the shores. Erosion is considered a function of larger processes of shoreline change, which includes erosion and accretion. Erosion results when more sediment is lost along a particular shoreline than is redeposited by the water body. Accretion results when more sediment is deposited along a particular shoreline than is lost. When these two processes are balanced, the shoreline is stable. Some erosion is related to redistributing sediment on a beach; moving sediment from bluffs to sand flats, especially under the influence of sea-level rise. In assessing the erosion hazard, it is important to realize that there is a temporal, or time aspect associated with the average rate at which a shoreline is either eroding or accreting. Over a long-term period (years), a shoreline is considered to be eroding, accreting, or stable. A hazard evaluation should focus on the long-term erosion situation. However, in the short-term, it is important to understand that storms can erode a shoreline that is, over the long-term, classified as accreting, and vice versa.

Riverine erosion results from the force of flowing water into and adjacent to river channels. This erosion affects the bed and banks of the channel and can alter or preclude any channel navigation or riverbank development. In less stable braided channel breaches, erosion and deposition of materials are a constant issue. In more stable meandering channels, episodes of erosion may occur occasionally.

Erosion is measured as a rate, with respect to either a linear retreat (i.e., feet of shoreline recession per year) or volumetric loss (i.e., cubic yards of eroded sediment per linear foot of shoreline frontage per year). Erosion rates are not uniform, and vary both over time at any single location and at any given time along the coast. Annual variations are the result of seasonal changes in wave action and water levels.

Erosion is caused by coastal storms and flood events; changes in the geometry of tidal inlets, river outlets, and bay entrances; man-made structures and human activities such as shore protection structures and dredging; long-term erosion; and local scour around buildings and other structures. Major erosion occurs when there is a high tide and large storm waves that carry away the base material of the bluff making the slopes steeper. These steeper slopes are more susceptible to erosion by wind and surface or groundwater.

Wind Erosion

Wind erosion is when wind is responsible for the removal, movement, and redepositing of land. It occurs when soils are exposed to high-velocity wind. The wind will pick up the soil and carry it away. The wind moves soil particles 0.1-0.5 millimeters (mm) in size in a hopping or bouncing fashion (known as saltation) and those greater than 0.5 mm by rolling (known as soil creep). The finest particles (less than 0.1 mm) are carried in suspension. Wind erosion can increase during periods of drought.

Wind erosion can cause a loss of topsoil, which can hinder agricultural production. Loess, deposits of silt laid down by wind action, can reduce visibility causing automobile accidents, hinder machinery, and have a negative effect on air and water quality, creating animal and human health concerns. Wind erosion also causes damage to public utilities and infrastructure.

Most of the City is unaffected by erosion. The 2017 FEMA Risk Report identified the wastewater treatment plant at risk of erosion. Additionally, large sections of the City’s coast, including the Historic District and residential areas are affected by coastal erosion. The City has lost land and structures due to the erosion. Roads have been abandoned and sewer mains relocated. In 2000, a sewer line was relocated due to the erosion on Mission Street. The relocation of the line and subsequent roadwork was in excess of \$300,000 (Funded through State of Alaska Capital Improvements funding).

The Kenai River meanders through the City. An example of coastal, riverine, and wind erosion working together is represented in Figure 4 on the Kenai Bluffs. The Kenai Bluffs are 5,000 linear feet of bluff (high bank) located in the City along the north bank of the Kenai River at the mouth to Cook Inlet (see Figure 5). Figures 6 and 7 show photographs taken in 2018 with the erosive forces labeled.

The Kenai Bluffs height ranges between 55 to 70 feet, and the bluff face is receding at an average rate of three feet per year. A review of aerial photographs that extended over a 56-year period of record indicate that the erosion rate ranges from two to four feet per year. The erosion is episodic, and the amount of bluff loss at any particular location can vary from chronic to an acute large loss of bluff face over a short period. Public and private property, structures and infrastructure, and cultural resources have been lost and continue to be threatened by the receding bluff. The bluff consists of unconsolidated sediments that remain unstable because it is exposed to Cook Inlet coastal storms and extreme floodtides that have the fourth largest range in the world of 31.4 feet. Tidal currents and wave action during flood tides attack the toe of the bluff, removing sediments that originate from the bluff face and accumulate at its toe. Coastal storms also degrade the structural integrity of the exposed lower bluff face. In order for the bluff to stabilize, an effective structural project alternative will

Figure 4. Erosion Mechanism Schematic

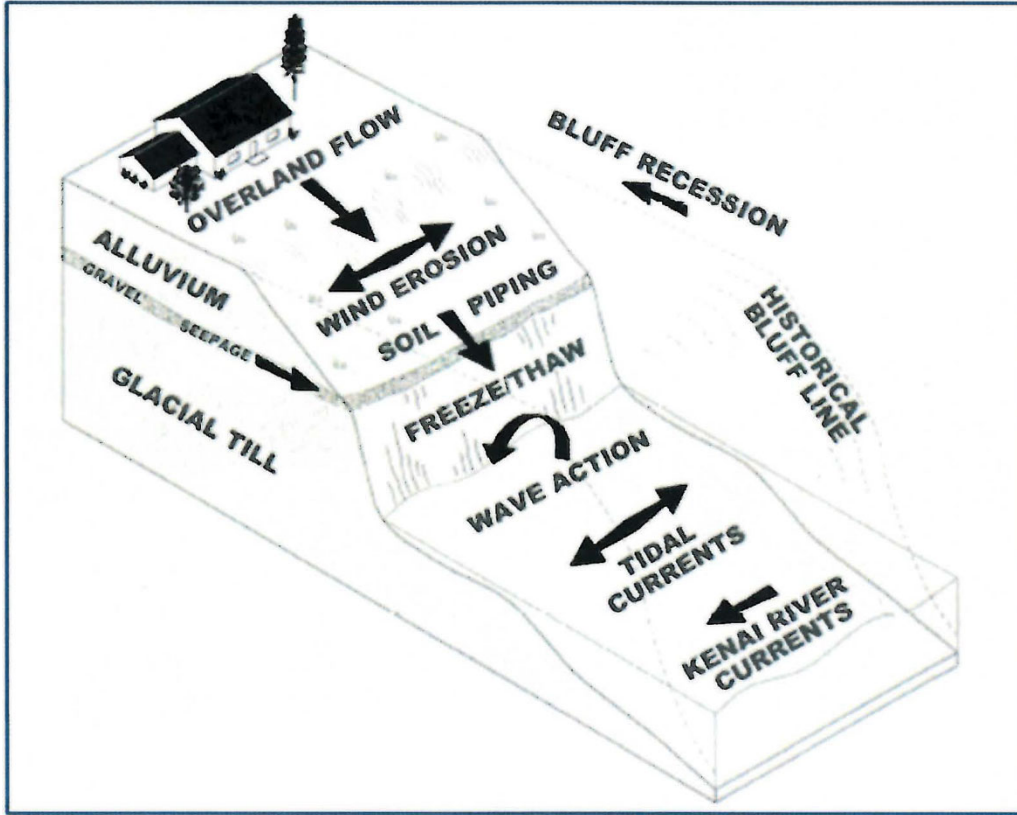


Figure 5. Kenai Bluffs Location

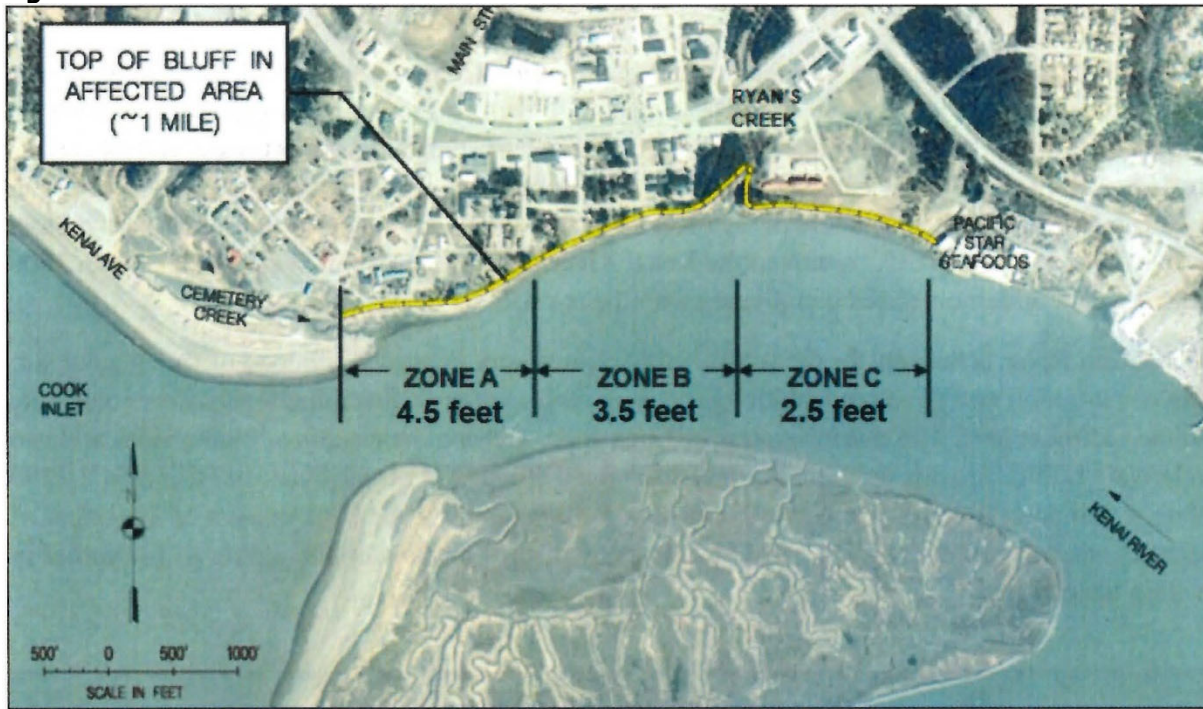


Figure 6. Kenai Bluffs Eroded Surface

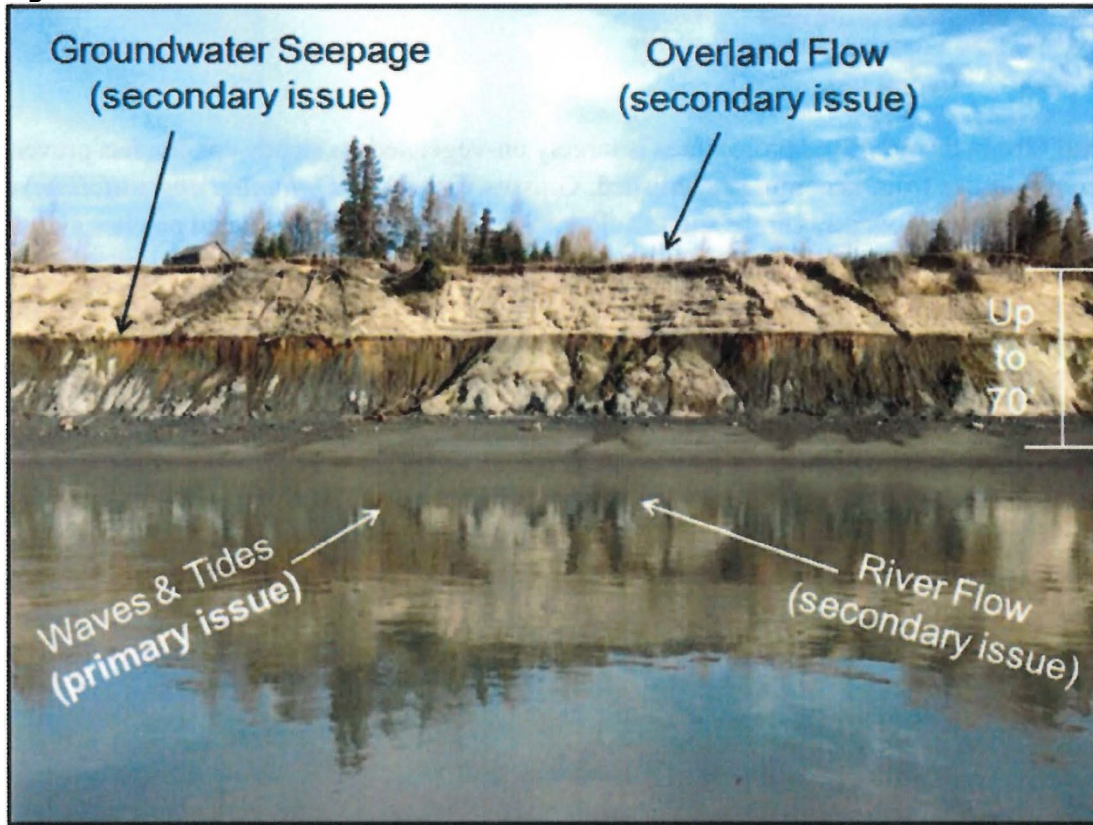


Figure 7. Storm Event at Kenai Bluffs



need to prevent the removal of accumulated sediment at the bluff and the structural damage of the lower bluff. The USACE completed a feasibility study in November 2018 that recommended a protective berm at the bluff toe. This Bluff Stabilization project includes constructing a berm at the bluff toe that is designed to prevent the removal of accumulated sediment between the bluff toe and the berm and prevent storm damages to the lower portion of the bluff. With the bluff toe protection in place, it will eventually stabilize, and the bluff surface will erode back naturally to a more stable slope, which is estimated to take up to 15 years (USACE, 2018). The City supports this option and is pursuing the design phase of this project.

In 2009, the City of Kenai added permanent fencing to the north beach dunes to help prevent bluff erosion. The fencing helped ensure that man-made destruction of vegetation did not compromise the integrity of the dunes. A similar fencing project was completed in the summer of 2010 on the south beach. The dunes were at risk of destruction from the annual personal use dipnet fishery if the fencing was not installed. The fencing fulfilled its purpose.

Erosion on the Kenai River, predominantly outside the City, is of great concern to resource management agencies because the increased sedimentation and loss of streamside cover associated with acceleration rates may threaten salmon returns to the river. The City's gross revenue from the 2019 personal use salmon fishery on the Kenai River was expected to be \$416,000.

5.3.3.2 Climate Factors

Climate and weather are the two primary drivers of flooding and erosion in Alaska. Weather (i.e., the day-to-day state of the atmosphere) affects these hazards in the short-term with individual episodes of rainfall, wind, and temperature that initiate or intensify individual episodes of flooding or erosion. Climate is affecting the long-term incident rate and severity of these hazards, especially in Alaska, which is particularly vulnerable due to its high northern latitude and the unique importance of snow, ice, and permafrost.

5.3.3.3 Flood and Erosion History

The City has two flood and erosion events in the DHS&EM Disaster Cost Index (DHS&EM, 2018b). These events are listed below.

96-180. Southcentral Fall Floods declared September 21, 1995 by Governor Knowles, then FEMA declared (DR-1072) on October 13, 1996: Record rainfall in Southcentral Alaska caused widespread flooding in the KPB, Matanuska-Susitna Borough, and the Municipality of Anchorage. On September 29, 1995, the Governor amended the original declaration to include Chugach, and the Copper River Regional Education Attendance areas, including the communities of Whittier and Cordova, and the Richardson, Copper River, and Edgerton Highway areas which suffered severe damage to numerous personal residences, flooding, eroding of public roadways, destruction and significant damage to bridges, flood control dikes and levees, water and sewer facilities, power, and harbor facilities. On October 13, 1995, the President declared this event as a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Individual Assistance totaled \$699K for 190 applicants. Public

assistance totaled \$7.97 million for 21 applicants with 140 DSRs. Hazard mitigation totaled \$1.2 million. The total for this disaster was \$10.5 million.

The City of Kenai mobilized City boats, vehicles, and safety equipment to intercept and extract huge quantities of debris such as docks, sheds, large liquefied petroleum gas tanks, fuels storage tanks, and damaged boats from the Kenai River before this debris caused further property damage and before it could flow into Cook Inlet shipping lanes.

13-F-243. 2013 October KPB Flood Disaster declared by Governor Parnell on November 18, 2013, then FEMA declared January 16, 2014 (DR-4161): Beginning October 27, 2013, the KPB received substantial amounts of rain following several weather systems that had previously inundated low-lying areas. On October 26, the NWS issued a flood watch for areas around Western Prince William Sound due to a slow-moving system which brought widespread rainfall to the mainland. The forecast called for local amounts in excess of five inches of rain. Seward, Homer, and other areas of the KPB received heavy rain and flooding which caused landslides, bridge, and airport and road closures. Damages were reported in Seward, Homer, Kenai, Anchor Point, and the Tyonek area along Beluga Road. Flood damages affecting many individual homes were reported, and several businesses were also impacted.

5.3.3.4 Location, Extent, Impact, and Recurrence Probability

Location

Figure 8 is from the 2010 City Annex to the KPB HMP and shows estimated Kenai Bluff Erosion to 2057 (City, 2010). The 2017 FEMA RiskMap study did not identify any areas of concern for the City with regards to flooding (FEMAj, 2017).

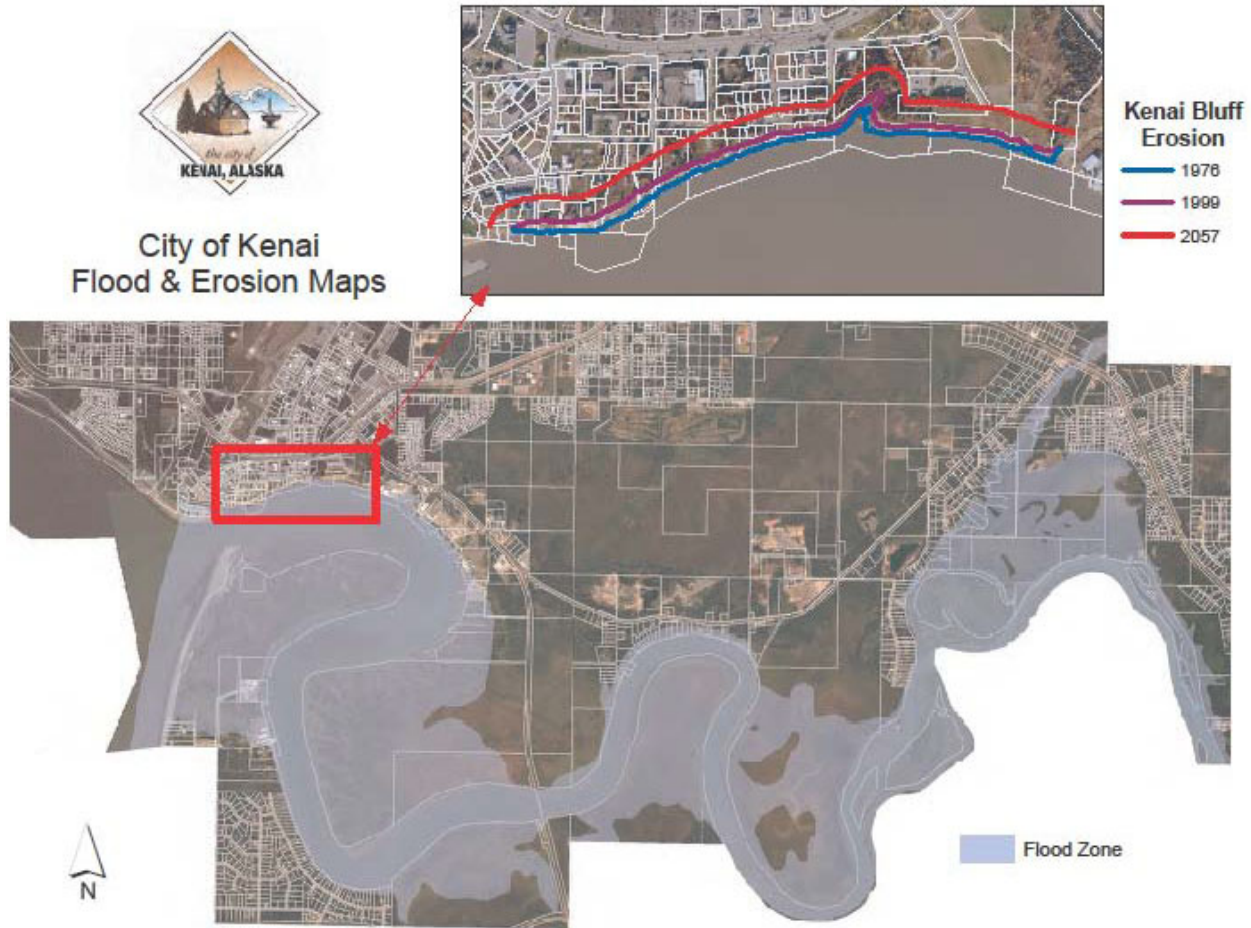
The City has experienced significant erosion. Figure 9 displays a coastal erosion rate along Cook Inlet near the City. Shorelines were compiled from three different time periods in the 1950s, 1960s, and 2000s used for the 2017 Risk Report analysis. The only critical facility that the 2017 Risk Report study designated as an area of mitigation interest is the Kenai Wastewater Treatment Facility.

Extent

Floods are described in terms of their extent (including the horizontal area affected and the vertical depth of floodwaters) and the related probability of occurrence. The following factors contribute to flooding frequency and severity:

- Rainfall intensity and duration.
- Antecedent moisture conditions.
- Watershed conditions, including terrain steepness, soil types, amount, vegetation type, and development density.
- The attenuating feature existence in the watershed, including natural features such as lakes and human-built features such as dams.
- Flow velocity.

Figure 8. Kenai Bluffs Erosion



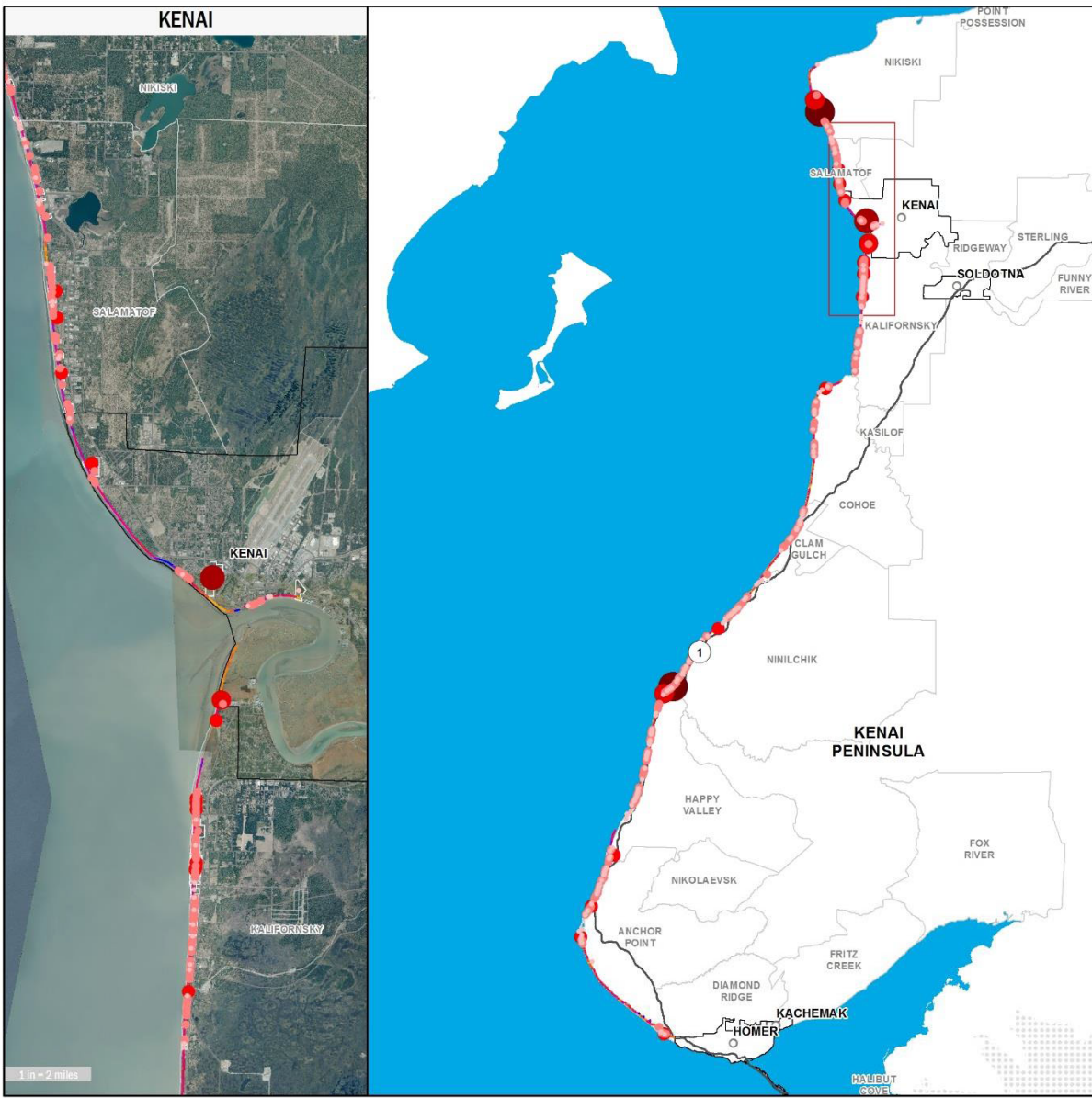
- Availability of sediment for transport, and the bed and embankment watercourse erodibility.
- Location of potentially-impacted structures related to the base flood elevation as indicated with their certified high-water mark.

A variety of natural and human-induced factors influence the erosion process. River orientation and proximity to up and downstream river bends can influence erosion rates. Embankment composition also influences erosion rates, as sand and silt erode easily, whereas boulders or large rocks are more erosion-resistant. Other factors that may influence erosion include:

- Geomorphology;
- Amount of encroachment in the high hazard zone;
- Proximity to erosion inducing structures;
- Nature of the topography;
- Density of development;
- Structure types along the embankment; and
- Embankment elevation.

The various erosion mechanisms acting on the Kenai Bluffs include:

Figure 9. Kenai Coastal Erosion



MAP SYMBOLOLOGY		ABOUT	
EROSION RATE	<ul style="list-style-type: none"> NO EROSION 0.0 TO 0.2 FEET 0.2 TO 0.5 FEET 0.5 TO 0.9 FEET 0.9 TO 1.3 FEET 1.3 TO 1.7 FEET 1.7 TO 2.3 FEET 2.3 TO 2.7 FEET 2.7 TO 3.2 FEET 3.2 TO 4.0 FEET 4.0 TO 5.7 FEET 	LOSS VALUE	<ul style="list-style-type: none"> \$100K OR LESS \$100K TO \$500K \$500K TO \$1000K \$1000K TO \$5000K \$5000K TO \$10000K \$10000K OR GREATER
<p>1 in = 2 miles</p>		<p>1 in = 11 miles</p> <p>1:696,960</p>	
<p>THIS MAP DISPLAYS A COASTAL EROSION RATE ALONG THE COOK INLET. SHORELINES WERE COMPILED FROM THREE DIFFERENT TIME PERIODS IN THE 1950'S, 1990'S, AND 2000'S USED FOR THE ANALYSIS.</p>			
<p><small>SOURCE DATA FOR THIS RISK REPORT WAS COMPILED FROM FEMA'S REGION X OFFICE, FEMA'S MAP SERVICE CENTER, USGS, THE STATE OF ALASKA DIVISION OF GEOLOGICAL AND GEOPHYSICAL SURVEYS, AND THE KENAI PENINSULA BOROUGH. THIS IS A NON-REGULATORY PRODUCT AND IS PROVIDED TO YOUR COMMUNITY FOR INFORMATION GATHERING AND SHARING PURPOSES ONLY.</small></p>			

- Wind scour;
- Groundwater seepage and piping;
- Overland flow over the bluff; and

- Freeze thaw cycles; and
- Wave action and currents at the toe of the bluff.

Impact

The ongoing condition of the receding Kenai Bluffs has resulted in:

- Lost land to the sea: commercial, municipal, non-profit (e.g., Kenai Bible Church built in 1940):
 - o 7 parcels have been completely lost;
 - o 18 parcels have suffered land loss; and
 - o Nearly all threatened parcels have lost value.
- Lost and damaged cultural resources (i.e., historical, potentially historical, and archeological sites):
 - o 4 historic wooden structures;
 - o Property of the historic Kenai Bible Church;
 - o Human remains have eroded out of the bluff; and
 - o Prehistoric house depressions have been lost or are exposed.
- Abandoned and/or condemned structures: residential, commercial, and municipal.
- Threatened structures and infrastructure: residential, commercial, non-profit, and municipal (e.g., Kenai Senior Center).
- Relocation of utilities and roads.

In addition, the ongoing receding Kenai Bluffs has had other negative impacts (i.e., other social effects) as listed below:

- Lack of development and investment in Old Town.
- Cultural vulnerability with local tribes and the local population.
- Under use of public-use areas by locals and tourists (e.g., scenic overlooks and nearby parks).
- Health and safety issues (The unstable bluff is preventing activities at the base and near the top edge of the bluff, although soft sediments on the beach area may continue to prevent activities at the base.).
- Negatively impacted social connectedness, identity, resiliency, leisure, and recreation.
- Contributes to uncertainty in community planning.

Recurrence Probability

Future populations of the City can expect to receive an increased number of flood and erosion events due to greater moisture content in warmer air.

5.3.4 Volcanoes and Ashfall

5.3.4.1 Hazard Characteristics

Alaska is home to 41 historically active volcanoes stretching across the entire southern portion of the State from the Wrangell Mountains to the far Western Aleutians. An average of one to two eruptions per year occurs in Alaska. Figure 10 shows regional volcanoes located in the vicinity of the City.

Volcanic Ash

Volcanic ash, also called tephra, is fine fragments of solidified lava and rock crystals ejected into the air by a volcanic explosion. The fragments range in size, with the larger falling nearer the source. Ash is a problem near the source because of its high temperatures (may cause fires), burial (the weight can cause structural collapses; for example, it was 100 miles from Novarupta to Kodiak where structures collapsed), and impact of falling fragments. Further away, the primary hazard to humans is damage to machinery (including airplanes in flight), decreased visibility, and inhaling the fine ash (long-term inhalation can lead to lung cancer), but lightning in large ash clouds can also pose a hazard. In Alaska, this is a major problem as many of the major flight routes are near historically active volcanoes. Ash accumulation may also interfere with the distribution of electricity due to shorting of transformers and other electrical components (ash is an excellent conductor of electricity).

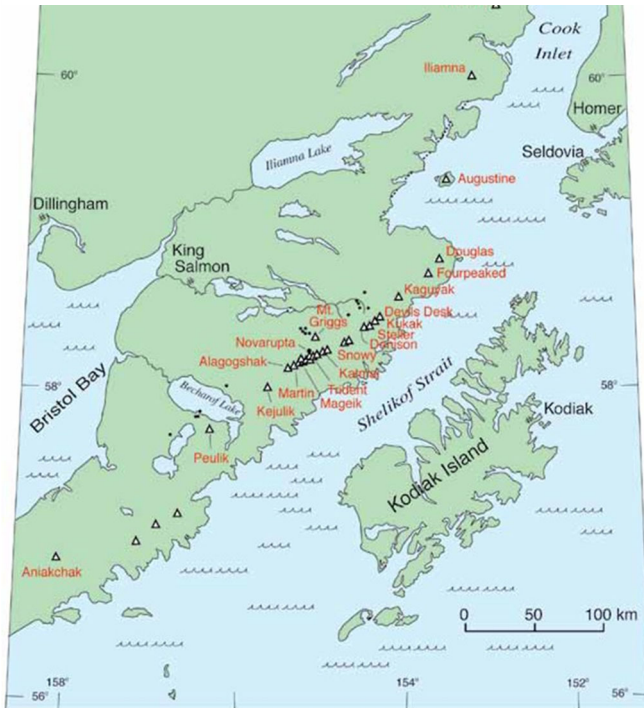
The largest volcanic eruption of the 20th century occurred at Novarupta Volcano in June 1912. The eruption started by generating an ash cloud that grew to thousands of miles wide during the three-day event. Within four hours of the eruption, ash started falling on Kodiak, darkening the City. It became hard to breathe because of the ash and sulfur dioxide gas. The water became undrinkable and unable to support aquatic life. Roofs collapsed under the weight of the ash. Some buildings were destroyed by ash avalanches while others burned after being struck by lightning from the ash cloud. Similar conditions could be found all over the area. Some villages ended up being abandoned, including Katmai and Savonoski Villages. The ash and acid rain also negatively affected animal and plant life. Large animals were blinded, and many starved because their food was eliminated.

5.3.4.2 History

The Alaska Volcano Observatory (AVO), which is a cooperative program of the USGS, Alaska Department of Natural Resources (DNR) Division of Geological and Geophysical Survey (DGGS), and the UAF Geophysical Institute (GI), monitors the seismic activity at 23 of Alaska's 41 active volcanoes in real time. In addition, satellite images of all Alaskan and Russian volcanoes are analyzed daily for evidence of ash plumes and elevated surface temperatures. Russian volcanoes are also a concern to Alaska as prevailing winds could carry large ash plumes from Kamchatka into Alaskan air space. AVO also researches the individual history of Alaska's active volcanoes and produces hazard assessment maps. The Alaska Tsunami Warning Center, located in Palmer, also monitors volcanic and earthquake activity throughout the Pacific region.

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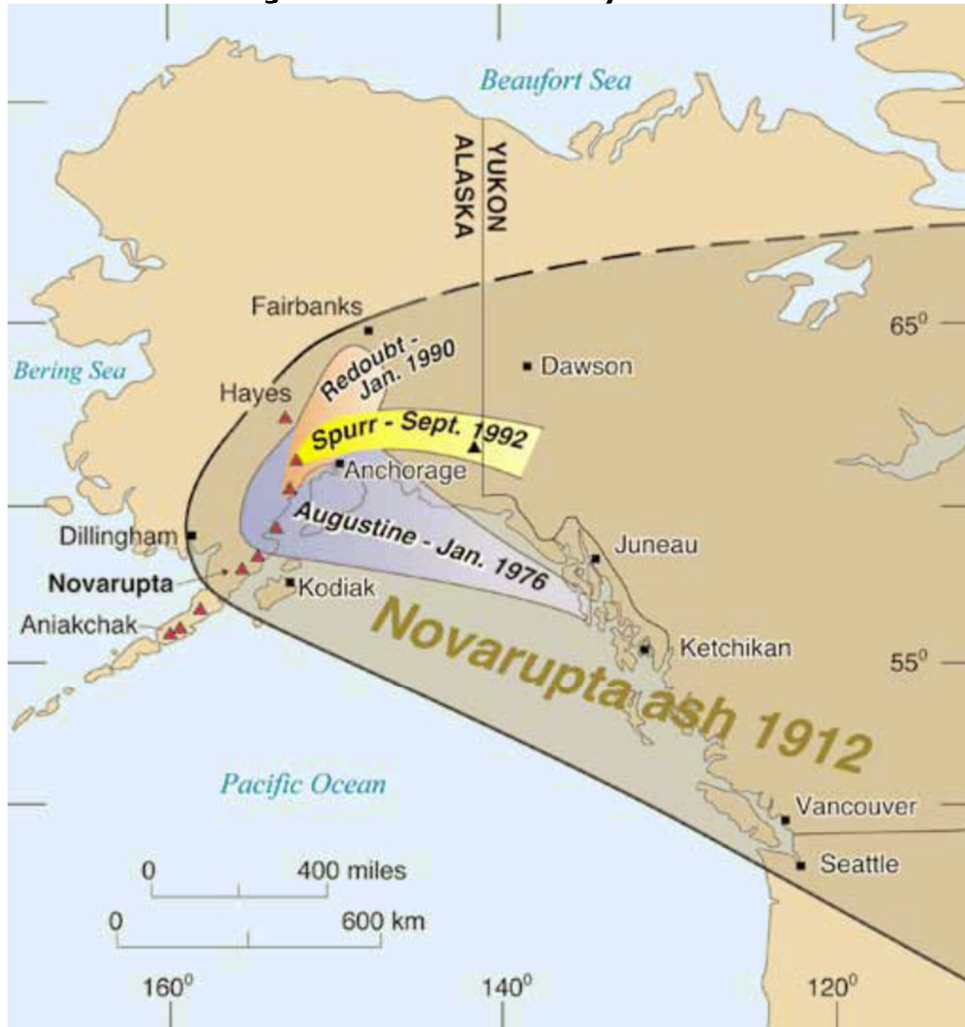
Figure 10. Regional Volcanos



The City has experienced volcanic ash in 1989, 1990, and 1992 from Mt. Redoubt and Mt. Spurr. These eruptions disrupted transportation and industry, particularly jet aircraft (Figure 11). Following the 1989-1990 eruptions, debris flows caused temporary closing of the Drift River Oil Terminal. A similar eruption event occurred again in 2009 affecting the offloading of 3.7 million gallons of crude oil from the oil terminal. The KPB received ashfall in 2009, but the wind direction spared the City. The Kenai Municipal Airport has an AVO tracking device, and no ash was present in 2009. Media reports, the KPB website, and the Kenai communications center, operated by the Kenai Police Department, adequately informed citizens of volcano precautions. The City government took steps to minimize damage to vehicles, buildings, and computer equipment. The City administration feels the above actions were more than adequate to mitigate potential damage from volcanic ash fallout to residential and commercial assets.

During the 1990 event, a KLM 747 jet aircraft, with 245 passengers and crew aboard, temporarily lost power in all four engines when it entered the volcanic plume. It would have crashed into the mountains had they not been able to restart their engines about 4,000 feet above ground.

Figure 11. Areas Affected by Ash Falls



5.3.4.3 Location, Extent, Impact, and Recurrence Probability

Location

Figure 11 illustrates the spread of ash fall which is dependent on wind direction.

Extent

The single greatest volcanic hazard in the City is airborne ash, fine fragments of rock blown high into the atmosphere during explosive volcanic eruptions. For any given eruption, the depth of ash deposited at any given location depends on the total volume of ash ejected, the wind direction, and the distance between the volcano and a given location.

Extreme ashfall events, similar to the 1912 event, would have similar extreme consequences including building damage up to and including collapses, disruption of travel (air, sea, land), disruption of water, electric power and communications, and health and environmental impacts. Smaller ashfall events would result in little or no building damage, but would still have significant impacts, including:

- Respiratory problems for at-risk populations such as young children, people with respiratory problems and the elderly;
- Disruption of air, marine, and land traffic;
- Clean-up and ash removal from roofs, gutters, sidewalks, roads, vehicles, mechanical systems and ductwork, engines, and mechanical equipment;
- Clogging of filters and possible severe damage to vehicle engines, furnaces, heat pumps, air conditioners, commercial and public buildings' combined heating, ventilation, and air conditioning (HVAC) systems and other engines and mechanical equipment;
- Disruption of public water supplies drawn from surface waters, including degradation of water quality (high turbidity) and increased maintenance requirements at water treatment plants;
- Disruption/clogging of storm water drainage systems;
- Disruption of electric power from ash-induced short circuits in distribution lines, transmission lines, and substations; and
- Disruption of communications.

A major factor in determining ashfall is wind direction. Additionally, if there is a large ashfall, wind could blow and redistribute ashfall several times which would be a prolonged hazard.

Impact

The volcanic eruptions of 1989, 1990, 1992, and 2009 caused widespread distribution of ash over the central and southern peninsula and resulted in power outages and disruption of traffic. Volcanic ash nearly caused the greatest loss of life of any disaster event in Alaska.

Another impact of major ashfall is a breakdown of soil cover, accelerating erosion. This impact was seen on the flanks of Okmok in the eastern Aleutian Islands following the 2008 eruption. Former grasslands were cut with networks of deep, rapidly eroding gullies.

Ash fall from volcanic eruptions is a threat to health and to equipment that may draw in fine, abrasive particles. During times of high winds these fine particles pose a significant health threat.

The City has experienced a few tenths of an inch of ashfall on residents' vehicles. Planes do not fly. People do not operate motorized equipment. Air quality is poor. The City's policy is for people to shelter in place in their homes.

Recurrence Probability

The recurrence probability for the future residents of the City would remain the same as for current residents.

5.3.5 Severe Weather

5.3.5.1 Hazard Characteristics

In contemporary usage, climate change commonly refers to the change in global or regional climate patterns that spans from the mid- to late 20th century to the present. Evidence collected by scientists and engineers from around the world tells an unambiguous story: the

planet is warming. Climate change at high northern latitudes, such as Alaska, is causing rapid and severe environmental change.

Severe weather occurs throughout Alaska with extremes experienced by the City that include increasing high winds, winter storms, heavy and drifting snow, heavy rain/freezing rain/ice storms, and cold.

High Winds

High winds occur in Alaska when there are winter low-pressure systems in the North Pacific Ocean and the Gulf of Alaska. Alaska’s high winds can equal cyclonic force. In Alaska, high winds (winds in excess of 60 mph) occur frequently over coastal areas along the Gulf of Alaska. They can also combine with loose snow to produce blizzards.

Localized downdrafts and downbursts are also common wind hazards. Downbursts are often generated by thunderstorms. Downbursts are areas of rapidly falling rain-cooled air. Upon reaching the ground, downbursts spread out in all directions in excess of 125 mph. Both types of wind, commonly lasting five to seven minutes, are hazardous to aviation. These winds reach hurricane force and have the potential to seriously damage community infrastructure (especially above ground utility lines) while disrupting vital marine transportation.

Winter Storms

Winter storms include a variety of phenomena described above and may include several components such as wind, snow, and ice storms. Ice storms include freezing rain, sleet, and hail and can be the most devastating of winter weather phenomena; often causing automobile accidents, power outages, and personal injury. Freezing rain coats every surface it falls on with an icy glaze. Freezing rain most commonly starts in a narrow band on the cold side of a warm front, where surface temperatures are at or just below freezing temperatures. Ice crystals high in the atmosphere grow by collecting water vapor molecules, sometimes supplied by evaporating cloud droplets. As the crystals fall, they encounter a layer of warm air where the particles melt and collapse into raindrops. As the raindrops approach the ground, they encounter a layer of cold air and cool to temperatures below freezing.

Heavy and Drifting Snow

Heavy snow generally means an accumulation of more than 12 to 24 inches of snow inside of 24 hours and often brings transportation to a stop. Airports and major roadways will close, disrupting supply flow and emergency response service access. Excessive accumulation will collapse roofs, knock down trees and power lines, damage parked light aircraft, and capsize small boats. Heavy snow increases flooding risks. Heavy snow is associated with vehicle accidents, overexertion, and hypothermia. Drifting is the uneven distribution of snowfall and snow depth caused by strong surface winds. Drifting snow may occur during or after a snowfall.

Heavy Rain/Freezing Rain/Ice Storm

Freezing rain and ice storms describe occasions when excessive ice accumulations are expected during a heavy rain event. They are a particularly hazardous winter weather phenomena and often cause numerous automobile accidents, power outages, and personal injury. Ice storms

form from freezing rain and pass through a thin layer of cold air just above the ground and cool to below freezing. The drops remain in a liquid state until they impact a surface and freeze on contact. Ice accumulations can damage trees, utility poles, and communication towers which disrupts transportation, power, and communications.

Cold

The definition of extreme cold varies according to the normal climate of a region. In areas unaccustomed to winter weather, near freezing temperatures are considered “extreme”. In Alaska, extreme cold usually involves temperatures - 40 °F with additional wind chills. Excessive cold may accompany winter storms or can occur without storm activity during clear skies with high barometric pressure. Extreme cold accompanied by wind exacerbates exposure injuries such as frostbite and hypothermia.

Extreme cold interferes with infrastructure across Alaska for days or sometimes weeks at a time. Liquid fuels may congeal or freeze, denying motorized transportation, heat, and electricity generation. In desperation, some people choose to burn propane stoves indoors, increasing their risk to carbon monoxide poisoning. Aircraft may be grounded, delaying the resupply of food and emergency supplies.

5.3.5.2 Climate Change Influences

Increases in carbon dioxide, methane, and other gases in the atmosphere are generally warming and changing the climate worldwide by trapping heat that would have escaped back into space. Trees and other plants cannot absorb as much carbon dioxide through photosynthesis as is produced by burning fossil fuels. Therefore, carbon dioxide builds up and changes precipitation patterns, increases storms, wildfires, and flooding frequency and intensity; and substantially changes flora, fauna, fish, and wildlife habitats.

Alaska’s temperature rise rate has been twice the average of the rest of the U.S. in recent decades. During the period from 1949 to 2014, the Statewide average annual air temperature increased by 3°F, and the average winter temperature increased by 6°F (ACRC, 2018). This included considerable annual and regional variability, and was accompanied by a greater number of extremely warm days and fewer extremely cold days (CCSP, 2008). The Statewide average annual precipitation during this same period has increased by about 10%, with recent decades showing amounts largely above normal, but with substantial annual and regional variability (Shulski and Wendler, 2007, ACRC, 2018).

Global climate is projected to continue changing over this century, and changes to Alaska’s climate are expected to be unprecedented (Chapin et al, 2014). Average annual temperatures in Alaska are projected to rise by an additional 2°F to 4°F by 2050, and by 6°F to 12°F by the end of the century depending on emission levels (Stewart et al, 2013). Projections of annual precipitation show an increase across Alaska as part of the broad pattern of increases projected for high northern latitudes.

Snow cover extent and depth have been decreasing in most places in Alaska for nearly three decades. Warmer winter temperatures change the precipitation frequency of snow and rain, and are producing more frequent rain-on-snow events.

5.3.5.3 History

The City of Kenai has a history of two windstorm events in the DHS&EM Disaster Cost Index (DHS&EM, 2018b). These events are listed below.

12-237. 2011 Kenai Peninsula Windstorm declared by Governor Parnell on December 12, 2011, then FEMA declared February 2, 2012 (DR-4054): On November 1, 12, 15, and 16, 2011, a series of major windstorms caused widespread power outages threatening life and property. Power was disrupted to 17,300 homes and businesses. Local utilities, Homer Electric Association and Chugach Electric employed several work crews to restore power to the area. Public Infrastructure, commercial property, and personal property damages were reported in the metropolitan areas and throughout the borough. DHS&EM received local declarations from the KPB requesting state disaster assistance to cover immediate response, public, and individual costs. In the City of Kenai, pipes were frozen and burst at City Hall and Vintage Pointe facilities. The primary response by City personnel was to remove downed trees and debris from high winds, supply temporary power to critical facilities during the storm, and respond to burst pipes in buildings without power.

AK-17-262, 2017 December KPB Storm declared by Governor Walker on January 19, 2018, then FEMA declared on June 18, 2018 (DR-4369): On December 4, 2017, a fast-moving storm system moving northward out of the Gulf of Alaska brought widespread high winds to coastal areas on both the east and west sides of the KPB. In the Lower Cook Inlet area, this storm system created high winds gusting 30-40 mph, reaching a maximum wind speed of 58 mph, producing seven to ten-foot waves that impacted the Cook Inlet coastline from Homer to Kenai.

5.3.5.4 Location, Extent, Impact, and Recurrence Probability

Location

In the City, there is potential for weather disasters. High winds can topple trees, damage roofs and windows, and result in power outages. Heavy snow can cause power outages or collapse roofs of buildings. Storms can make travel difficult. Extreme weather is most prevalent during the winter with any combination of cold temperatures, strong winds, storm surge, and heavy snow.

Extent

Severe weather is a normal part of living in Alaska. However, sometimes the confluence of elements produces extreme conditions. Being prepared is the key to survival. Alternate forms of home heat and lighting, stored food, appropriate clothing, and advance planning are critical.

The most common forms of damage to structures as a result of severe wind includes loss of roofing materials, damage to doors and hinges, broken water lines due to freezing, fallen trees, structural failure of out-buildings, fallen or damaged exterior lights, flag poles, and antennae. Overhanging signs on businesses and satellite dishes become airborne projectiles under certain conditions.

Heavy snow brings another set of damages. Structural deflection or collapse of structures is common. Deflection causes cracks or breakage of interior walls and finishes. Falling ice from roof eaves can knock out electric meters, damage vehicles, break windows, and threaten injury to passersby. Sliding snow can cause damages described above plus cause damage to roof mounted vents and other equipment. Wind packed snow and ice can block windows and emergency exits.

Impact

Heavy snowfall can also damage infrastructure and critical facilities. Heavy snowfalls make transportation difficult, especially by road, and result in more money spent on snow plow services. High numbers of injuries and fatalities are not expected with a heavy snow event. Heavy snow can have a greater impact on people who need access to medical services, emergency services, pedestrians, and people who rely on public transportation. The cost of fuel to heat homes during times of heavy snow can be a financial burden on populations with low or fixed incomes.

The most vulnerable City residents to any of the hazards of severe weather are the homeless who lack adequate shelter and those on fixed incomes who may not be able to adequately heat their homes.

Extreme weather also interferes with community infrastructure and its proper functions. It can cause fuel to congeal in storage tanks and supply lines, stopping electric power generation, which in turn causes heaters and furnaces to stop. Without electricity, heaters and furnaces do not work, causing water and sewer pipes to freeze or rupture. If extreme cold conditions are combined with low or no snow cover, the ground's frost depth can increase, disturbing buried pipes. The greatest danger from extreme cold is its effect on people. Prolonged exposure to the cold can cause frostbite or hypothermia and become life-threatening. Infants and elderly people are most susceptible. The risk of hypothermia due to exposure greatly increases during episodes of extreme cold, and carbon monoxide poisoning is possible as people use supplemental heating devices not intended for indoor use during extreme weather events.

While the scope, severity, and pace of future climate change impacts are difficult to predict, it is clear that potential changes could impact U.S. agencies' ability to fulfill their respective missions. The challenges posed by climate change, such as more intense storms, frequency of heavy precipitation, heat waves, drought, and extreme flooding could significantly alter the types and magnitudes of hazards faced by communities and the emergency management professionals serving them.

Recurrence Probability

Alaska will continue to experience diverse and seasonal weather events. Severe weather will occur annually in the City. Severe wind and rain are becoming more likely with climate change, while extreme snow and cold are becoming less likely.

5.3.6 Wildfire and Conflagration Fire

During the five-year period spanning 2013 through 2018, over 82 fire-related fatalities were recorded in Alaska. Since 2013, the State has declared over 3,077 fire-related emergencies or disasters (DHS&EM, 2018a).

For the purposes of profiling the hazard in Alaska, fires in this HMP are characterized by their primary fuel sources into two categories:

- Wildland fire, which consumes natural vegetation.
- Community fire conflagration, which propagates among structures and infrastructure.

While fire is critical for maintaining the viability of Alaska’s ecosystems, it must be tempered with the need to protect human life and property. This is particularly true of fires burning in “wildland urban interface” areas, where structures and other human development meet or intermingle with undeveloped wildland. Wildland urban interface (WUI) has gained importance throughout Alaska with increased development adjacent to wildlands.

Urban conflagration is a large destructive fire that is widespread throughout an urban area or community involving one or more developed areas in the community. In contrast to the commonly destructive individual property fire, conflagrations frequently overwhelm resources and damage infrastructure.

Firefighter and public safety are the primary concern of each local fire response agency. In Alaska, thousands of acres burn every year in 300 to 800 fires, primarily between the months of March and October. According to the Alaska Interagency Coordination Center (AICC), Alaska lost 7,815,368 acres from 2013 to 2017. This figure consisted of the 2,408 wildland fires that started throughout that same time period. This is an average of 3,246 acres per wildland fire (DHS&EM, 2018a).

The KPB, including the City of Kenai, has experienced a regional spruce bark-beetle outbreak. Fire risk has also increased in recent years due to spruce bark beetle infestations which have affected both white and black spruce forest stands. Alaska’s 10.25 million-acre KPB has experienced a regional spruce bark-beetle outbreak that peaked in 1996 and continues to spread to uninfected areas. Up to 2004, an estimated four million acres of spruce in southcentral Alaska have been affected. While spruce bark beetle outbreaks are natural events, the magnitude of spruce mortality during historic episodes was typically much less (20% to 30%) than the current infestation in which mortality rates exceeded 90% (KPB, 2006).

Dead and dying spruce trees present a wildfire hazard when standing because they can support intense, rapidly moving fires. These insect-killed trees also present a hazard after they have fallen because they can support very intense surface fires. Wildfire in either fuel type is very difficult for firefighters to control by direct attack.

5.3.6.1 Management in Alaska

In Alaska, fire management is the responsibility of three agencies: Alaska Department of Forestry (DOF), Bureau of Land Management (BLM) (through the Alaska Fire Service (AFS), and U.S. Forest Service (USFS). See Figure 12. Each agency provides firefighting coverage for a

portion of the State regardless of land ownership. These agencies have cooperated to develop a state-wide interagency wildland fire management plan. In the KPB, the DOF has the responsibility to manage fire response. In 2006, the City adopted a Community Wildfire Protection Plan for its entire acreage. The Alaska Interagency Fire Management Plan has mapped the City as Full.

5.3.6.2 Hazard Characteristics

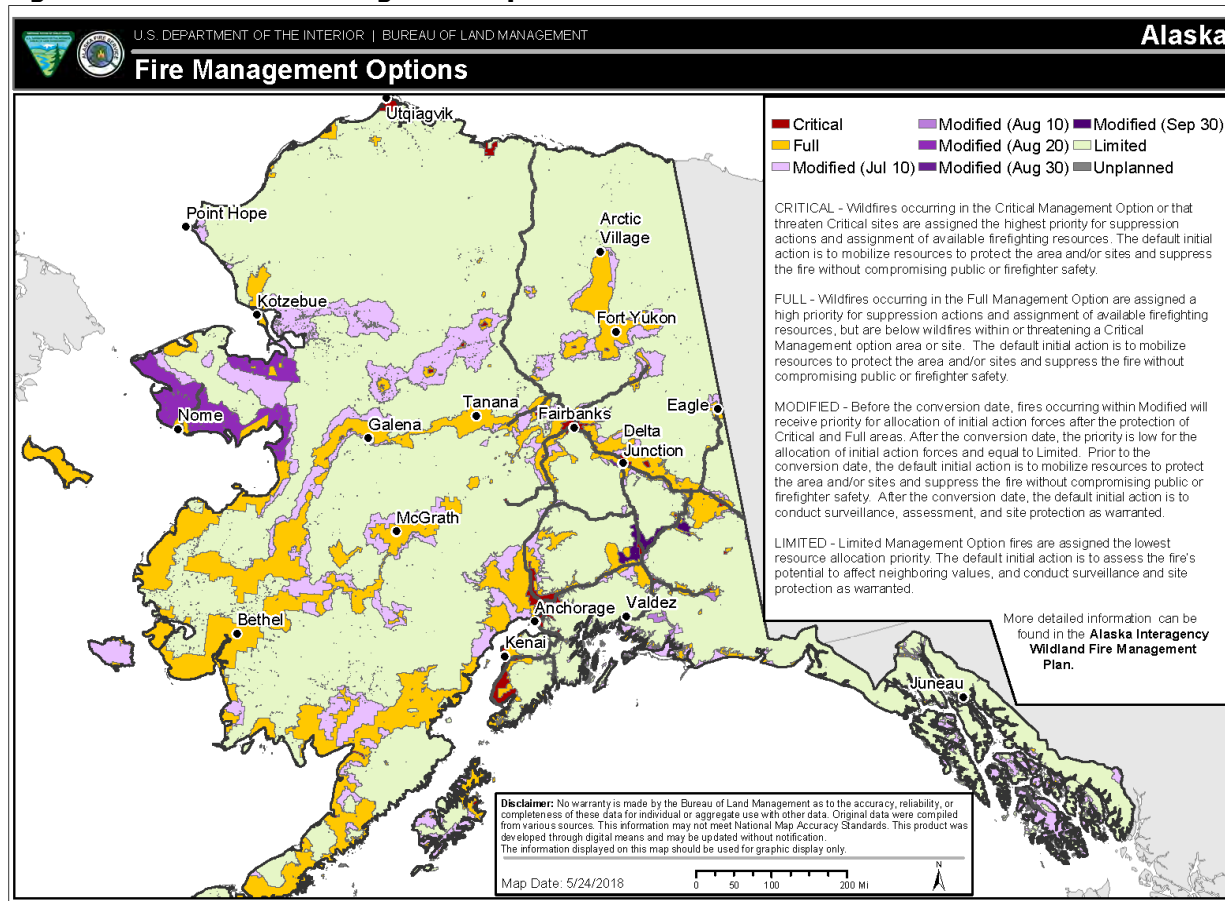
A wildland fire is a type of wildfire that spreads through consumption of vegetation. It often begins unnoticed, spreads quickly, and is usually signaled by dense smoke that may be visible for miles around. Wildland fires can be caused by human activities (such as arson or unattended campfires) or by natural events such as lightning. Wildland fires often occur in forests or other areas with ample vegetation. In addition to wildland fires, wildfires can be classified as tundra fires, urban fires, interface or intermix fires, and prescribed burns.

The following three factors contribute significantly to wildland fire behavior and can be used to identify wildland fire hazard areas.

- **Topography:** As slope increases, the rate of wildland fire spread increases. South-facing slopes are also subject to more solar radiation, making them drier, and thereby, intensifying wildland fire behavior. However, ridgetops may mark the end of wildland fire spread since fire spreads more slowly or may even be unable to spread downhill.
- **Fuel:** The type and condition of vegetation plays a significant role in the occurrence and spread of wildland fires. Certain types of plants are more susceptible to burning or will burn with greater intensity. Dense or overgrown vegetation increases the amount of combustible material available to fuel the fire (referred to as the “fuel load”). The ratio of living to dead plant matter is also important. Climate change is deemed to increase wildfire risk significantly during periods of prolonged drought as the moisture content of both living and dead plant matter decreases. The fuel load continuity, both horizontally and vertically, is also an important factor.
- **Weather:** The most variable factor affecting wildland fire behavior is weather. Temperature, humidity, wind, and lightning can affect chances for ignition and spread of fire. Extreme weather, such as high temperatures and low humidity, can lead to extreme wildland fire activity. By contrast, cooling and higher humidity often signal reduced wildland fire occurrence and easier containment. Climate change increases the susceptibility of vegetation to fire due to longer dry seasons.

The frequency and severity of wildland fires is also dependent on other hazards, such as lightning, drought, and infestations (such as the damage caused by spruce-bark beetle infestations or spruce needle aphids). The risk of wildfire has increased significantly over the past two decades, due in large part to the spruce-bark beetle infestation. If not promptly controlled, wildland fires may grow into an emergency or disaster. Even small fires can threaten lives and resources and destroy improved properties; they can also impact transportation corridors and/or infrastructure. In addition to affecting people, wildland fires may severely affect livestock and pets. Such events may require emergency water/food, evacuation, and shelter.

Figure 12. Alaska Fire Management Options



The indirect effects of wildland fires can be catastrophic. In addition to stripping the land of vegetation and destroying forest resources, large, intense fires can harm the soil, waterways, and the land itself. Soil exposed to intense heat may lose its capability to absorb moisture and support life. Exposed soils erode quickly and enhance rivers and stream siltation, thereby enhancing flood potential, harming aquatic life, and degrading water quality. Lands stripped of vegetation are also subject to increased debris flow hazards.

Conflagration fires are very difficult to control. Complicating factors are wind, temperature, slope, proximity of structures, and community firefighting capability, as well as building construction and contents. Additional factors facing response efforts are hazardous substance releases, structure collapse, water service interruptions, unorganized evacuations, and loss of emergency shelters. Historical national conflagration examples include the Chicago City Fire of 1871 and the San Francisco City Fire following the 1906 earthquake. There have been no conflagration fires within the City of Kenai.

Many wildland firefighters are neither equipped nor trained for conflagration fires. When wildland firefighters encounter structure, vehicle, dump or other non-vegetative fires during the performance of their wildland fire suppression duties, firefighting efforts are often limited to wildland areas.

Structural fire suppression within defined service areas is the responsibility of the Kenai Fire Department.

5.3.6.3 Climate Factors

According to the Global Climate Change Impacts in the U.S., published in 2009 by the U.S. Global Change Research Program, “Under changing climate conditions, the average area burned per year in Alaska is projected to double by the middle of this century. By the end of this century, area burned by fire is projected to triple under a moderate greenhouse gas emissions scenario and to quadruple under a higher emissions scenario” (DHS&EM, 2018a).

Since 1990, Alaska has experienced nearly twice the number of wildfires per decade compared to a period from 1950 to 1980. Additionally, the sparsely-populated arctic region experienced only three wildfires over 1,000 acres from 1950 to 1970. Since 2000, there have been over 33 large wildfires in this same region.

The average duration of the wildfire season in the arctic region runs from May through July. Other regions south of the arctic may run from late April through mid-September. Average annual precipitation in Alaska has increased since 1950, but not quite as much as the average annual temperature.

Wind blows down dead trees that have been affected by spruce-bark beetles. As air temperatures warm, spruce-bark beetles spread; typically, this occurs when temperatures are over 60 °F.

5.3.6.4 History

The City does not have a history of fire events in the DHS&EM Disaster Cost Index (DHS&EM, 2018b). AICC maintains a website to consolidate Alaska’s tundra fire information. Information in Table 9 and Figure 13 for the City and surrounding area were obtained from this site. Figure 14 shows the State’s fire risk (DHS&EM, 2018a).

Table 9. Historical Wildland Fires

Fire Name	Fire Year	Estimated Acres	Latitude	Longitude	Specific Cause
Berry	1945	200	60.5499992	-151.2166595	Unknown
Norene Fire	1953	2.5	60.583889	-151.3333282	Debris Burning
Peterkin	1958	3	60.5499992	-151.0833282	Debris Burning
Spur	1968	5	60.5666667	-151.2833333	Debris Burning
Crowder	1969	2	60.5833333	-151.2333333	Equipment
Cement Plant	1969	250	60.55	-151.1833333	Smoking
Wildwood	1970	46	60.5833333	-151.3	Playing / Matches
Candlelight	1984	80	60.5499992	-151.1833344	Other
Bigeddy	1999	5.5	60.51667	-151.0833	Other
Cannery Rd. #1	2009	1.5	60.521389	-151.2763824	Other
California Ave.	2009	1.5	60.5825005	-151.2938843	Unknown
Marathon Rd.	2009	10.9	60.5811119	-151.2302704	Equipment
Redoubt	2019	1.4	60.57805	-151.275	

(AICC, 2019)

5.3.6.5 Location, Extent, Impact, and Recurrence Probability

Location

Nearly every community in the KPB's wildfire risk is very high or extreme due to dead and dying spruce trees. Within the City, trees infested by the spruce bark beetle became a mitigation priority in the late 1990s, with firefighters conducting door-to-door educational campaigns in high-risk neighborhoods delivering information packets to homeowners on how to develop a defensible space around their properties.

Historically significant fires within the City included the 1969 Swanson River Fire and the Swires Road fire in the mid-1980s. The City experiences small wildland fires throughout the summer months, with the most recent being a 10-acre fire during the summer of 2009 which the City of Kenai Fire Department and DOF responded to cooperatively.

The KPB typically experiences wildfires, and in 2019, the Swan Lake fire was caused by lightning in June and burned 142,542 acres before it was 20% contained in August, northwest of Cooper Landing and to the east and northeast of Sterling. Smoke was a concern for the City of Kenai depending on which direction the wind blew. Fire burned adjacent to the road in some areas, and the only road to Anchorage was closed at times.

Extent

Generally, fire vulnerability dramatically increases in the late summer and early fall as vegetation dries out, decreasing plant moisture content, and increasing the ratio of dead fuel to living fuel. However, various other factors, including humidity, wind speed and direction, fuel load and type, and topography can contribute to the intensity and spread of wildland fires. The common causes of wildland fires in Alaska include lightning strikes and human negligence.

Fuel, weather, and topography influence wildland fire behavior. Fuel (e.g., slash, dry undergrowth, flammable vegetation) determines how much energy the fire releases, how quickly the fire spreads, and how much effort is needed to contain the fire. Weather is the most variable factor. High temperatures and low humidity encourage fire activity while low temperatures and high humidity retard fire spread. Wind affects the speed and direction of fire spread. Topography directs the movement of air, which also affects fire behavior. When the terrain funnels air, as happens in a canyon, it can lead to faster spreading. Fire also spreads up slope faster than down slope.

Impact

Impacts of a wildland fire that interfaces with the population center could grow into an emergency or disaster if not properly controlled. A small fire can threaten lives and resources and destroy property. In addition to impacting people, wildland fires may severely impact livestock and pets. Such events may require emergency watering and feeding, evacuation, and alternative shelter.

Indirect impacts of wildland fires can be catastrophic. In addition to stripping the land of vegetation and destroying forest resources, large, intense fires can harm the soil, waterways, and the land itself. Soil exposed to intense heat may lose its capability to absorb moisture and

support life. Exposed soils erode quickly and enhance siltation of rivers and streams, thus increasing flood potential, harming aquatic life, and degrading water quality.

Recurrence Probability

Increased community development, fire fuel accumulation, and weather pattern uncertainties indicate that seasonal wildfires will continue into the future.

Figure 13. Kenai Wildland Fire History

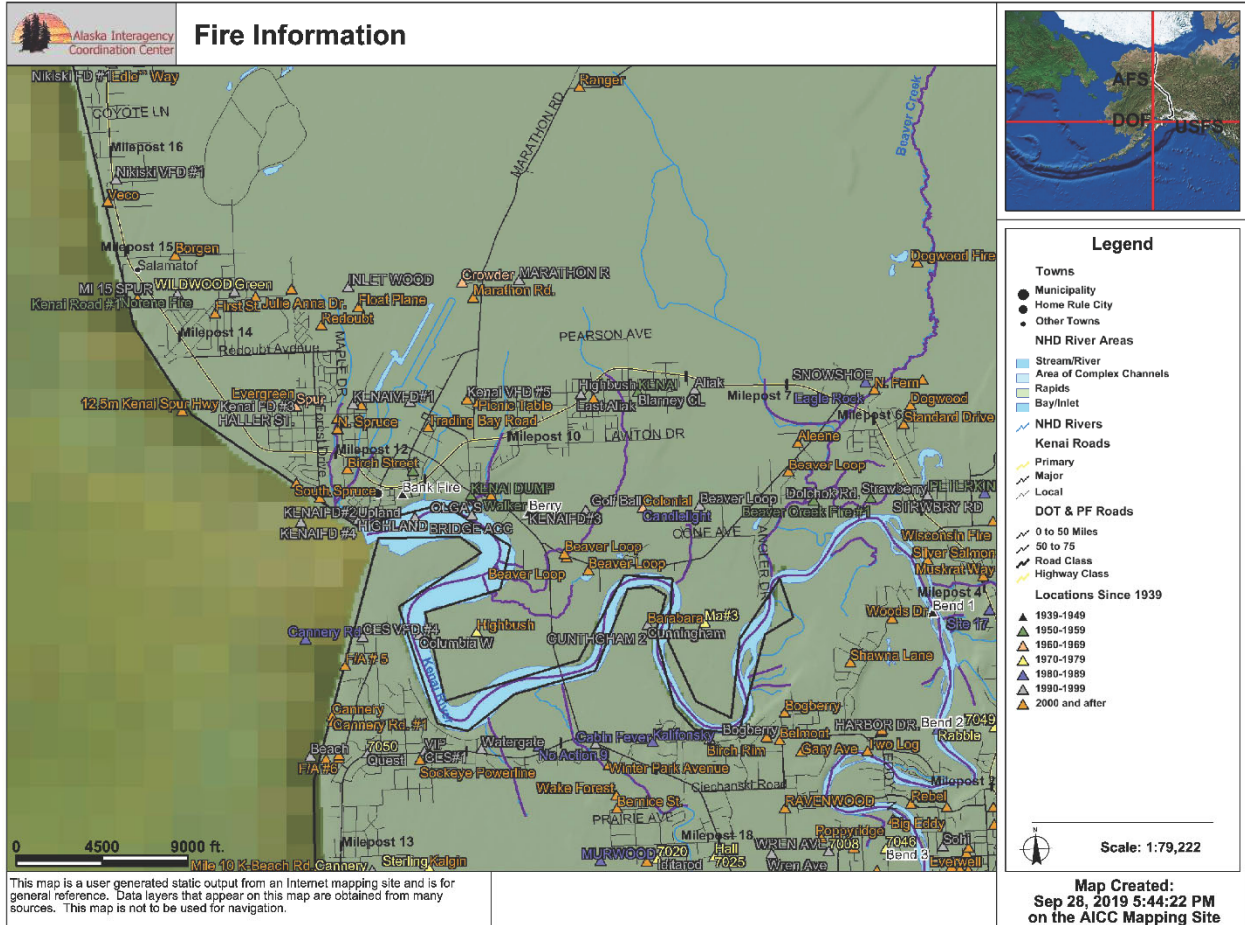
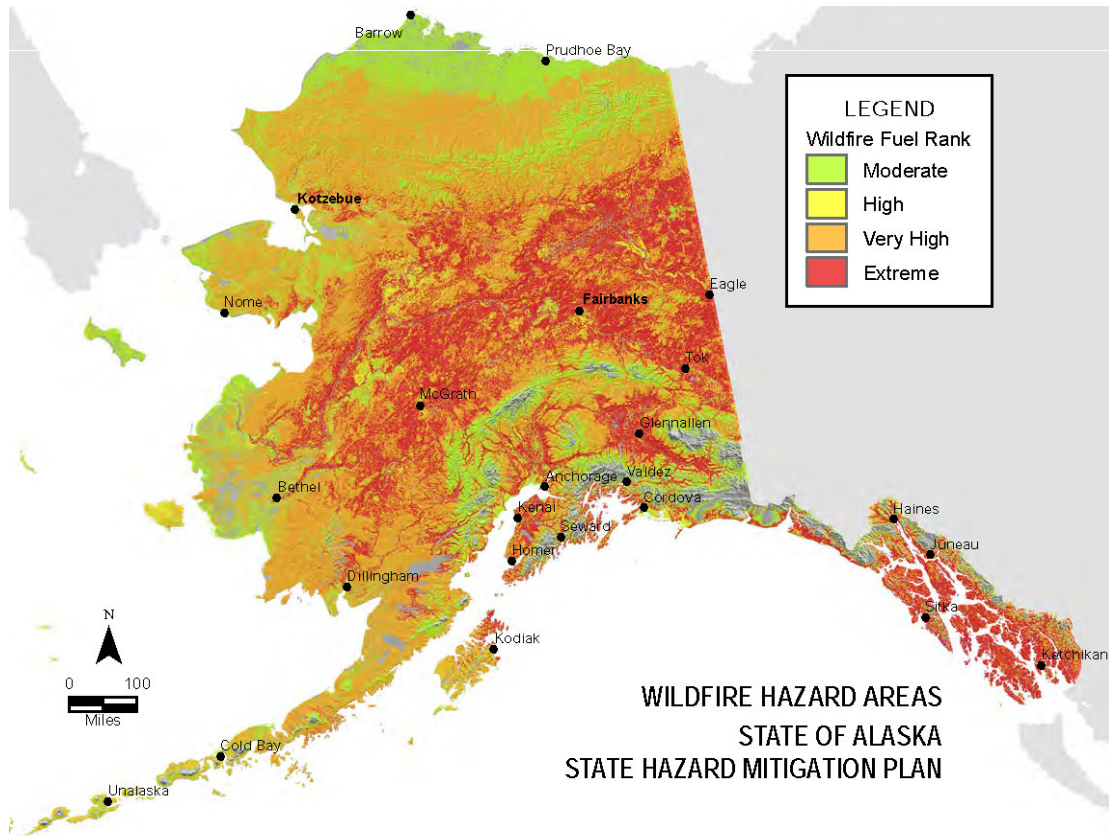


Figure 14. City's Wildland Fire Risk



This section provides an overview of the vulnerability analysis.

6.1 OVERVIEW OF A VULNERABILITY ANALYSIS

A vulnerability analysis predicts the exposure extent that may result from a given hazard event and its impact intensity within the planning area. This qualitative analysis provides data to identify and prioritize potential mitigation measures by allowing the community to focus attention on areas with the greatest risk. A vulnerability or risk analysis is divided into the following five focus areas:

1. Asset Inventory;
2. Infrastructure Risk, Vulnerability, and Losses from Identified Hazards;
3. Development Changes and Trends;
4. Data Limitations; and
5. Vulnerability Assessments.

DMA 2000 requirements and implementing state governance regulations for developing risk and vulnerability assessment initiatives are described below.

DMA 2000 Requirements: Risk Assessment, Assessing Vulnerability, Overview

Assessing Vulnerability: Overview

§201.6(c)(2)(ii): The risk assessment shall include a] description of the jurisdiction's vulnerability to the hazards described. This description shall include an overall summary of each hazard and its impact on the community. The plan should describe vulnerability in terms of:

§201.6(c)(2)(ii)(A): The types and numbers of existing and future buildings, infrastructure, and critical facilities located in the identified hazard areas;

§201.6(c)(2)(ii)(B): An estimate of the potential dollar losses to vulnerable structures identified in paragraph (c)(2)(ii)(A) of this section and a description of the methodology used to prepare the estimate.

§201.6(c)(2)(ii)(C): Providing a general description of land uses and development trends within the community so that mitigation options can be considered in future land use decisions.

Element

- Does the plan include a description of the jurisdiction's vulnerability to each hazard?
- Does the plan describe vulnerability in terms of the types and numbers of existing buildings, infrastructure, and critical facilities located in the identified hazard areas?
- Does the plan describe vulnerability in terms of the types and numbers of future buildings, infrastructure, and critical facilities located in the identified hazard areas?
- Does the plan estimate potential dollar losses to vulnerable structures?
- Does the plan describe the methodology used to prepare the estimate?

Source: FEMA, 2015.

6.2 CURRENT ASSET EXPOSURE ANALYSIS

6.2.1 Asset Inventory

Assets that may be affected by hazard events include population (for community-wide hazards), residential buildings, and critical facilities and infrastructure. Assets are grouped into two

structure types: critical infrastructure and residential properties. The assets and associated values throughout the City are identified and discussed in detail in the following subsections.

6.2.1.1 Population and Building Stock

The City’s total population for 2010 was 7,100, and the 2016 ACS data reported a population of 7,551 (Table 10).

Table 10. Estimated Population and Building Inventory

Population		Residential Buildings	
2010 Census	2016 ACS Data	Total Building Count	Total Value of Buildings ¹
7,100	7,551	3,221	Planning Team: 644,200,000

Sources: 2010 U.S. Census and 2016 ACS Certified population data.

¹ Planning Team determined the average replacement value of all single-family residential buildings to be \$200,000 per structure. This value will be updated in the Final Plan once the value is received from the KPB.

6.2.1.2 Critical Infrastructure

Critical infrastructure is defined as a facility that provides essential products and services to the general public, such as preserving quality of life while fulfilling important public safety, emergency response, and disaster recovery functions. Critical facilities and infrastructure for the City are profiled in this HMP and include the following (see also Table 11):

- Government: City administrative offices, departments, or agencies;
- Emergency Response: including police and fire personnel services; and fire-fighting equipment; and
- Health Care: medical clinics, congregate living, health, residential and continuing care, and retirement facilities.

Table 11. Alaska’s Critical Infrastructure

• Hospitals, Clinics, & Assisted Living Facilities	• Satellite Facilities	• Power Generation Facilities	• Oil & Gas Pipeline Structures & Facilities	• Schools
• Fire Stations	• Radio Transmission Facilities	• Potable Water Treatment Facilities	• Service Maintenance Facilities	• Community Washeterias
• Police Stations	• Highways and Roads	• Reservoirs & Water Supply Lines	• Community Halls & Civic Centers	• National Guard Facilities
• Emergency Operations Centers	• Critical Bridges	• Waste Water Treatment Facilities	• Community Stores	• Landfills & Incinerators
• Any Designated Emergency Shelter	• Airports	• Fuel Storage Facilities	• Community Freezer Facilities	• Community Cemeteries
• Telecommunications Structures & Facilities		• Harbors / Docks / Ports		

6.2.1.3 Infrastructure Risk, Vulnerability, and Losses from Identified Hazards

Table 12 provides critical facilities and infrastructure identified for the City. See Figure 15 for a critical facilities map. Vulnerabilities are described further In Section 6.2.1.6.

6.2.1.4 Land Use and Development Trends

Requirements for land use and development trends, as stipulated in DMA 2000 and its implementing regulations, are described below.

DMA 2000 Recommendations: Risk Assessment, Assessing Vulnerability, Analyzing Development Trends

Assessing Vulnerability: Analyzing Development Trends

Requirement §201.6(c)(2)(ii)(C): [The plan should describe vulnerability in terms of] providing a general description of land uses and development trends within the community so that mitigation options can be considered in future land use decisions.

Element

- Does the plan describe land uses and development trends?

Source: FEMA, 2015.

The City has been a deferred code enforcement entity since the late 1970s enforcing local building, fire, and life safety codes in plan reviews for new construction. This provides local access and oversight in new construction without requiring plans being sent through the State Fire Marshal’s office in Anchorage.

Zoning changes are needed to comply with the 2016 *City of Kenai Comprehensive Plan* and to prevent infrastructure loss near the eroding Kenai bluffs. Public Works has been addressing this for several years, and the City has restricted new construction near hazardous areas, and infrastructure has been relocated to prevent added loss or damage (water and sewer lines, utilities, etc.).

The 2016 *City of Kenai Comprehensive Plan* projects modest economic growth and population increase. The region’s main economic sectors of energy, fishing/fish processing, and tourism also experienced modest growth. Kenai is expected to continue as a trade and services center for the region. Consistent with regional and national trends, the proportion of people aged 65 and older is expected to increase within the City. The City of Kenai’s median age is lower than the national median age and slightly higher than the State of Alaska’s median age.

Approximately 1,680 homes and businesses (4,000-5,000 users) are connected to the City’s water and sewer system. This is approximately 70% of the City’s population. The City has four operational well houses and a wastewater treatment plant. A new 1,000,000-gallon water reservoir was constructed in 2016. Of the 99 miles of roads in Kenai, the City of Kenai maintains approximately 60 miles, including approximately 15 miles of gravel-surfaced roads. Improvements to the road system to create more vehicle and pedestrian traffic in the City Center and provide safety and efficiency in travel could include paving more streets, constructing sidewalks, creating trail linkages, and expanding road shoulders. The Kenai Municipal Airport is currently undergoing a major remodeling. The Kenai Municipal Airport is the largest airport with the KPB and is an important distribution center in the area.

The City has an ample supply of vacant land for future development. Development near existing City services will make the best use of public development expenditures. Commercial and retail development along the highway corridors has created a linear City form. Residential development is dispersed, and multiple commercial centers are emerging in the City.

6.2.1.5 Data Limitations

The vulnerability estimates provided herein use the best data currently available, and the methodologies applied result in a risk approximation. These estimates may be used to understand relative risk from hazards and potential losses. However, uncertainties are inherent in any loss estimation methodology, arising in part from incomplete scientific knowledge concerning hazards and their effects on the built environment as well as the use of approximations and simplifications that are necessary for a comprehensive analysis.

It is also important to note that the quantitative vulnerability assessment results are limited to the exposure of people, buildings, and critical facilities and infrastructure to the identified hazards. It was beyond the scope of this HMP to develop a more detailed or comprehensive assessment of risk (including annualized losses, people injured or killed, shelter requirements, loss of facility/system function, and economic losses). Such impacts may be addressed with future updates of this HMP.

6.2.1.6 Vulnerability Assessments

Hazards are assessed with regards to their vulnerabilities in this section.

Fire Vulnerabilities

The 2018 *State of Alaska HMP* categorizes the KPB at risk of experiencing high fire impacts. Impacts associated with a fire event include the potential for loss of life and property. Buildings closer to the outer edge of town, those with a lot of vegetation surrounding the structure, and those constructed with wood are some of the buildings that are more vulnerable to the impacts of fire.

The City maintains a defensible space around all City facilities as a preventative measure for wildland fires.

Dry forest conditions increase fire fuels and insect infestations. These conditions create optimum conditions for fire propagation, especially around housing and other areas where fire fuels are not controlled near public or private structures. Future populations, residential structures, critical facilities, and infrastructure located in dryer regions of Alaska are anticipated to experience increased fire events compared to historical impacts.

Flood and Erosion Vulnerabilities

The 2018 *State of Alaska HMP* categorizes the KPB at risk of experiencing high flooding and erosion impacts. City Dock facilities are somewhat vulnerable to flood conditions, but were constructed with those events in mind, and generally remain usable in a flood event.

The City does not participate in the NFIP.

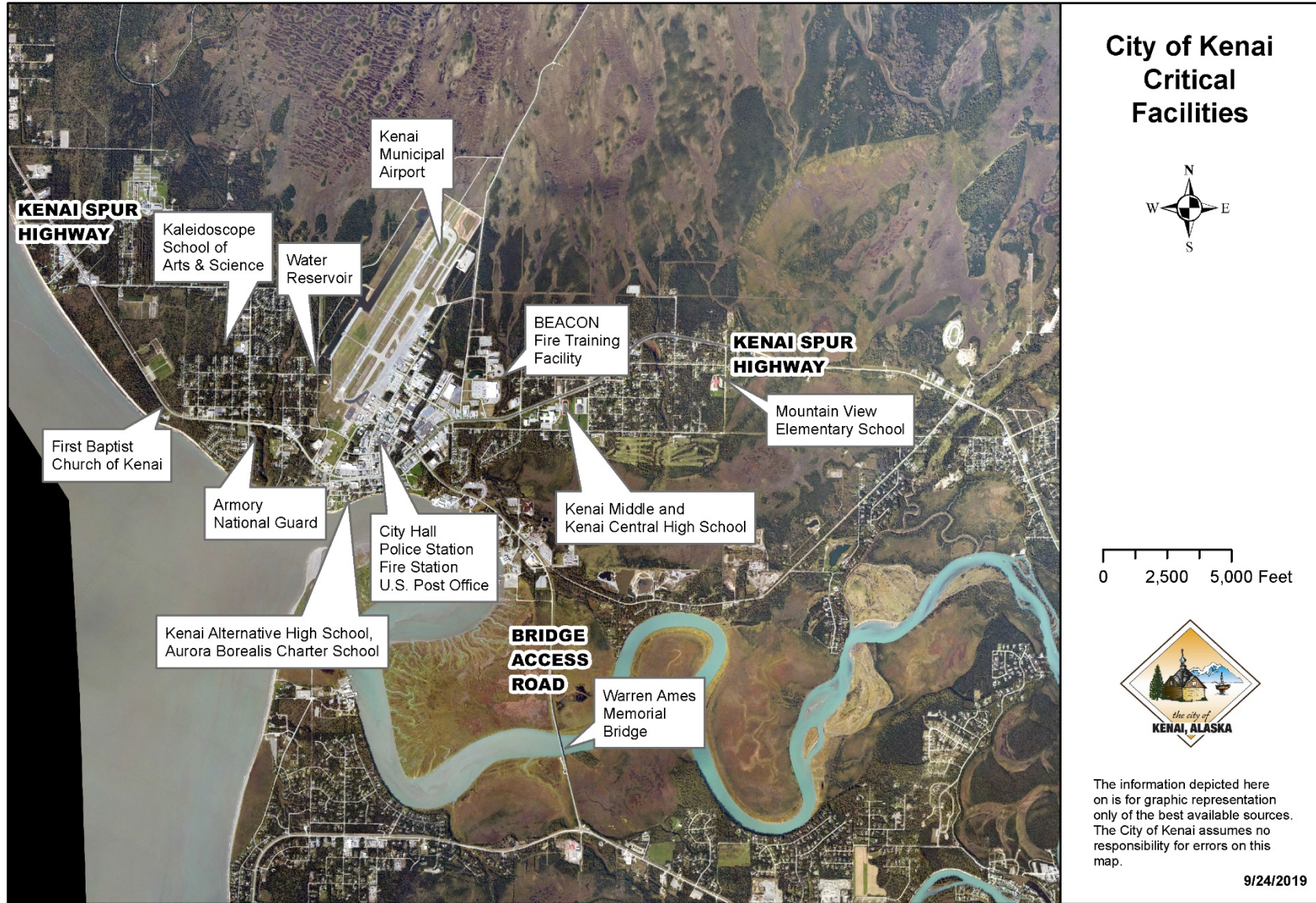
The Senior Center, Congregate Housing (Vintage Pointe Manor) and Wastewater Treatment Plant are more vulnerable to erosion damage than the remainder of City facilities. The Kenai Bluffs erosion is an important concern of the City's. The City has taken steps to preserve the integrity of protective dunes by installing permanent fencing.

Table 12. Kenai’s Critical Facilities

Type of Facility	Facilities	Address	Latitude	Longitude	Estimated Value (2019 KPB Estimate)	Number of Occupants	Building Type	Volcanic Ashfall	Earthquake	Flood/Erosion	Cryosphere	Weather (Severe)	Fire
Government	City Hall	210 Fidalgo Avenue	60.559085	-151.248688	\$831,600	20	Class 6, Type 1 Steel	x	x		x	x	x
	National Guard	105 South Forest Drive	60.559036	-151.276414	\$1,086,800	20	Class 51C Galvanized Steel	x	x		x	x	x
	U.S. Post Office	140 Bidarka Street	60.557799	-151.248010	\$2,709,600	15	Stucco	x	x		x	x	x
Transportation	Kenai Municipal Airport – Passenger Terminal	305 North Willow Street	60.565269	-151.246915	\$14,000,000	200	Airport	x	x	x	x	x	x
Emergency Response	Kenai Public Safety (Police Station and Fire Station)	107 South Willow Street	60.559112	-151.250225	\$2,387,900	30	Concrete Block (Jail), Class 1 Wood Frame	x	x		x	x	x
Education	Mountain View Elementary School*	315 Swires Road	60.565476	-151.176598	\$13,543,700	480	Class 1 Wood Frame	x	x		x	x	x
	Kenai Alternative High School, Aurora Borealis Charter School	705 Frontage Road	60.554048	-151.253699	\$11,817,000	80	Class 1 Wood Frame	x	x		x	x	x
	Kaleidoscope School of Arts & Science*	549 North Forest Drive	60.568725	-151.279090	\$10,443,300	290	Class 1 Wood Frame	x	x		x	x	x
	Kenai Middle School*	201 North Tinker Lane	60.562831	-151.206125	\$23,121,600	360	Class 1 Wood Frame	x	x		x	x	x
	Kenai Central High School*	9583 Kenai Spur Highway	60.561267	-151.212238	\$55,754,300	500	Class 1 Wood Frame	x	x		x	x	x
Medical	Kenai has Medical Clinics, but the nearest hospital is in neighboring Soldotna	N/A	N/A	N/A	N/A	N/A	N/A						
Community	BEACON Alaska Regional Aircraft Fire Training Center	450 Daubenspeck Circle	60.566308	-151.225563	\$6,626,500	50	Class 1 Steel	x	x		x	x	x
	First Baptist Church*	12815 Kenai Spur Highway	60.560715	-151.295380	\$798,100	100	Class 1 Wood Frame	x	x	x	x	x	x
Road	Kenai Spur Highway (approx. 10.5 miles)	N/A	N/A	N/A	N/A	N/A	N/A	x	x	x	x	x	x
	Bridge Access Road (3.5 miles)	N/A	N/A	N/A	N/A	N/A	N/A	x	x	x	x	x	x
Bridge	Warren Ames Memorial Bridge	Bridge Access Road	60.526740	-151.209042	N/A	N/A	N/A	x	x	x	x	x	x
Utility	Electric – Homer Electric	N/A	N/A	N/A	N/A	N/A	N/A	x	x	x	x	x	x
	Telephone – GCI	N/A	N/A	N/A	N/A	N/A	N/A	x	x	x	x	x	x
	Gas – ENSTAR	N/A	N/A	N/A	N/A	N/A	N/A	x	x	x	x	x	x
	Wastewater Treatment Plant	N/A	60.442466	-151.276836	\$7,301,200	5	Sewage Treatment Plant	x	x	x	x	x	x
	Four Wellheads	N/A	N/A	N/A	N/A	N/A	N/A	x	x	x	x	x	
Water Reservoir	N/A	60.564703	-151.260959	\$2,750,000	N/A	N/A	x	x		x	x		
					Totals	\$153,173,600							

*Shelters

Figure 15. Critical Facilities Locations



Kenai's flood- and erosion-threatened population and infrastructure potentially include: the existing, transient, and future population, residential structures, critical facilities, and infrastructure that are exposed to changing flooding and erosion impacts.

Earthquake Vulnerabilities

Alaska should expect the full spectrum of potential earthquake ground motion scenarios. Severe shaking may result in infrastructure damage that is equally as extreme. Although all structures are at some risk due to earthquakes, short wooden buildings are less vulnerable than multi-story and complex masonry/steel structures. The majority of Alaska's schools, State, and Federal buildings are built and sited based on stringent seismic construction standards and are expected to survive major earthquake events.

The 2018 *State of Alaska HMP* categorizes the KPB at risk of experiencing high earthquake impacts. Protective measures are in place to minimize damage such as housing emergency generators inside and meeting construction standards for the seismic zone.

Due to Alaska's highly active geologic setting at a tectonic plate boundary, future populations, residential structures, critical facilities, and infrastructure will be exposed to continued earthquakes of various magnitudes—from those that are barely felt to those that detrimentally affect large regions of the State.

Severe Weather Vulnerabilities

The 2018 *State of Alaska HMP* categorizes the KPB at risk of experiencing high severe weather impacts. Impacts associated with severe weather events include roof collapse, trees and power lines falling, damage to light aircraft and sinking small boats, and injury and death resulting from snow machine or vehicle accidents and overexertion while shoveling (all due to heavy snow). A quick thaw after a heavy snow can also cause substantial flooding. Impacts from extreme cold include hypothermia, halting transportation from fog and ice, congealed fuel, frozen pipes, disruption in utilities, frozen pipes, and carbon monoxide poisoning. Buildings that are older and/or not constructed with materials designed to withstand heavy snow and wind (e.g., hurricane ties on crossbeams) are more vulnerable to the impacts of severe weather. The entire State is threatened by severe weather events.

Severe weather will occur annually in Kenai. Climate change impacts vary across Alaska. These conditions will negatively impact future populations, residential structures, critical facilities, and infrastructure.

Volcanic Ashfall Vulnerabilities

The 2018 *State of Alaska HMP* categorizes the KPB at risk of experiencing high volcanic impacts. Impacts associated with an ashfall event include the potential for ashfall to damage motors and ashfall impairing air quality.

Changes in the Cryosphere Vulnerabilities

Alaska can expect to experience ever-changing effects from melting polar ice sheets, mountain glaciers, and other cryosphere impacts. According to mapping completed by the USGS, Kenai does not have permafrost at ground level. Sea ice and river ice affect Kenai.

Similar to weather vulnerabilities, changing cryospheric conditions also vary across Alaska. Therefore, the entire population and infrastructure could be vulnerable to recurrent cryosphere hazard impacts.

A mitigation strategy provides the blueprint for implementing desired activities that will enable the City to continue to save lives and preserve infrastructure by systematically reducing hazard impacts, damages, and community disruptions. This section outlines the process for preparing a mitigation strategy including:

1. Develop Mitigation Goals to mitigate the hazards and risks identified (see Sections 5 and 6).
2. Identify Mitigation Actions to meet the Mitigation Goals.
3. Evaluate Mitigation Actions.
 - a. Describe and analyze Local mitigation policies, programs, and funding sources.
 - b. Evaluate Federal and State hazard management policies, programs, capabilities, and funding sources.
4. Implement the Mitigation Action Plan (MAP).

Within this section, the Hazard Mitigation Project Team developed mitigation goals and potential mitigation actions.

7.1 DEVELOPING MITIGATION GOALS

Requirements for hazard mitigation goals, as stipulated in DMA 2000 and its implementing regulations, are described below.

DMA 2000 Requirements: Mitigation Strategy –Hazard Mitigation Goals

Local Hazard Mitigation Goals

Requirement §201.6(c)(3)(i): [The hazard mitigation strategy shall include a] description of mitigation goals to reduce or avoid long-term vulnerabilities to the identified hazards.

Element

- Does the plan include a description of mitigation goals to reduce or avoid long-term vulnerabilities to the identified hazards?

Source: FEMA, 2015.

The exposure analysis results were used as a basis for developing the mitigation goals and actions. Mitigation goals are defined as general guidelines that describe what a community wants to achieve in terms of hazard and loss prevention. Goal statements are typically long-range, policy-oriented statements representing community-wide visions. As such, goals were developed to reduce or avoid long-term vulnerabilities to identified hazards (Table 13). Goals are numbered according to the order of hazard priority; hazard designations are abbreviated as:

- F (Fire);
- F & E (Flooding and Erosion);
- E (Earthquakes);
- V (Volcanic Ash);
- SW (Severe Weather); and
- G (General).

Table 13. Mitigation Goals

No.	Goal Description
F1	Reduce or eliminate loss of homes and property due to fires.
F & E 2a	Reduce or eliminate the erosion of the bluff at the mouth of the Kenai River. Note that this goal incorporates the changes to the cryosphere hazard with the erosion hazard.
F & E 2b	Reduce or eliminate property damage and influx of debris into waterways due to floods by raising public awareness and through zoning changes.
E 3	Prepare citizens and the built environment to better survive the hazards associated with earthquakes.
V 4	Educate citizens to adequately protect themselves and property from hazards of volcanic ash.
SW 5	Educate citizens and the built environment to better survive the hazards associated with severe weather.
G 6	Identify ways for the City to better prepare for an emergency.

7.2 IDENTIFYING MITIGATION ACTIONS

Requirements for identification and analysis of mitigation actions, as stipulated in DMA 2000 and its implementing regulations, are described below.

DMA 2000 Requirements: Mitigation Strategy - Identification and Analysis of Mitigation Actions

Identification and Analysis of Mitigation Actions

Requirement §201.6(c)(3)(ii): [The mitigation strategy shall include a] section that identifies and analyzes a comprehensive range of specific mitigation actions and projects being considered to reduce the effects of each hazard, with particular emphasis on new and existing buildings and infrastructure.

Element

- Does the plan identify and analyze a comprehensive range of specific mitigation actions and projects for each hazard?
- Do the identified actions and projects address reducing the effects of hazards on new buildings and infrastructure?
- Do the identified actions and projects address reducing the effects of hazards on existing buildings and infrastructure?

Source: FEMA, 2015.

After mitigation goals and actions were developed, the Planning Team assessed the potential mitigation actions to carry forward into the mitigation strategy. Mitigation actions are activities, measures, or projects that help achieve the goals of an HMP. Mitigation actions are usually grouped into three broad categories: property protection, public education and awareness, and structural projects. The Planning Team placed particular emphasis on projects and programs that reduce the effects of hazards on both new and existing buildings and infrastructure. These potential projects are listed in Table 16.

7.3 EVALUATING AND PRIORITIZING MITIGATION ACTIONS

Requirements for the evaluation and implementation of mitigation actions, as stipulated in DMA 2000 and its implementing regulations, are described below.

DMA 2000 Requirements: Mitigation Strategy - Implementation of Mitigation Actions

Implementation of Mitigation Actions

Requirement: §201.7(c)(3)(iii): [The mitigation strategy section shall include] an action plan describing how the actions identified in Section (c)(3)(ii) will be prioritized, implemented, and administered by the Local Government. Prioritization shall

DMA 2000 Requirements: Mitigation Strategy - Implementation of Mitigation Actions

include a special emphasis on the extent to which benefits are maximized according to a cost benefit review of the proposed projects and their associated costs.

Element

- Does the mitigation strategy include how the actions are prioritized?
- Does the mitigation strategy address how the actions will be implemented and administered?
- Does the prioritization process include an emphasis on the use of a cost-benefit review to maximize benefits?

Source: FEMA, 2015.

The Planning Team identified mitigation actions on October 30, 2019, to determine which actions would be retained in the MAP. The MAP contained in Table 14 represents potential mitigation projects and programs. The Hazard Mitigation Planning Team ranked the top three hazards with the potential to impact Kenai as fire, erosion, and earthquakes.

Table 14. Mitigation Goals and Potential Actions

Goals		Actions	
No.	Description	ID	Description
F1	Reduce or eliminate loss of homes and property due to fires.	A	Promote the development of FireWise neighborhoods to include the removal of fuels and increased awareness of fire hazards in the community.
		B	Develop a wildland hazard map based on vegetation data that ranks land based upon its likely susceptibility to the spruce bark beetle.
		C	Map hydrant locations. Extend water lines as needed to increase coverage.
F & E 2a	Reduce or eliminate the erosion of the bluff at the mouth of the Kenai River.	A	Implement the recommendation from the 2018 USACE Report.
F & E 2b	Reduce or eliminate property damage and influx of debris into waterways due to floods by raising public awareness and through zoning changes.	A	Continue cooperative efforts of the KPB, City of Kenai Planning and Zoning Commission, City Council, and land owners/developers to enact and enforce a 50-foot setback of items on properties adjacent to waterways.
		B	Evaluate the feasibility of participating in the NFIP.
E 3	Prepare citizens and the built environment to better survive the hazards associated with earthquakes.	A	Raise public awareness of potential threats and necessary preparations to increase survivability of citizens and structures.
V 4	Prepare citizens to adequately protect themselves and property from hazards of volcanic ash.	A	Educate the public to prepare for the harmful effects of volcanic ash fallout to life and property.
SW 5	Educate citizens and the built environment to better survive the hazards associated with severe weather.	A	Enforce building codes for structures to withstand high winds.

G 6	Identify ways for the City to better prepare for an emergency.	A	Update the City’s Emergency Operating Plan from 2007 to ensure the appropriate response to natural hazards.
		B	Update the Alaska Fire Training Facility as an Emergency Operations Command Center.

The requirements for the evaluation and implementation of mitigation actions, as stipulated in DMA 2000 and its implementing regulations are described below.

DMA 2000 Requirements: Mitigation Strategy - Implementation of Mitigation Actions

Implementation of Mitigation Actions

Requirement: §201.6(c)(3)(iii): [The mitigation strategy section shall include] an action plan describing how the actions identified in Section (c)(3)(ii) will be prioritized, implemented, and administered by the local jurisdiction. Prioritization shall include a special emphasis on the extent to which benefits are maximized according to a cost benefit review of the proposed projects and their associated costs.

Element

- ☐ Does the mitigation strategy include how the actions are prioritized?
- ☐ Does the mitigation strategy address how the actions will be implemented and administered?
- ☐ Does the prioritization process include an emphasis on the use of a cost-benefit review to maximize benefits?

Source: FEMA, 2015.

The Hazard Mitigation Project Team reviewed the simplified social, technical, administrative, political, legal, economic, and environmental (STAPLEE) evaluation criteria (Table 15) and the Benefit-Cost Analysis Fact Sheet (Appendix D) to consider the opportunities and constraints of implementing each particular mitigation action. For each action considered for implementation, a qualitative statement is provided regarding the benefits and costs and, where available, the technical feasibility. A detailed cost-benefit analysis is anticipated as part of the application process for those projects the City chooses to implement.

Table 15. Evaluation Criteria for Mitigation Actions
Social, Technical, Administrative, Political, Legal, Economic, and Environmental (STAPLEE)

Evaluation Category	Discussion “It is important to consider...”	Considerations
Social	The public support for the overall mitigation strategy and specific mitigation actions.	Community acceptance Adversely affects population
Technical	If the mitigation action is technically feasible and if it is the whole or partial solution.	Technical feasibility Long-term solutions Secondary impacts
Administrative	If the community has the personnel and administrative capabilities necessary to implement the action or whether outside help will be necessary.	Staffing Funding allocation Maintenance/operations
Political	What the community and its members feel about issues related to the environment, economic development, safety, and emergency management.	Political support Local champion Public support
Legal	Whether the community has the legal authority to implement the action, or whether the community must pass new regulations.	Local, Tribal, State, and Federal authority Potential legal challenge

Evaluation Category	Discussion "It is important to consider..."	Considerations
Economic	If the action can be funded with current or future internal and external sources, if the costs seem reasonable for the size of the project, and if enough information is available to complete a FEMA Benefit-Cost Analysis.	Benefit/cost of action Contributes to other economic goals Outside funding required FEMA Benefit-Cost Analysis
Environmental	The impact on the environment because of public desire for a sustainable and environmentally healthy community.	Effect on local flora and fauna Consistent with community environmental goals Consistent with Local, Tribal, State, and Federal laws

On October 29, 2019, the Hazard Mitigation Project Team considered each hazard’s history, extent, and probability to determine each mitigation action’s priority. A rating system based on high, medium, or low was used. High priorities are associated with actions for hazards that impact the community on an annual or near annual basis and generate impacts to critical facilities and/or people. Prioritizing the mitigation actions in the MAP Matrix was completed on October 29, 2019, to provide the City with an approach to implementing the MAP. Table 16 defines the mitigation action priorities.

7.4 IMPLEMENTING A MITIGATION ACTION PLAN

Requirements for Local Government policies in mitigation strategies, as stipulated in DMA 2000 and its implementing regulations, are described below.

DMA 2000 Requirements: Mitigation Strategy
<p>Implementation of Mitigation Actions</p> <p>Requirement: §201.6(c)(3)(iii): [The mitigation strategy section shall include]: an action plan describing how the actions will be prioritized implemented, and administered by the Local jurisdiction. Prioritization shall include a special emphasis on the extent to which benefits are maximized according to a cost benefit review of the proposed projects and their associated costs.</p> <p>Element</p> <ul style="list-style-type: none"> ■ Does the plan contain a mitigation action plan?

Table 16 defines the MAP.

Table 16. City Mitigation Action Plan

(See acronym and abbreviations list for complete titles)

Action ID	Description	Priority	Responsible Department	Potential Funding	Timeframe	Benefit-Costs / Technical Feasibility
F 1a	Promote FireWise programs including public education programs in school and neighborhoods.	High	Fire Chief	Minimal cost anticipated; City	2020	B/C: This is an easily-implemented mitigation action. TF: This action could be accomplished by the Fire Department at minimal cost.
F 1b	Promote the development of defensible space and landscaping techniques to community and home construction contractor participation.	High	Fire Chief	Minimal cost anticipated; City	Spring 2020	B/C: This is an easily-implemented mitigation action. TF: This action could be accomplished by the Fire Department at minimal cost.
F 1c	Encourage the reduction of fuels in hazardous areas and egress routes in coordination with the Kenai Peninsula Spruce Bark Beetle Mitigation Office, State Forestry, and land owners.	High	Fire Chief	City, DHS Preparedness Technical Assistance Program, HMGP, PDM Grants	2020	B/C: National statistics state that there is a \$10 benefit for every \$1 spent on wildfire mitigation. Flyers and radio ads are inexpensive. TF: This action could be accomplished by the Fire Department at minimal cost. Homeowners and property owners would be responsible for their own lots. Funding would be needed for City property.
F 1d	Develop a wildland hazard map based on vegetation data that ranks land based upon its likely susceptibility to the spruce bark beetle.	High	KPB/City Planner	Funding has already been obtained	Spring 2020	B/C: KPB has mapping expertise. TF: This action is already in progress.
F 1e	Map hydrant locations. Extend water lines as needed to increase coverage.	High	Public Works Director	Funding has already been obtained	Spring 2020	B/C: Public Works has expertise. TF: This action is already in progress.

Mitigation Strategy

Action ID	Description	Priority	Responsible Department	Potential Funding	Timeframe	Benefit-Costs / Technical Feasibility
F & E 2a	Implement Kenai Bluffs protection measure recommended in the 2018 USACE Kenai Bluffs study.	High	City Planner	City, USACE, Legislature Capital Budget	2020-2025	B/C: The USACE has already completed the study and identified the best solution. TF: The City is seeking funding opportunities.
F & E 2b	Establish zoning and building restrictions for the Kenai Bluffs area, and develop a plan to move infrastructure back from the bluff.	High	City Planner	City	2020	B/C: This project would prevent infrastructure from being eroded into the bluff below. TF: This project is feasible using existing community resources and construction standards. Equipment and materials require grant funding.
F & E 2c	Continue cooperative efforts of the KPB, City of Kenai Planning & Zoning Commission, City Council, and land owners/developers to enact and enforce a 50-foot setback of items on properties adjacent to waterways.	High	City Planner	City	Ongoing	B/C: The Kenai River Overlay mandates a 50-foot building setback from the mean high water line of the Kenai River. KPB regulations for development in this area meet the objective to minimize damage in the event of a flood. TF: The City has the necessary resources to enforce regulations already in place.
F & E 2d	Evaluate the feasibility of participating in the NFIP.	Medium	City Planner	City	2020	B/C: The KPB participates in the NFIP. TF: The KPB would act as the Floodplain Manager.
E 3a	In an effort to reduce property damage, the City will continue to adopt and enforce current building codes and construction standards that address the seismic concerns for the KPB.	High	City Planner	City	Ongoing	B/C: The City has already adopted the codes and enforces them. TF: Codes are already implemented.
E 3b	Prepare citizens and the built environment to better survive the	High	City Planner	City	Ongoing	B/C: A comprehensive earthquake safety program,

Mitigation Strategy

Action ID	Description	Priority	Responsible Department	Potential Funding	Timeframe	Benefit-Costs / Technical Feasibility
	hazards associated with earthquakes through the promotion of public education and the practice of sheltering in place. Encourage the preparation of citizens for self-sufficiency on a post-earthquake scenario.					delivered as appropriate to all ages and audiences will save lives. Seismic standard construction will increase survivability of occupants. TF: Codes are already implemented.
V 4	Continue cooperative effort with KPB, Office of Emergency Management, local media, and City of Kenai websites to provide the public with preparedness information prior to and during periods of increased volcano seismic activity.	High	City Planner	City, KPB, AVO	Ongoing	B/C: During 2009 volcanic activity, the public was adequately informed for preparedness via the KPB and AVO websites as well as collaboration of City Government and local media. Continue preparedness exercises. TF: Regularly practice EOP.
SW 5	In an effort to reduce property damage, the City will continue to adopt and enforce current building codes and construction standards that address high winds. Prepare citizens and the built environment to better survive the hazards associated with keeping power on such as backup generators. Residents should do self-assessments on their own properties and create open space around their houses accordingly so that trees do not fall on houses and powerlines.	High	Individual Homeowner	Individual Homeowner	2020	B/C: Homeowners are responsible for the defensiveness of their property in a natural disaster. Prevention now may save property in the future. TF: Residents would be responsible for following City codes and construction standards.
G 6a	Update the City's Emergency Operating Plan to ensure the appropriate response to natural hazards.	Medium	Fire Chief	City, Denali Commission	2020	B/C: Sustained mitigation outreach programs have minimal cost and will help build and support area-wide capacity. This type of activity enables the public to prepare for, respond to, and recover from disasters. Coordinated planning

Mitigation Strategy

Action ID	Description	Priority	Responsible Department	Potential Funding	Timeframe	Benefit-Costs / Technical Feasibility
						<p>ensures effective damage abatement and ensures proper attention is assigned to reduce losses and damage to structures and residents.</p> <p>TF: This low-cost activity can be combined with recurring community meetings where hazard- specific information can be presented in small increments. This activity is ongoing, demonstrating its feasibility.</p>
G 6b	Update the Alaska Fire Training Facility as an Emergency Operations Command Center.	Medium	City Manager	City, HMGP, PDM	2020-2025	<p>B/C: The City needs to evaluate their EOC needs and determine if this building should be updated to replace the existing EOC. This building has many desirable features for an EOC.</p> <p>TF: This building is sitting empty in the community and appears to meet criteria.</p>

This section describes a formal plan maintenance process to ensure that this HMP remains an active and applicable document. It includes an explanation of how the City’s Hazard Mitigation Project Team intends to organize their efforts to ensure that improvements and revisions to the HMP occur in a well-managed, efficient, and coordinated manner.

The following three process steps are addressed in detail here:

1. Monitoring, evaluating, and updating the HMP;
2. Implementation through existing planning mechanisms; and
3. Continued public involvement.

8.1 MONITORING, EVALUATING, AND UPDATING THE HMP

Requirements for monitoring, evaluating, and updating the HMP, as stipulated in the DMA 2000 and its implementing regulations, are described below.

DMA 2000 Requirements: Plan Maintenance Process - Monitoring, Evaluating, and Updating the Plan

Monitoring, Evaluating and Updating the Plan

Requirement §201.6(c)(4)(i, ii, and iii): [The plan maintenance process shall include a] section describing the method and schedule of monitoring, evaluating, and updating the mitigation plan within a five-year cycle; b] a process by which local government incorporates the requirements of the mitigation plan into other planning mechanisms such as comprehensive or capital improvement plans, when appropriate; and c] discussion on how the community will continue public participation in the plan maintenance process.

Element

- Does the plan describe the method and schedule of monitoring the plan, including the responsible department?
- Does the plan describe a system for monitoring implementation of mitigation measures and project closeouts?
- Does the plan describe the method and schedule for updating the plan within the five-year cycle?

Source: FEMA, 2015.

This HMP was prepared as a collaborative effort among the Hazard Mitigation Project Team and LeMay Engineering & Consulting, Inc. To maintain momentum, the City Planner will use the Hazard Mitigation Project Team to monitor, evaluate, and update the HMP. Each authority identified in Table 16 will be responsible for implementing the MAP. The City Planner will serve as the primary point of contact and will coordinate local efforts to monitor, evaluate, and revise the HMP.

Each member of the Hazard Mitigation Project Team will conduct an annual review during the anniversary week of the HMP’s official FEMA approval date to monitor the progress in implementing the HMP, particularly the MAP. As shown in Appendix E, the Annual Review Worksheet will provide the basis for possible changes in the HMP MAP by refocusing on new or more threatening hazards, adjusting to changes to or increases in resource allocations, and engaging additional support for the HMP implementation. The City Planner will initiate the annual review two months prior to the scheduled planning meeting date to ensure that all data is assembled for discussion with the Hazard Mitigation Project Team. The findings from these reviews will be presented at the annual Hazard Mitigation Project Team Meeting. Each review, as shown on the Annual Review Worksheet, will include an evaluation of the following:

- Participation of authorities and others in the HMP implementation;

- Notable changes in the risk of natural or human-caused hazards;
- Impacts of land development activities and related programs on hazard mitigation;
- Progress made with the MAP (identify problems and suggest improvements as necessary and provide progress reports on implemented mitigation actions); and
- The adequacy of local resources for implementation of the HMP.

A system of reviewing the progress on achieving the mitigation goals and implementing the MAP activities and projects will also be accomplished during the annual review process. During each annual review, each authority administering a mitigation project will submit a Progress Report to the Hazard Mitigation Project Team. As shown in Appendix E, the report will include the current status of the mitigation project, including any changes made to the project, the identification of implementation problems and appropriate strategies to overcome them, and whether or not the project has helped achieve the appropriate goals identified in the HMP.

In addition to the annual review, the Hazard Mitigation Project Team will update the HMP every five years. To ensure that this update occurs, in the fourth year following adoption of the HMP, the Hazard Mitigation Project Team will undertake the following activities:

- Request grant assistance from DHS&EM and FEMA to update the HMP (this can take up to one year to obtain and one year to update the HMP);
- Thoroughly analyze and update the risk of natural hazards;
- Provide a new annual review (as noted above), plus a review of the three previous annual reviews;
- Provide a detailed review and revision of the mitigation strategy;
- Prepare an updated MAP for the City;
- Prepare an updated Draft HMP;
- Submit an updated Draft HMP to DHS&EM and FEMA for approval;
- Submit the DSH&EM- and FEMA-approved plan for adoption by the City Council; and
- Return adoption resolution to FEMA to receive formal approval.

8.2 **IMPLEMENTATION THROUGH EXISTING PLANNING MECHANISMS**

Requirements for implementation through existing planning mechanisms, as stipulated in DMA 2000 and its implementing regulations, are described below.

DMA 2000 Requirements: Plan Maintenance Process - Incorporation into Existing Planning Mechanisms

Incorporation into Existing Planning Mechanisms

Requirements §201.6(c)(4)(ii): [The plan shall include a] process by which the Local Government integrates the HMP into other ongoing City planning efforts as well as other planning mechanisms such as comprehensive or capital improvement plans when appropriate.

Element

- Does the plan identify other planning mechanisms available for incorporating the mitigation requirements of the mitigation plan?
- Does the plan include a process by which the City government will incorporate the mitigation strategy and other information contained in the plan (e.g., risk assessment) into other planning mechanisms, when appropriate?

Source: FEMA, 2015.

After the adoption of the HMP, the City Planner will ensure that the HMP, in particular each Mitigation Action Project, is incorporated into existing planning mechanisms. The City Planner will achieve this incorporation by undertaking the following activities.

- Conduct a review of the community-specific regulatory tools to assess the integration of the mitigation strategy. These regulatory tools are identified in the capability assessment section (Tables 17-19).
- Work with pertinent community departments to increase awareness of the HMP and provide assistance in integrating the mitigation strategy (including the MAP) into relevant planning mechanisms. Implementation of these requirements may require updating or amending specific planning mechanisms.
- The City Planner will be responsible for providing a copy of this HMP to contractors focused on developing new or updating existing Local Plans and ensuring that this HMP is incorporated into plans as applicable.

The City will involve the public to continually reshape and update this HMP. A paper copy of this HMP will be available at City Hall. This HMP will also be stored on the State DCCED/DCRA’s plans website for public reference. Planners are encouraged to integrate components of this HMP into their own plans.

The following tables outline the resources available to the City for mitigation related funding and training. The tables delineate the City’s regulatory tools, technical specialists, and financial resources available for project management.

Table 17. Regulatory Tools

Regulatory Tools (ordinances, codes, plans)	Existing?	Comments (Year of most recent update; problems administering it, etc.)
Economic Development Plan	2019	KPB Comprehensive Economic Development Strategy
Comprehensive Plan	2016	City of Kenai Comprehensive Plan
Emergency Operations Plan	2007	City of Kenai Emergency Operations Plan
Land Use Plan	Yes	In the 2016 City of Kenai Comprehensive Plan
Transportation Plan	2003	Kenai Peninsula Borough Transportation Plan
Building code	Yes	The City can exercise this authority.
Zoning ordinances	Yes	The City can exercise this authority.
Subdivision ordinances or regulations	Yes	The City can exercise this authority.
Special purpose ordinances	Yes	The City can exercise this authority.
Land Use Regulation	Yes	The City can exercise this authority.

Local Resources

The City has a number of planning and land management tools that will allow it to implement hazard mitigation activities. The resources available in these areas are summarized below.

Table 18. Administrative and Technical Resources

Staff/Personnel Resources	Y/N	Department/Agency and Position
Planner or engineer with knowledge of land development and land management practices	Yes	City Planner
Engineer or professional trained in construction practices related to buildings and/or infrastructure	Yes	Department of Public Works
Planner or engineer with an understanding of natural and/or human-caused hazards	Yes	City Planner
Floodplain Manager	Yes	Jimmy C. Smith, State Floodplain Manager KPB Floodplain Manager
Surveyors	No	The City may hire surveying consulting services.
Staff with education or expertise to assess the jurisdiction's vulnerability to hazards	Yes	City Planner
Personnel skilled in GIS and/or HAZUS-MH	Yes	City Planner
Scientists familiar with the hazards of the jurisdiction	No	U.S. Fish & Wildlife Service; Alaska Dept. of Fish & Game
Emergency Manager	Yes	City Manager, Kenai Peninsula Borough
Finance (Grant writers)	Yes	Finance Director

Public Information Officer	Yes	City Manager
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The following table includes additional information on existing City authority, policies, and programs.

Table 19. Financial Resources for Hazard Mitigation

Financial Resource	Accessible or Eligible to Use for Mitigation Activities
General funds	Limited funding, can exercise this authority with voter approval.
Community Development Block Grants	Limited funding, can exercise this authority with voter approval.
Capital Improvement Projects Funding	Limited funding, can exercise this authority with voter approval.
Authority to levy taxes for specific purposes	Limited funding, can exercise this authority with voter approval.
Incur debt through general obligation bonds	Can exercise this authority with voter approval.
Incur debt through special tax and revenue bonds	Can exercise this authority with voter approval.
Incur debt through private activity bonds	Can exercise this authority with voter approval.
Hazard Mitigation Grant Program (HMGP)	FEMA funding which is available to local communities after a Presidentially-declared disaster. It can be used to fund both pre- and post-disaster mitigation plans and projects.
Pre-Disaster Mitigation (PDM) grant program	FEMA funding which is available on an annual basis. This grant can only be used to fund pre-disaster mitigation plans and projects only.
Flood Mitigation Assistance (FMA) grant program	FEMA funding which is available on an annual basis. This grant can be used to mitigate repetitively-flooded structures and infrastructure to protect repetitive flood structures.
United State Fire Administration (USFA) Grants	The purpose of these grants is to assist state, regional, national, or local organizations to address fire prevention and safety. The primary goal is to reach high-risk target groups including children, seniors, and firefighters.
Fire Mitigation Fees	Finance future fire protection facilities and fire capital expenditures required.

8.3 CONTINUED PUBLIC INVOLVEMENT

Requirements for continued public involvement, as stipulated in DMA 2000 and its implementing regulations, are described below.

DMA 2000 Requirements: Plan Maintenance Process - Continued Public Involvement
Continued Public Involvement
Requirement §201.6(c)(4)(iii): [The plan maintenance process shall include a] discussion on how the Government will continue public participation in the plan maintenance process.
Element
<ul style="list-style-type: none"> ■ Does the plan explain how continued public participation will be obtained?
<i>Source: FEMA, 2015.</i>

The City is dedicated to involving the public directly in the continual reshaping and updating of the HMP. A paper copy of the HMP and any proposed changes will be available at the City Planning Office. An address and phone number of the City Planner to whom people can direct their comments or concerns will also be available at the City Office.

The City Planner will also identify opportunities to raise community awareness about the HMP and the hazards that affect the area with. The City will host a booth at the Community Health Fair that occurs each spring. The purpose of the booth will be to remind the public about the importance of mitigation and hand out community surveys (see Appendix E) to gauge what areas of mitigation the community feels is relevant. Any public comments received regarding the HMP will be collected by the City Planner, included in the annual report, and considered during future HMP updates.

8.4 POTENTIAL FUNDING RESOURCES

Federal Resources

The Federal government requires Local Governments to have an HMP in place to be eligible for mitigation funding opportunities through FEMA such as the UHMA Programs and the HMGP. The Mitigation Technical Assistance Programs available to Local governments are also a valuable resource. FEMA may also provide temporary housing assistance through rental assistance, mobile homes, furniture rental, mortgage assistance, and emergency home repairs. The Disaster Preparedness Improvement Grant also promotes educational opportunities with respect to hazard awareness and mitigation.

- FEMA, through its Emergency Management Institute, offers training in many aspects of emergency management, including hazard mitigation. FEMA has also developed a large number of documents that address implementing hazard mitigation at the local level. Key resource documents are available from the FEMA Publication Warehouse (1-800-480-2520) and are briefly described here:
 - How-to Guides. FEMA has developed a series of how-to guides to assist States, communities, and Tribes in enhancing their hazard mitigation planning capabilities. The first four guides describe the four major phases of hazard mitigation planning. The last five how-to guides address special topics that arise in hazard mitigation planning such as conducting cost-benefit analysis and preparing multi-jurisdictional

- plans. The use of worksheets, checklists, and tables make these guides a practical source of guidance to address all stages of the hazard mitigation planning process. They also include special tips on meeting DMA 2000 requirements.
- Post-Disaster Hazard Mitigation Planning Guidance for State and Local Governments. FEMA DAP-12, September 1990. This handbook explains the basic concepts of hazard mitigation and shows State, Tribal, and Local governments how they can develop and achieve mitigation goals within the context of FEMA's post-disaster hazard mitigation planning requirements. The handbook focuses on approaches to mitigation, with an emphasis on multi-objective planning.
 - Mitigation Resources for Success compact disc (CD). FEMA 372, September 2001. This CD contains a wealth of information about mitigation and is useful for State, Tribal, and Local government planners and other stakeholders in the mitigation process. It provides mitigation case studies, success stories, information about Federal mitigation programs, suggestions for mitigation measures to homes and businesses, appropriate relevant mitigation publications, and contact information.
 - A Guide to Federal Aid in Disasters. FEMA 262, April 1995. When disasters exceed the capabilities of State, Tribal, and Local governments, the President's disaster assistance programs (administered by FEMA) is the primary source of Federal assistance. This handbook discusses the procedures and process for obtaining this assistance, and provides a brief overview of each program.
 - The Emergency Management Guide for Business and Industry. FEMA 141, October 1993. This guide provides a step-by-step approach to emergency management planning, response, and recovery. It also details a planning process that businesses can follow to better prepare for a wide range of hazards and emergency events. This effort can enhance a business's ability to recover from financial losses, loss of market share, damages to equipment, and product or business interruptions. This guide could be of great assistance to a community's industries and businesses located in hazard prone areas.
 - The FEMA Hazard Mitigation Assistance Guidance and Addendum, February 5, 2015. The guidance introduces the five HMA grant programs, funding opportunities, award information, eligibility, application and submission information, application review process, administering the grant, contracts, additional program guidance, additional project guidance, and contains information and resource appendices (FEMA, 2015).
 - Department of Agriculture (USDA). Assistance provided includes: Emergency Conservation Program, Non-Insured Assistance, Emergency Watershed Protection, Rural Housing Service, Rural Utilities Service, and Rural Business and Cooperative Service.
 - Department of Energy (DOE), Office of Energy Efficiency and Renewable Energy, Weatherization Assistance Program. This program minimizes the adverse effects of high energy costs on low-income, elderly, and handicapped citizens through client education activities and weatherization services such as an all-around safety check of major energy systems, including heating system modifications and insulation checks.

- Department of Health and Human Services, Administration of Children & Families, Administration for Native Americans (ANA). The ANA awards funds through grants to American Indians, Native Americans, Native Alaskans, Native Hawaiians, and Pacific Islanders. These grants are awarded to individual organizations that successfully apply for discretionary funds. ANA publishes in the Federal Register an announcement of funds available, the primary areas of focus, review criteria, and the method of application.
- Department of Housing and Urban Development (HUD), Office of Homes and Communities, Section 108 Loan Guarantee Programs. This program provides loan guarantees as security for Federal loans for acquisition, rehabilitation, relocation, clearance, site preparation, special economic development activities, and construction of certain public facilities and housing.
- Department of Housing and Urban Development, Community Development Block Grants (HUD/CDBG). Provides grant assistance and technical assistance to aid communities in planning activities that address issues detrimental to the health and safety of local residents, such as housing rehabilitation, public services, community facilities, and infrastructure improvements that would primarily benefit low-and moderate-income persons.
- Department of Labor (DOL), Employment and Training Administration, Disaster Unemployment Assistance. Provides weekly unemployment subsistence grants for those who become unemployed because of a major disaster or emergency. Applicants must have exhausted all benefits for which they would normally be eligible.
- Federal Financial Institutions. Member banks of Federal Deposit Insurance Corporation, Financial Reporting Standards or Federal Home Loan Bank Board may be permitted to waive early withdrawal penalties for Certificates of Deposit and Individual Retirement Accounts.
- Internal Revenue Service (IRS), Tax Relief. Provides extensions to current year's tax return, allows deductions for disaster losses, and allows amendment of previous tax returns to reflect loss back to three years.
- U.S. Small Business Administration (SBA). May provide low-interest disaster loans to individuals and businesses that have suffered a loss due to a disaster. Requests for SBA loan assistance should be submitted to DHS&EM.
- USACE Alaska District's Civil Works Branch studies potential water resource projects in Alaska. These studies analyze and solve water resource issues of concern to the local communities. These issues may involve navigational improvements, flood control or ecosystem restoration. The agency also tracks flood hazard data for over 300 Alaskan communities on floodplains or the sea coast. These data help local communities assess the risk of floods to their communities and prepare for potential future floods. The USACE is a member and co-chair of the Alaska Climate Change Sub-Cabinet.

State Resources

- DHS&EM is responsible for improving hazard mitigation technical assistance for Tribal and Local governments for the State of Alaska. Providing hazard mitigation training,

current hazard information, and communication facilitation with other agencies will enhance local hazard mitigation efforts. DHS&EM administers FEMA mitigation grants to mitigate future disaster damages such as those that may affect infrastructure including the elevation, relocation, or acquisition of hazard-prone properties. DHS&EM also provides mitigation funding resources for mitigation planning.

- Division of Senior Services (DSS): Provides special outreach services for seniors, including food, shelter, and clothing.
- Division of Insurance (DOI): Provides assistance in obtaining copies of policies and provides information regarding filing claims.
- Department of Military and Veterans Affairs (DMVA): Provides damage appraisals and settlements for VA-insured homes, and assists with filing of survivor benefits.
- The Community Health and Emergency Medical Services (CHEMS) is a section within the Division of Public Health within the Department of Health and Social Services (DHSS). DHSS is charged with promoting and protecting the public health and one of CHEMS' responsibilities is developing, implementing, and maintaining a statewide comprehensive emergency medical services system. The department's statutory mandate (Alaska Statute 18.08.010) requires it to:
 - Coordinate public and private agencies engaged in the planning and delivery of emergency medical services, including trauma care, to plan an emergency medical services system;
 - Assist public and private agencies to deliver emergency medical services, including trauma care, through the award of grants in aid;
 - Conduct, encourage, and approve programs of education and training designed to upgrade the knowledge and skills of health personnel involved in emergency medical services, including trauma care; and
 - Establish and maintain a process under which hospitals and clinics can represent themselves to be trauma centers because they voluntarily meet criteria adopted by the department which are based on an applicable national evaluation system.
- DCRA within the DCCED. DCRA administers the HUD/CDBG, FMA Program, and the Climate Change Sub-Cabinet's Interagency Working Group's program funds and administers various flood and erosion mitigation projects, including the elevation, relocation, or acquisition of flood-prone homes and businesses throughout the State. This department also administers programs for State "distressed" and "targeted" communities.
- Division of Environmental Conservation (DEC). The DEC's primary roles and responsibilities concerning hazards mitigation are ensuring safe food and safe water, and pollution prevention and pollution response. DEC ensures water treatment plants, landfills, and bulk fuel storage tank farms are safely constructed and operated in communities. Agency and facility response plans include hazards identification and pollution prevention and response strategies.

- Department of Transportation and Public Facilities (DOT/PF) personnel provide technical assistance to the various emergency management programs, to include mitigation. This assistance is addressed in the DHS&EM-DOT/PF Memorandum of Agreement and includes, but, is not limited to: environmental reviews, archaeological surveys, and historic preservation reviews.

In addition, DOT/PF and DHS&EM coordinate buy-out projects to ensure that there are no potential right-of-way conflicts with future use of land for bridge and highway projects, and collaborate on earthquake mitigation.

Additionally, DOT/PF provides safe, efficient, economical, and effective operation of the State's highways, harbors, and airports. DOT/PF uses its Planning, Design and Engineering, Maintenance and Operations, and Intelligent Transportation Systems resources to identify the hazard, plan and initiate mitigation activities to meet the transportation needs of Alaskans and make Alaska a better place to live and work. DOT/PF budgets for the temporary replacement bridges and materials necessary to make the multi-modal transportation system operational following a natural disaster.

- The Department of Natural Resources (DNR) administers various projects designed to reduce stream bank erosion, reduce localized flooding, improve drainage, and improve discharge water quality through the stormwater grant program funds. Within DNR, the Division of Geological and Geophysical Survey (DGGs) is responsible for the use and development of Alaska's mineral, land, and water resources, and collaboration on earthquake mitigation.
 - DNR's DGGs collects and distributes information about the State's geologic resources and hazards. Their geologists and support staff are leaders in researching Alaska's geology and implementing technological tools to most efficiently collect, interpret, publish, archive, and disseminate that information to the public
 - The DNR's Division of Forestry (DOF) participates in a statewide wildfire control program in cooperation with the forest industry, rural fire departments, and other agencies. Prescribed burning may increase the risks of fire hazards; however, prescribed burning reduces the availability of fire fuels, and therefore, the potential for future, more serious fires.
 - DOF also manages various wildland fire programs, activities, and grant programs such as the FireWise Program, the Community Forestry Program (CFP) and the Volunteer Fire Assistance and Rural Fire Assistance Grant (VFA-RFAG) programs.

Other Funding Sources and Resources

The following provide focused access to valuable planning resources for communities interested in sustainable development activities.

- FEMA, <http://www.fema.gov> - includes links to information, resources, and grants that communities can use in planning and implementation of sustainable measures.
- American Planning Association (APA), <http://www.planning.org> - a non-profit professional association that serves as a resource for planners, elected officials, and citizens concerned with planning and growth initiatives.

- Institute for Business and Home Safety (IBHS), <http://ibhs.org> - an initiative of the insurance industry to reduce deaths, injuries, property damage, economic losses, and human suffering caused by natural disasters.
- American Red Cross (ARC). Provides for the critical needs of individuals such as food, clothing, shelter, and supplemental medical needs. Provides recovery needs such as furniture, home repair, home purchasing, essential tools, and some bill payment may be provided.
- Crisis Counseling Program. Provides grants to State and Borough Mental Health Departments, which in turn provide training for screening, diagnosing, and counseling techniques. Also provides funds for counseling, outreach, and consultation for those affected by disaster.

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- FEMA-d, “Local Mitigation Assistance Guidance and Addendum, February 27, 2015. Available: <https://www.fema.gov/media-library/assets/documents/103279> (January 2019).
- FEMA-e, “Mitigation Planning Fact Sheet, February 27, 2015. Available: <https://www.fema.gov/media-library/assets/documents/5756> (January 2019).

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- FEMA-i, "Community Status Book Report." Available: <http://www.fema.gov/cis/AK.html> (August 2019).
- FEMA-j, "FEMA Region X – Kenai Peninsula Borough and the Incorporated Cities of Homer, Kachemak, Kenai, Seldovia, Seward, and Soldotna Risk Report". December 2017. Available: https://www.commerce.alaska.gov/web/Portals/4/pub/Risk_Report_Kenai_Final.pdf . (August 2019).
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City of Kenai Hazard Mitigation Plan

Newsletter #1: November 8, 2019



Photo Credit: Eagle Eye Gallery.

The State of Alaska, Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management (DHS&EM) was awarded a Pre-Disaster Mitigation Program grant from the Federal Emergency Management Agency (FEMA) to develop a hazard mitigation plan (HMP) for the City of Kenai. This plan will assist the City as a valuable resource tool in making decisions. Additionally, communities must have a State- and FEMA-approved and community-adopted HMP to receive FEMA pre- and post- disaster grants.

You're Invited to Comment on the Plan: The purpose of Newsletter #1 is to announce the availability of the Draft HMP and invite you to provide comments, identify key issues or concerns, and improve mitigation ideas. This plan has been posted on the City website and a printed copy is available at City Hall for your review. Comments can be provided verbally to Jennifer LeMay at (907) 350-6061 or emailed to jlemay@lemayengineering.com.

Attend the December 4, 2019, Presentation at the regularly scheduled 6:00 pm City Council Meeting at the City Council Chambers, 210 Fidalgo Avenue: Jennifer LeMay will provide a summary of the HMP process as a scheduled public speaker. You're invited to provide input and comment on the Draft HMP.

For more information, contact:

Elizabeth Appleby, City Planner (907) 283-8235

Jennifer LeMay, PE, PMP, Lead Planner, (907) 350-6061

Brent Nichols, DMVA DHS&EM Hazard Mitigation Officer (907) 428-7085



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3095-2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND – POLICE DEPARTMENT AND ACCEPTING A GRANT FROM THE DEPARTMENT OF JUSTICE 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; and,

WHEREAS, those grant funds are available to cover 50% of the cost of replacement ballistic vests for officers on a five-year replacement cycle; and,

WHEREAS, two ballistic vests will be replaced this fiscal year under the grant program at a cost of \$945 each, and half of that (\$945) is eligible for reimbursement by the grant.

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 a Department of Justice Ballistic Vest Partnership grant for the replacement of two (2) ballistic vests.

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

General Fund:

Increase Estimated Revenues – Federal Grants - Police	\$945
Increase Appropriations – Police – Small Tools	\$945

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 4th day of December, 2019.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: 

Introduced: November 6, 2019
Enacted: December 4, 2019
Effective: December 4, 2019



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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: David Ross – Police Chief

DATE: October 23, 2019

SUBJECT: **Ordinance No. 3095-2019 - Accepting and Appropriating a Grant from the Department of Justice**

The police department participates in the Department of Justice’s Ballistic Vest Partnership (BVP), which provides grant funds for half the cost of Officer ballistic vest replacement on a five-year cycle. This year there are two vests to replace at a cost of \$945 each, therefore the available grant funds will be \$945.

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





Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3096-2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, DETERMINING THAT REAL PROPERTY DESCRIBED AS LOT ONE (1), ALEYESKA SUBDIVISION PART 3, ACCORDING TO PLAT NO. 1531 AND LOT ONE A (1-A), ALEYESKA SUBDIVISION PART 3, ACCORDING TO PLAT K-1531, CITY-OWNED AIRPORT LAND LOCATED OUTSIDE THE AIRPORT RESERVE, IS NOT NEEDED FOR A PUBLIC PURPOSE AND AUTHORIZING THE SALE OF THE PROPERTY TO MITAK INC.

WHEREAS, the City of Kenai received a quitclaim deed from the Federal Aviation Administration (FAA) on December 1, 1963, to nearly 2,000 acres of land subject to certain restrictions, including a restriction that no property shall be used, leased, sold salvaged, or disposed of for reasons other than for airport purposes; and,

WHEREAS, on February 4, 1982, the FAA executed a Deed of Release, for an area of land subject to the Quitclaim Deed shown as Unit D-1 on the Airport Layout Plan that included Lot One (1), Aleyeska Subdivision Part 3, according to Plat No. 1531 and A lot One A (1-A), Aleyeska Subdivision Part 3, according to Plat K-1531, allowing a lease, sale, or disposal for nonairport purposes; and,

WHEREAS, the City has received a request to purchase Lot 1 and Lot 1-A, Aleyeska Subdivision from MITAK, Inc., the current lessee; and,

WHEREAS, KMC 22.05.015 – Disposition of City Land, Land Available for Lease, Sale Or Disposal, provides that the City may sell City-owned real property outside the Airport Reserve when in the judgement of the City Council, such lands are not required by the City for a public purpose; and,

WHEREAS, the properties are leased to MITAK, Inc. and developed for private commercial use and not needed for a public purpose; and,

WHEREAS, Resolution No. 2018-12 amended the City's Policy for sale of specific Airport Land Lots and both of these are parcels are addressed in the policy; and,

WHEREAS, the sale of this property is in the best interest of the City and Kenai Municipal Airport and encourages new development and/or improvements to the property; and,

WHEREAS, KMC 22.05.095 – Disposition of City Land, Methods of Sale or Disposal, allows for a non-competitive sale at not less than fair market value.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, as follows:

Section 1. Statement of Ownership: That the City of Kenai is the owner of Lot One (1), Aleyeska Subdivision Part 3, according to Plat No. 1531 and A lot One A (1-A), Aleyeska Subdivision Part 3, according to Plat K-1531.

Section 2. Public Purpose and Best Interest Findings: That the Property is not needed for future public municipal or Airport purposes. Under the Airport Layout Plan, the Property is designated for non-aviation commercial uses. The sale of the Property is in the best interests of the City and Airport, as it serves a purpose of continuing commercial growth and investment in the City and will add to the Airport's Land Sale Permanent Fund.

Section 3. Authorization of Sale: That the Kenai City Council hereby authorizes the City Manager to sell the City-owned lands described as Lot One (1), Aleyeska Subdivision Part 3, according to Plat No. 1531 and A lot One A (1-A), Aleyeska Subdivision Part 3, according to Plat K-1531, under the procedures and terms established for the sale of City-owned lands outside of the Airport Reserve, as set forth in KMC 22.05.095, Disposition of City Land, Methods of Sale or Disposal, and subject to the following additional essential terms and conditions of sale under the Policy for Sale of Specific Airport Leased Lands approved by City of Kenai Resolution No. 2018-12:

- (a) The sale will be made through a negotiated sale to MITAK, Inc. for \$605,000, a value determined by an appraisal dated September 5, 2019 that valued Lot 1 at \$535,000 and valued Lot 1-A at \$70,000, and a minimum new investment in the construction of new permanent improvements on the premises equal to 25% of the fair market value of the land (\$151,250) within three (3) years of sale.

Section 4. Title: That title shall be conveyed by quitclaim deed. Any instrument conveying title to the Property shall include the following restrictions, promises, and/or covenants:

- (a) that the City of Kenai reserves unto that the grantee expressly agree for itself and its heirs, executors, administrators, successors, transferees, and assigns, for the use and benefit of the public a right of flight for the passage of aircraft in the airspace above the surface of the Property, together with the right to cause in said airspace such noise as may be inherent in the operation of aircraft, now known or hereafter used, for navigation of or flight in the said airspace, and for use of said airspace for landing on or at and for taking off from or operating on Kenai Municipal Airport; and,
- (b) that the grantee expressly agree for itself and its heirs, executors, administrators, successors, transferees, and assigns to restrict the height of structures, objects of natural grown, and other obstructions on the Property to a height of not more than 242 feet above mean sea level; and,
- (c) that the grantee expressly agree for itself and its heirs, executors, administrators, successors, transferees, and assigns to prevent any use of the Property which would interfere with landing or taking off of aircraft at the Kenai Municipal Airport, or otherwise constitute an airport hazard; and,
- (d) that all covenants heretofore stated shall run with the land and shall inure to the benefit of, and be binding upon the heirs, executors, administrators, successors, transferees, and assigns of the parties to the contract for sale and conveyance.

Section 5. Proceeds of Sale: That should a sale of the Property be finalized, all revenues from the sale shall be deposited in the Airport Land Sale Permanent Fund for use in the development, improvement, and operation of the Kenai Municipal Airport and as otherwise required in the Deed of Release dated February 4, 1982.

Section 6. 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 4th day of December, 2019.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Introduced: November 6, 2019
Enacted: December 4, 2019
Effective: January 4, 2020



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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Elizabeth Appleby, City Planner

DATE: October 29, 2019

SUBJECT: **Ordinance No. 3096 - 2019 Authorizing Sale of Property to MITAK, Inc.**

MITAK, LLC submitted a request to purchase the above City-owned leased land outside the Airport Reserve with substantial constructed leasehold improvements pursuant to the City's Policy for Sale of Specific Airport Leased Lands, approved by Resolution No. 2018-12. Main Street Tap & Grill and the Main Street Hotel are currently operated by the lessee on these parcels. A map attached to this memorandum shows their location.

MITAK, Inc. is the current lessee of Lot 1 and Lot 1-A, Aleyeska Subdivision Part 3. The lease for Lot 1 was entered into on May 5, 1967, to be used in accordance with the zoning code for the City of Kenai. The lease for Lot 1-A was entered into on March 1, 1968, to provide a parking area behind the hotel. The leases had been transferred several times over the years before MITAK was assigned the leases in 2006. MITAK, LLC subleases the properties to Pink Coyote Limited. The 54-year and 55-year lease terms for both properties expires on June 30, 2022. MITAK, Inc. is current on obligations due to the City and the leases are in good standing.

On February 4, 1982, the Federal Aviation Administration (FAA), released the property for sale for other than airport purposes, allowing the property to be sold at fair market value. All revenues from the sale would be deposited in the Airport Land Sale Permanent Fund for use in the development, improvement, and operation of the Kenai Municipal Airport as required by the Deed of Release.

The City's Policy does not provide for the sale of any specific property, but only a method for such sale, subject to the Ordinances of the City of Kenai. The policy is in effect until July 6, 2021. Any specific sale must be separately approved by the sole discretion of the Kenai City Council. MITAK, Inc. requests to purchase the properties at their fair market value excluding lessee-constructed improvements as determined by an appraisal and a minimum new investment in the construction



of new permanent improvements on the premises equal to 25% of the fair market value of the land within three years of sale.

MITAK, Inc. submitted a good-faith deposit and the City ordered an appraisal to be performed on the property as-if vacant. The fair market value of the properties was determined to be \$605,000 in total (\$535,000 for Lot 1 and \$70,000 for Lot 1-A) by appraisals performed by Reliant, Advisory Services, LLC on September 5, 2019. Based on the amount of the appraisal, MITAK, Inc. proposes to meet the minimum new investment requirement equal to \$151,250 on the premises through an interior remodel of the hotel and restaurant building and improvements to the parking lot asphalt and landscaping. The City will verify the value of the improvements using an estimate from a licensed contractor. The permanent improvements must be completed within three (3) years of the sale.

If the City Council approves the sale, City Administration may proceed with a sale.

Thank you for your consideration.

cc: MITAK, Inc.

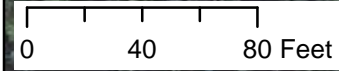
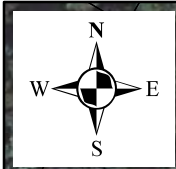
Map for Ordinance No. 3096-2019

**04338003 (Lot 1-A)
04338004 (Lot 1),
Aleyeska Subd
Part 3**



The information depicted here on is for graphic representation only of the best available sources. The City of Kenai assumes no responsibility for errors on this map.

Date: 10/28/2019





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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Christine Cunningham, Assistant to City Manager

DATE: November 25, 2019

SUBJECT: **Ordinance No. 3096 - 2019 – Determining Lot 1 and Lot 1-A, Aleyeska Subdivision Part 3 is Not Needed for a Public Purpose and Authorizing Sale of Property to MITAK, Inc.**

MITAK, LLC submitted a request to convey title to the subject property by a special or general warranty deed.

Ordinance No. 3096-2019 provides for conveyance by quitclaim deed, however the City does not have a policy for which type of property deed to use to dispose of property. The City Attorney reviewed MITAK's request and did not object to using a warranty deed as long as the buyer (MITAK, LLC) obtained and paid for title insurance.

If the City Council approves of conveying title to the subject property by a warranty deed, Section 4. of Ordinance No. 3096 – 2019 would need to be amended as follows:

Section 4. Title: That title shall be conveyed by [QUITCLAIM] warranty deed. Any instrument conveying title to the Property shall include the following restrictions, promises, and/or covenants:

Thank you for your consideration.

cc: MITAK, Inc.





Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3097-2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE TERMINAL IMPROVEMENTS CAPITAL FUND, AND AUTHORIZING AN INCREASE TO THE CONSTRUCTION PURCHASE ORDER TO BLAZY CONSTRUCTION, INC.

WHEREAS, the City of Kenai executed a Construction Agreement with Blazy Construction, Inc. on October 1, 2018 for the Terminal Rehabilitation Project in the amount of \$10,985,994; and,

WHEREAS, Council, through enactment of Ordinance 3037-2018 authorized the City Manager to issue a Purchase Order in the amount of \$11,485,994 for the Contract amount of \$10,985,994 including \$500,000 of contingency funding; and,

WHEREAS, Council, through enactment of Ordinances 3060-2019 and 3080-2019 increased estimated revenues and appropriations by \$734,232.51 to provide for continued project contingency funds and increased the purchase order amount to \$12,220,226.51; and,

WHEREAS, to date the City has executed six change orders totaling \$980,165.39; and,

WHEREAS, the Federal Aviation Administration grant eligible portion of those Change Orders 1-6 has been determined to be \$868,181.49 with the City of Kenai's share as \$111,983.90; and,

WHEREAS, Administration is requesting appropriation of the additional eligible federal share and an increase to the authorized Purchase Order Amount to Blazy Construction, Inc. of the same amount, \$133,948.98 to replenish project contingency and to allow for the continued processing of future change orders; and,

WHEREAS, once complete, the authorized purchase order amount to Blazy Construction, Inc. will be \$12,354,175.49, the authorized contract to Blazy Construction, Inc. will be \$11,966,159.39, with available contingency to complete the project of \$388,016.10; and,

WHEREAS, Council will continue to be informed of Change Orders through Public Works Mid-Month Report.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, as follows:

Section 1. The City Manager is authorized to accept grant funding from the Federal Aviation Administration in the amount of \$133,948.98 for the grant eligible portions of Change Order 6 to Blazy Construction, Inc.

Section 2. The City Manager is authorized to increase Purchase Order No. 116510 to Blazy Construction, Inc. by \$133,948.98.

Section 3. That the estimated revenues and appropriations be increased as follows:

Terminal Improvement Capital Project Fund:

Increase Estimated Revenues –
FAA Grant

\$133,948.98

Increase Appropriations:
Construction

\$133,948.98

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 upon adoption.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4th day of December, 2019.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: 

Introduced: November 6, 2019
Enacted: December 4, 2019
Effective: December 4, 2019



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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Scott Curtin, Public Works Director

DATE: October 30, 2019

SUBJECT: **Ordinance No. 3097-2019 – Authorizing increases to the Terminal Rehabilitation Project**

The Kenai Municipal Airport Terminal Rehabilitation Project has been underway since October 1, 2018. The current completion date has been adjusted slightly to February 20, 2020 through execution of Change Order 6 which added 18 Calendar days as the result of labor and material delays resulting from highway closures from the Swan Lake Fire.

The Project was awarded with \$500,000.00 in contingency funds to allow for the prompt processing of change orders during construction to minimize potential cost impacts related to time delays. The Public Works Director in coordination with the City Manager have been reviewing and processing change requests as they are received, and notifying council through Departmental Mid-month reports throughout the project.

To summarize:

Change Order #1 - \$188,955.55 executed on January 31, 2019
 Change Order #2 - \$272,630.01 executed on March 4, 2019

Ordinance 3060-2019 appropriating the Federal share of CO#1-2 April 3, 2019- \$408,849.41

Change Order #3 - \$203,602.75 executed on April 26, 2019
 Change Order #4 - \$67,624.42 executed on May 29, 2019

Ordinance 3080-2019 appropriating the Federal share of CO#3-5 August 21, 2019 - \$325,383.10

Change Order #5 - \$96,126.03 executed on September 3, 2019
 Change Order #6 - \$151,226.63 executed on October 21, 2019



The Original Contract to Blazy Construction, Inc. was \$10,985,994.00
Total Change Orders to date CO#1-6 - \$980,165.39
Total Contract to date shall be \$11,966,159.39

Passage of this Ordinance will replenish the contingency and allow for the continued processing of future change orders. Council will continue to be informed of change orders through Public Works Mid-Month reports.

As a reminder to Council, the extent of the Asbestos Abatement, is the largest contributing factor to the additional costs, accounting for \$546,896.40 of all change orders to date.

Council's approval is respectfully requested.



Sponsored by: Council Member Knackstedt

CITY OF KENAI

RESOLUTION NO. 2019-71

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, REPEALING THE ESTABLISHMENT OF A SUB-COMMITTEE OF COUNCIL FOR THE SUPERVISION OF THE CITY ATTORNEY, CITY CLERK AND CITY MANAGER AND REPEALING COUNCIL POLICY 2017-02 ESTABLISHING PROCEDURES AND RESPONSIBILITIES OF THE SUB-COMMITTEE.

WHEREAS, the City Attorney, City Manager and City Clerk are appointed and removed by the City Council; and,

WHEREAS, the City Council reviews these employees' performance; and,

WHEREAS, the Sub-Committee formed by the City Council to provide further review and supervision for these employees is not needed; and,

WHEREAS, rather than utilize a sub-committee, any additional needed review and communication can be accomplished by the Council as a whole.

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

Section 1. That the Sub-Committee of the City Council formed for the purpose of improving efficiency in the supervision of the City Attorney, City Clerk and City Manager is repealed along with Policy No. 2017-02: Supervisory Sub-Committee.

Section 2. That this resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 6th day of November 2019.

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk



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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

FROM: Council Member Henry Knackstedt

DATE: October 7, 2019

SUBJECT: **Resolution No. 2019 – 71 Repealing the Council’s Supervisory Sub-Committee and Associated Policy No. 2017-02**

The City Council appoints and removes the City Attorney, City Clerk and City Manager as well as reviews these employees’ performance. In 2017, the Council created a Sub-Committee to provide an additional tool for communicating with these employees. The Sub-Committee was intended to act as an informal liaison between the Council and its employees. After trying this approach for a couple years, I do not find the Sub-Committee to be necessary and believe the Council as a whole can adequately provide performance reviews and communicate effectively with its employees. This resolution would repeal the formation of the Sub-Committee and associated Policy No 2017-02: Supervisory Sub-Committee.

Your consideration is appreciated.





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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

FROM: Tim Navarre, Vice Mayor

DATE: October 31, 2019

SUBJECT: **Resolution No. 2019 – 71 – Council Supervisory Sub-Committee**

I recommend that rather than repealing Council's Supervisory Sub-Committee, Council make the following amendments discussed below. While the Sub-Committee may not have been meeting as anticipated, there is still value in having this tool as a benefit for both the Council and its employees, now and in the future. The first amendment proposed below removes the set number of meeting requirements. The second proposed amendment is intended to ensure the Sub-Committee is merely a conduit between the Council and its employees to ensure compliance with the Open Meetings Act. If Council desires to amend, rather than repeal the Policy, this Resolution should be postponed, and I will sponsor a substitute resolution at the next meeting. Your consideration is appreciated.

POLICY NO. 2017-02: SUPERVISORY SUB-COMMITTEE

A. Purpose

The purpose of this Policy is to establish procedures and duties of the Supervisory Sub-Committee of the City Council for the purpose of facilitating communication and efficiency between the City Council and the City Attorney, City Manager and City Clerk regarding performance and other work matters.

B. Appointment

The Supervisory Sub-Committee will consist of three Councilmembers, including the Mayor, Vice-Mayor and a third Councilmember appointed by the Mayor and confirmed by Council. The appointment of the third member shall occur at the same Council Meeting that committee and commission liaisons are appointed and confirmed, or as soon thereafter as practicable.



C. Procedures

The Supervisory Sub-Committee will meet privately with the City Attorney, City Manager and City Clerk ~~at least once each quarter~~ as needed to review performance related matters and/or other work related matters. Meetings may be with one or more council employees. In the quarter in which the Council completes an annual review of the employees' performance, the Supervisory Sub-Committee shall meet with each employee after the annual performance review.

D. Duties

The Supervisory Sub-Committee shall discuss performance related matters and/or other work related matters with the City Attorney, City Manager and City Clerk. After each meeting, the Supervisory Sub-Committee shall provide a written report available to the City Council and employee. This report shall be considered a confidential working record for the sole purpose of accumulating data for evaluation reports. Such reports shall be kept outside the employee's personnel file and destroyed after each annual evaluation performed by the City Council. The reports shall be considered unofficial and have no standing other than as a temporary record of items discussed. Such reports are confidential, and shall be sealed and maintained by the City Clerk and are accessible only to the City Council and Council employee.

The Supervisory Sub-Committee may take no action, but shall act as an informal liaison between Council and its employee's. The Supervisory Sub-Committee may make ~~recommendations and~~ reports to Council regarding performance, monitor performance expectations and goals, provide recommendations to employees regarding performance and work place matters and convey direction determined by Council.

The City Attorney, City Manager, and City Clerk may contact any Councilmember or the Council as a whole regarding any work related matter, and also may request meetings on a more frequent basis with the Supervisory Sub-Committee. This Policy does not preclude Councilmembers or the Council as a whole from addressing its employees on performance or other work related matters by other means.



Sponsored by: Council Members Knackstedt and Navarre

CITY OF KENAI

RESOLUTION NO. 2019-71 (Substitute)

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AMENDING COUNCIL POLICY 2017-02 ESTABLISHING PROCEDURES AND RESPONSIBILITIES OF THE SUB-COMMITTEE OF COUNCIL FOR THE SUPERVISION OF THE CITY ATTORNEY, CITY CLERK AND CITY MANAGER FOR IMPROVED EFFICIENCY.

WHEREAS, the City Attorney, City Manager and City Clerk are appointed and removed by the City Council; and,

WHEREAS, the City Council reviews these employees' performance; and,

WHEREAS, the Sub-Committee formed by the City Council to provide further review and supervision for these employees should meet as needed instead of for a mandatory number of meetings each year; and,

WHEREAS, the Sub-Committee should make reports to the Council and employees, but not make independent recommendations.

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

Section 1. That Policy No. 2017-02: Supervisory Sub-Committee, is amended as follows.

POLICY NO. 2017-02: SUPERVISORY SUB-COMMITTEE

A. Purpose

The purpose of this Policy is to establish procedures and duties of the Supervisory Sub-Committee of the City Council for the purpose of facilitating communication and efficiency between the City Council and the City Attorney, City Manager and City Clerk regarding performance and other work matters.

B. Appointment

The Supervisory Sub-Committee will consist of three Councilmembers, including the Mayor, Vice-Mayor and a third Councilmember appointed by the Mayor and confirmed by Council. The appointment of the third member shall occur at the same Council Meeting that committee and commission liaisons are appointed and confirmed, or as soon thereafter as practicable.

C. Procedures

The Supervisory Sub-Committee will meet privately with the City Attorney, City Manager and City Clerk [AT LEAST ONCE EACH QUARTER] as needed to review performance related matters

and/or other work related matters. Meetings may be with one or more council employees. In the quarter in which the Council completes an annual review of the employees' performance, the Supervisory Sub-Committee shall meet with each employee after the annual performance review.

D. Duties

The Supervisory Sub-Committee shall discuss performance related matters and/or other work related matters with the City Attorney, City Manager and City Clerk. After each meeting, the Supervisory Sub-Committee shall provide a written report available to the City Council and employee. This report shall be considered a confidential working record for the sole purpose of accumulating data for evaluation reports. Such reports shall be kept outside the employee's personnel file and destroyed after each annual evaluation performed by the City Council. The reports shall be considered unofficial and have no standing other than as a temporary record of items discussed. Such reports are confidential, and shall be sealed and maintained by the City Clerk and are accessible only to the City Council and Council employee.

The Supervisory Sub-Committee may take no action, but shall act as an informal liaison between Council and its employee's. The Supervisory Sub-Committee may make [RECOMMENDATIONS AND] reports to Council regarding performance, monitor performance expectations and goals, provide recommendations to employees regarding performance and work place matters and convey direction determined by Council.

The City Attorney, City Manager, and City Clerk may contact any Councilmember or the Council as a whole regarding any work related matter, and also may request meetings on a more frequent basis with the Supervisory Sub-Committee. This Policy does not preclude Councilmembers or the Council as a whole from addressing its employees on performance or other work related matters by other means.

Section 2. That this resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4th day of December, 2019.

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2019-76

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, IDENTIFYING THE PROJECTS TO BE FUNDED THROUGH STATE OF ALASKA GRANT NO. 15-DC-078 FOR PERSONAL USE FISHERY RELATED IMPROVEMENTS ON NORTH AND SOUTH BEACHES.

WHEREAS, each year tens of thousands of visitors participate in the Personal Use Fishery in the City of Kenai; and,

WHEREAS, the City does its best to accommodate the visitors and fishery and mitigate the impacts to local residents, sensitive environmental areas and City infrastructure; and,

WHEREAS, in 2014, the City Council appropriated \$1,900,000 of State Grant funds (Grant No. 15-DC-078) via Ordinance No. 2771-2014 for the purpose of designing and constructing a new roadway for access to the South Beach and related improvements to help alleviate such conflicts; and,

WHEREAS, the City purchased seven parcels of land for the purpose of constructing a new road with minimal wetland disturbance through Resolution No. 2015-50 (Substitute); and,

WHEREAS, the City only needed a portion of the properties purchased for the purpose of road construction and the utilization of Grant funds for the purchase of the property was conditioned on proceeds from the sale of the unneeded property and improvements thereon going back into the grant for the City's use for South Beach access and related improvements; and,

WHEREAS, the Council approved the sale of Tract A, Dragseth Subdivision 2016 Addition including all improvements thereon, to PRL Logistics Inc. providing the proceeds of the sale be provided to the State of Alaska for Grant No. 15-DC-078 for the City's use for South Beach access and related improvements; and,

WHEREAS, Grant funds totaling \$786,209.94 remain in the account; and,

WHEREAS, during the 2019 legislative session, a change to the grant language was approved that allowed for these grant monies to be spent on projects that benefit both the north and south Kenai beaches; and,

WHEREAS, City administration identified a number of capital projects that meet the intent of the grant and developed a scoring matrix that considered the operating expense of the project once completed, how the project would improve safety, how the project would increase revenues, how the project would improve the quality of life for residents, and how long the project would take to complete; and,

WHEREAS, based on this scoring matrix a selection committee identified and recommended for funding the three projects that scored the highest and also recommended funding for a fourth project due to its relative low cost and identified need; and,

WHEREAS, those projects in priority order are vault restrooms, Spruce Campground, Little League permanent restrooms, and South Beach shack replacement; and,

WHEREAS, at a joint meeting of the Harbor Commission and the Parks and Recreation Commission on November 25, 2019, the joint commissions recommended all four projects be approved for funding; and,

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

Section 1. That the City of Kenai identifies vault restroom construction, Spruce Campground, Little League permanent restrooms, and South Beach shack replacement as the four projects to be funded through State of Alaska grant 15-DC-078.

Section 2. That this resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4th day of December, 2019.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk



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MEMORANDUM

TO: Mayor Gabriel and City Council
THROUGH: Paul Ostrander, City Manager
FROM: Dan Castimore, IT Manager
DATE: November 26, 2019
SUBJECT: Resolution 2019-76 – Personal Use Fishery Capital Projects

In 2013 the City received a grant from the State of Alaska to construct a new access road on South Beach. This grant was in the amount of \$1.9 million. In order to complete this project, the City acquired a large parcel of land, which also consisted of several structures. Upon completion of the road, the remaining land and structures were sold, with the resulting revenue returning into the grant account. As of today, a total of \$786,209.94 remains in this account.

During the 2019 legislative session, a change to the grant language was received that allowed for this grant money to be spent on projects that benefit both the north and south beaches rather than only the south beach as originally intended. As a result, the City Manager directed me to put out a call to all departments seeking proposals for projects. These projects were received and scored based on a matrix. Enclosed is the result of this process.

Several projects clearly scored higher than others, and as a result, additional time was spent to develop the project proposals. A basic narrative for each project is included below, ranked in order of the scoring matrix.

Vault Restrooms

This project would install four new vault-type restrooms, each with two additional toilets.

Currently, one of the larger operating expenses each year is in contracted services. By installing three additional vault restrooms on North Beach, the City should save \$6,381 per year. These restrooms would also be available for the remainder of the year for use by residents. Installing a vault restroom on South Beach would save the city \$325 per year, and for the first time, provide for permanent restrooms for users of this recreational area.

In 2010 three vault restrooms were installed for a total cost of \$96,000. We have engineered drawings available, and construction could likely be completed for the 2020 season.

The estimated cost of this project is \$180,000



Spruce Campground

Prior to the opening of Walmart in 2010, the City previously maintained two different campgrounds. Kenai Municipal Park was operated as a campground as recently as the 1980s, closing due to complaints from the residents of the adjacent Redoubt Terrace Subdivision. In the late 1990s, a campground was constructed in the area that is now Walmart. With the closure of this campground, Kenai became the only municipality on the Peninsula without a public campground.

A two-acre parcel was identified on South Spruce Street that is currently owned by the City. Directly to the south of this parcel is an additional two-acre parcel that is in private ownership. This project would construct a campground with 20 accessible spots, a restroom with showers, a small play area, and a pavilion. In the event that the southern parcel was acquired, an additional ten spaces could be added along with a scenic viewing platform. Each of the spaces would be spaced approximately 50 feet apart, providing the privacy and nature experience similar to that of a state park. Each site would include electrical hookups with water and sewer if the budget allows.

The estimated cost for the first phase of this project would be \$400,000.

Little League Permanent Restrooms

In 2019 the City paid \$4,254 to have portable restrooms installed at the little league fields for the personal use fishery. In addition, each year little league spends an additional \$5,200 each year to provide restrooms for the spring season. As the current concession stand has water, sewer, and electric, the cost of extending utilities should be minimal.

The estimated cost for this project is \$125,000.

Kenai Avenue Water and Sewer

This project would extend a water and sewer line to the end of Kenai Avenue with the plan of eventually providing running water restrooms. This project would be dependent on having electricity at the end of Kenai Ave.

The estimated cost of this project is \$1,000,000.

North Beach Parking Lot Asphalt

Each year the parking lot on North Beach requires maintenance for eliminating potholes, dust control, and temporary striping. Paving the parking lot would reduce the maintenance costs, and allow for better traffic control using permanent striping.

The estimated cost of this project is \$350,000

Kenai Avenue Paving

Kenai Avenue is a narrow gravel road that is used by many participants to access the fishery. Currently, the road is narrow, and because it is gravel it is not striped. Due to high usage and weather, the road can develop potholes. Because of the high usage, road maintenance during July can be difficult. Paving this road would reduce these issues.

The estimated cost of this project is \$250,000.



Anchor Campground

Similar to the Spruce Campground, another parcel was identified that would be useful as a campground. This is a 5-acre parcel that was previously the Anchor Trailer Park. As this parcel was previously a mobile home park, existing utilities may exist. This site would be laid out similar to the Spruce Campground and feature the same amenities. Because this site has been completely cleared and converted to a gravel lot, development costs would likely be lower than the Spruce Campground.

Because this land is privately held, the cost of land acquisition could be quite high. In addition, the lack of any existing vegetation would also limit the appeal of such a campground.

The estimated cost of this project is \$350,000, not including the land acquisition costs. The current Borough assessment of this land is \$328,100.

South Beach Shack Replacement

The current fee shack on South Beach was not constructed for the current purpose. When constructed, the fee shacks were only staffed for a portion of the day and used paper receipt books rather than computers. Generators were used when light was needed. Currently, electricity is provided by HEA, computers and other sensitive equipment are used, and the shacks are staffed 24 hours per day.

This project would construct a new shack with large windows for increased visibility, an HVAC system for temperature control, and better lighting. In addition, traffic gates would be added to better control traffic similar to what is being used on North Beach.

The estimated cost of this project is \$35,000.

Kenai Avenue Electric

This project would extend HEA power to the end of Kenai Avenue. Having electricity would allow for better facilities and more vendor opportunities.

The estimated cost of this project is \$100,000.

South Beach Fence Completion

Currently, the City maintains approximately 2,500 feet of fencing along the dunes on South Beach. A private landowner maintains another 1,800 feet of fencing protecting the remainder of the dunes and part of the flats to the north of Royal Ct. There is a remaining section of approximately 800 feet that would connect this fence to the chain link fence on the Hilcorp pad.

The estimated cost of this project is \$40,000.

South Beach Parking Area

Prior to the 2017 season, access to South Beach was via Dunes Rd. Adjacent to Dunes Road is a small parking lot that was used by fishery participants that didn't have four-wheel-drive vehicles. These participants would park in this lot and drive an ATV down to the fishery. Since the access has moved to Royal Court, there is a lack of parking for participants without four-wheel-drive vehicles. This project would create a parking lot to the north of the Hilcorp pad.

The estimated cost of this project is \$100,000.



Recommendation

Based on our scoring rubric, the following projects provide the greatest value to the City.

1. Vault Restrooms
2. Spruce Campground
3. Little League Permanent Restrooms
4. South Beach Shack Replacement

At a joint meeting of the Harbor Commission and the Parks and Recreation Commission on November 25, 2019, the joint commissions recommended all four projects be approved for funding.

Thank you for your consideration.





Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2019 - 77

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AUTHORIZING A SOLE SOURCE PURCHASE AGREEMENT FOR PROPRIETARY WATER TREATMENT CHEMICALS FOR THE CITY'S WATER TREATMENT PLANT TO NALCO, AN ECOLAB COMPANY.

WHEREAS, the City having previously performed a pilot study as part of the design of the Water Treatment Facility found Nalco chemicals to be superior to other offerings in clarifying the City's water; and,

WHEREAS, the City has previously authorized the sole source purchase of Nalco's proprietary chemicals for treatment of the City's water supply; and

WHEREAS, KMC 7.15.070 (b)(1) authorizes sole source purchases of supplies and materials which can be furnished only by a single dealer which is the case for these proprietary chemicals; and,

WHEREAS, Nalco continues to meet the needs of the City and award of this agreement remains in the best interest of the City; and,

WHEREAS, this agreement will provide Chemicals through June 30, 2020, with the intention of future agreements running concurrently with the City's fiscal year to avoid reissuance of Purchase Orders across fiscal years.

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

Section 1. That the City Manager is authorized to execute a contract with Nalco, Inc. for Water Treatment Chemicals in the amount of \$70,000.00.

Section 2. That this resolution takes effect immediately upon adoption.

ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4th day of December 2019.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk



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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Scott Curtin, Public Works Director

DATE: November 25, 2019

SUBJECT: **Resolution No. 2019-77 Authorizing the Sole Source Purchase of Water Treatment Chemicals to Nalco, an EcoLab Company.**

The purpose of this memo is to recommend passage of Resolution 2019-77; to authorize the Sole Source purchase of water treatment chemicals to Nalco, Inc. for \$70,000.00.

Nalco was the successful chemical company whose product was tested during the design and construction of the water treatment facility. Their chemicals were found to be superior to the other chemicals tested, and they continue to meet the needs and the requirements of the City today.

Approval of this Resolution will allow the Public Works Department to continue to effectively manage our Water Treatment Facility, and continue to deliver clear drinking water to our residents.

At the June 19, 2019 Council Meeting, Council approved a Purchase Order in Excess of \$15K to Nalco for \$45,000 to open a new PO for the new fiscal year. As that amount is over \$35K the correct legislative procedure would have been to approve by resolution. This resolution and memo is correcting that oversight. The existing PO which is already in place will be increased by \$25,000 for a new total Purchase Order to Nalco in the total amount of \$70,000.

Funding for this Purchase Order is from account 010-465-2022 and has been accounted for within the current budget. This purchase / approval does not require any new funds.

The administration supports this Sole Source purchase.

Council's support for Resolution 2019-77 is respectfully requested.





Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2019 - 78

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED RESTAURANT CONCESSION AGREEMENT WITH THE KENAI MUNICIPAL AIRPORT.

WHEREAS, on August 1, 2018 Council passed Resolution No. 2018-42 authorizing the City Manager to enter into a Restaurant Concession Agreement in the Airport Terminal for the period August 2, 2018 through June 30, 2020; which may be extended for three successive one-year terms by mutual consent of the Owner and Concessionaire; and,

WHEREAS, the Brothers Café will be closed for approximately five weeks, starting December 1, 2019, due to extensive work associated with the terminal rehabilitation project; and,

WHEREAS, the Brothers Café is requesting reimbursement for costs impacting the business during this closure; and,

WHEREAS, City Administration has determined that the request is reasonable due to impacts of the construction project.

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

Section 1. That the City Manager is authorized to execute a second amendment to the Restaurant Concession Agreement with the Brothers Café to compensate the concessionaire in a reasonable manner to offset costs to the concessionaire caused by the Airport Terminal Rehabilitation Project.

Section 2. That this Resolution takes effect immediately upon adoption.

ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4th day of December, 2019.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk



"Village with a Past, City with a Future"

210 Fidalgo Ave, Kenai, Alaska 99611-7794
Telephone: (907) 283-7535 | Fax: (907) 283-3014
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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Mary L. Bondurant, Airport Manager
DATE: November 25, 2019
SUBJECT: Resolution No. 2019 – 78 Brothers Café

On December 1, 2019, the Brothers Café will be closed for approximately five weeks, due to impacts of the 2018 Terminal Rehabilitation Project.

The extensive project work in the café consists of asbestos abatement, flooring, ceiling work, communications, electrical, mechanical, plumbing, and a new triple door.

Costs to the Brothers Café include payroll, insurance, communications, and bank processing and equipment fees, at approximately \$20,000.

The Brothers Café is current in all fees owed to the City and in compliance with the Kenai Peninsula Borough.

Thank you for your consideration.

Please contact me if you have any questions.



**KENAI CITY COUNCIL – REGULAR MEETING
NOVEMBER 6, 2019 – 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 November 6, 2019, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Mayor Gabriel led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Brian Gabriel, Mayor	Robert Molloy
Henry Knackstedt	Tim Navarre
Jim Glendening	Robert Peterkin
Glenese Pettey	

A quorum was present.

Also in attendance were:

Paul Ostrander, City Manager
Scott Bloom, City Attorney
Jamie Heinz, City Clerk

3. Agenda Approval

Mayor Gabriel noted the following revisions to the packet:

Add to item D.7.	Resolution No. 2019-75
	<ul style="list-style-type: none"> • Maps • Description Memo

MOTION:

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

VOTE: There being no objections, **SO ORDERED**.

4. Election of Vice Mayor

Council Member Glendening nominated Bob Molloy as Vice Mayor.

There being no other nominations from the floor, Bob Molloy was elected as Vice Mayor.

5. Consent Agenda

MOTION:

Council Member Knackstedt **MOVED** to approve the consent agenda and requested **UNANIMOUS CONSENT**. Vice Mayor Molloy **SECONDED** the motion.

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

Mayor Gabriel opened the floor for public comment; there being no one wishing to be heard, the public comment period was closed.

VOTE: There being no objections, **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 councilmember 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 – None.

C. UNSCHEDULED PUBLIC COMMENTS

Clyde Crandall noted the Harbor Commission had discussed ideas to remedy the Dipnet fishery operating at a loss and asked Council to consider the ideas. He also suggested writing a letter to the Alaska Department of Fish and Game to encourage enforcement of fining.

Bob Peters spoke with concern about raising the costs of the Dipnet fishery noting the City would end up with paved parking lots and jobs for kids; also, noted residents of the City put up with the influx and suggested they be able to participate for free.

Marion Nelson, Vice President of the Board for the Fine Arts Guild, spoke about a mural created by a dozen artists painting in the gallery and noted the upcoming reception.

D. PUBLIC HEARINGS

1. **Ordinance No. 3092-2019** - Amending Kenai Municipal Code, Section 1.10.030 – Organization Meeting, to Provide that the Terms of Office of the Mayor and Other Councilmembers Shall Begin the Monday Following Certification of the Election. (City Clerk)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3092-2019 and Council Member Navarre **SECONDED** the motion.

Mayor Gabriel opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

It was noted that the voters approved this amendment to the Charter and this was to amend code; the Clerk was thanked.

VOTE:

YEA: Knackstedt, Glendening, Pettey, Molloy, Navarre, Gabriel, Peterkin

NAY:

MOTION PASSED UNANIMOUSLY.

2. **Ordinance No. 3093-2019** - Accepting and Appropriating a Grant From the U.S. Department of Homeland Security Passed through the State of Alaska Department of Military and Veterans' Affairs for the Purchase of a Fire Station Alerting System, an IT Security Audit, and Base Radio System Replacement for Dispatch. (Administration)

MOTION:

Vice Mayor Molloy **MOVED** to enact Ordinance No. 3093-2019 and Council Member Knackstedt **SECONDED** the motion.

Mayor Gabriel opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

Clarification was provided that the alerting system was the second part of a project and was for Fire Station 2 on the Airport; the first phase was Fire Station 1. The Police Chief was thanked for his work on the grant.

VOTE:

YEA: Knackstedt, Glendening, Pettey, Molloy, Navarre, Gabriel, Peterkin

NAY:

MOTION PASSED UNANIMOUSLY.

3. **Ordinance No. 3094-2019** - Accepting and Appropriating a Donation from Hilcorp Energy Company to Assist with the Annual Kenai Senior Center Thanksgiving Dinner. (Administration)

MOTION:

Council Member Peterkin **MOVED** to enact Ordinance No. 3094-2019 and Vice Mayor Molloy **SECONDED** the motion.

Mayor Gabriel opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

Gratitude was expressed for the donation. The benefit to the community and the tradition being continued since 1976 were discussed.

VOTE:

YEA: Knackstedt, Glendening, Pettey, Molloy, Navarre, Gabriel, Peterkin
 NAY:

MOTION PASSED UNANIMOUSLY.

4. **Resolution No. 2019-72** - Authorizing the City to Join the Alaska Remote Seller Sales Tax Commission for the Purpose of Developing, Implementing, and Enforcing a Remote Seller Sales Tax Code and Designating a Commission Representative. (Administration)

MOTION:

Council Member Navarre **MOVED** to adopt Resolution No. 2019-72 and Council Member Glendening **SECONDED** the motion.

Mayor Gabriel opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

Clarification was provided that joining the Commission allowed the City to appoint someone to represent the City on the Commission, the Commission would help form the path of developing and implementing Remote Seller Sales Tax Code going forward, and membership could be terminated if the City didn't like the direction the Commission was going.

Clarification was also provided the intent of the Commission was to create a legal entity, the Commission didn't have authority to tax, the municipalities retained the authority to tax, and the Commission would collect and remit taxes.

There was discussion regarding the City's tax code, the solution helping fill the void of mail order purchases, maintaining a unified voice with the Kenai Peninsula Borough, the by-laws being approved by the Board, the costs to the City for the Kenai Peninsula Borough to administer the sales tax code, sales tax being a revenue generator, and the popularity of online shopping.

It was noted this wasn't a new tax and if the state decided to implement a sales tax, they would want to join the Commission because the Commission because could administer collection and remitting more efficiently than the state can on its own.

UNANIMOUS CONSENT was requested.

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

5. **Resolution No. 2019-73** - Authorizing the City Manager to Recruit For and Hire an Additional Police Officer Position Based on Anticipated Attrition. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2019-73 and Council Member Pettey **SECONDED** the motion.

Mayor Gabriel opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

Clarification was provided regarding the difficulties keeping the Police Department fully staffed and fully trained adding they were in a situation where officers were forced to work overtime which caused stress on the entire department. Authorizing over-recruitment provided a tool that would not affect the budget while the department worked to become fully staffed and trained. It was added Administration was looking into other tools aimed at retention as well.

There was discussion whether the authorization needed to extend to FY2021 given FY2020 was nearly half over.

Clarification was provided that the authorization was restricted to FY2020 with the hope that additional changes being proposed in the future would address the current issue. Clarification was also provided that the budgets don't authorize positions, only appropriates funds for positions.

It was suggested administration might need the tool to stay the catch-up.

There was discussion on other options such as incentivized hiring bonuses and it was noted the over-recruitment could be addressed again if needed.

It was noted police departments all over the state and country were experiencing difficulties with recruitment and retention and it was suggested the over-recruitment be provided a tool in toolbox ongoing and not just a one-year fix.

MOTION TO AMEND:

Council Member Navarre **MOVED** to amend by removing FY2020 in Section 2 and Council Member Pettey **SECONDED** the motion.

There was discussion regarding the City Manager bringing ideas for incentives, budget amendments being a way for Council to stay aware, and Council's meeting schedule and the possibility to address again in the future if needed.

VOTE ON THE AMENDMENT:

YEA: Pettey, Navarre

NAY: Knackstedt, Glendening, Molloy, Gabriel, Peterkin

MOTION FAILED.

MOTION TO AMEND:

Council Member Navarre **MOVED** to amend by adding, "and FY2021," after "FY2020," in Section 2 and Council Member Pettey **SECONDED** the motion.

It was pointed out there were only seven to eight months left in the year and another year should be given.

It was suggested the matter could be addressed again in the future if needed.

VOTE ON THE AMENDMENT:

YEA: Pettey
 NAY: Knackstedt, Glendening, Molloy, Gabriel, Peterkin, Navarre

MOTION FAILED.

UNANIMOUS CONSENT was requested.

VOTE ON THE MAIN MOTION: There being no objections; **SO ORDERED.**

6. **Resolution No. 2019-74** - Declaring a Utility Easement Twenty Foot (20') Wide Between the Shared Lot Lines of Tract A, and Lots 4, 5, 6, Block 1, Bridge Road Subdivision Number 2 and Lot 7A, Block 1, Bridge Road Subdivision Lockwood Addition as Set Forth on the Attached Exhibit "A" is Not Needed for a Public Purpose and Consenting to its Vacation. (Administration)

MOTION:

Vice Mayor Molloy **MOVED** to adopt Resolution No. 2019-74 and Council Member Knackstedt **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

Mayor Gabriel opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

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

6. **Resolution No. 2019-75** - Awarding a Contract for City-Owned Lands Appraisal Services. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2019-75 and Council Member Glendening **SECONDED** the motion.

Mayor Gabriel opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

Clarification was provided that the appraisal was required for certain leased lots and parcels could be added if the timing worked.

It was suggested that the lessees be notified that the appraisals were taking place to alleviate future expense.

VOTE:

YEA: Knackstedt, Glendening, Pettey, Molloy, Navarre, Gabriel, Peterkin
 NAY:

MOTION PASSED UNANIMOUSLY.**E. MINUTES**

1. *Regular Meeting of October 16, 2019 (City Clerk)

Approved by the consent agenda.

2. *Work Session Summary of October 16, 2019 (City Clerk)

Approved by the consent agenda.

F. UNFINISHED BUSINESS

1. **Resolution No. 2019-71** - Repealing Policy No. 2017-02, Supervisory Sub-Committee. (Council Member Knackstedt) *[Clerk's Note: At its October 16 meeting Council postponed this item to the November 6 meeting; a motion to adopt is on the floor.]*

It was noted the resolution was brought forward because the committee hadn't been utilized and required a quarterly meeting.

MOTION TO AMEND:

Council Member Navarre **MOVED** to amend by replacing "at least once each quarter," in C. Procedures with "as needed," and deleting "recommendations and," in the second paragraph of D. Duties and Council Member Knackstedt **SECONDED** the motion.

It was noted the amendment required a title change and a substitute resolution be brought at the next meeting.

Appreciation for the dialogue and support for the amendments was expressed.

The motion to amend was withdrawn with concurrence of the second.

MOTION TO POSTPONE:

Council Member Navarre **MOVED** to postpone to the next meeting for a substitute resolution to be prepared, proper notice, and scheduled for another public hearing and Council Member Glendening **SECONDED** the motion.

VOTE ON POSTPONEMENT:

YEA: Knackstedt, Glendening, Pettey, Molloy, Peterkin, Navarre, Gabriel
NAY:

MOTION PASSED UNANIMOUSLY.**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. ***Ordinance No. 3095-2019** - Increasing Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting a Grant from the Department of Justice for the Purchase of Ballistic Vests. (Administration)

Introduced by the consent agenda and public hearing set for December 4.

4. ***Ordinance No. 3096-2019** - Determining that Real Property Described as Lot One (1), Aleyeska Subdivision Part 3, According to Plat No. 1531 and Lot One A (1-A), Aleyeska Subdivision Part 3, According to Plat K-1531, City-Owned Airport Land Located Outside the Airport Reserve, is not Needed for a Public Purpose and Authorizing the Sale of the Property to MITAK, LLC. (Administration)

Introduced by the consent agenda and public hearing set for December 4.

5. ***Ordinance No. 3097-2019** - Increasing Estimated Revenues and Appropriations in the Terminal Improvements Capital Fund, and Authorizing an Increase to the Construction Purchase Order to Blazy Construction, Inc. (Administration)

Introduced by the consent agenda and public hearing set for December 4.

6. **Action/Approval** - Authorize the Issuance of a Request for Proposals for Naming Rights of the Multi-purpose Facility. (Administration)

MOTION:

Council Member Peterkin **MOVED** to authorize the issuance of a Request for Proposals for naming rights of the multi-purpose facility, and Council Member Navarre **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

Staff was thanked for working on this project. The history was provided and it was noted that the previous contract had been expired for many years. It was also noted this was a way to help the facility bring in revenues beyond fees as the facility was a winter focal point of the community.

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

7. **Action/Approval** - Approving a Special Use Permit for Axtel Enterprises, LLC, to Conduct Fuel Reduction Activities on Tract A, Kenai Meadows, 2200 Redoubt Avenue, Parcel 03901065. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to approve a Special Use Permit for Axtel Enterprises, LLC, to conduct fuel reduction activities on Tract A, Kenai Meadows, 2200 Redoubt Avenue, Parcel

03901065 and Council Member Glendening **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

Clarification was provided that the Kenai Peninsula Borough did the same thing on this lot several ago and there would be no cost to the City. Clarification was also provided that the City was not dictating what was done with the wood and hadn't looked to identify any additional parcels yet but would if this worked well.

It was suggested this was part of being fire-wise and responsible management of City property.

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

8. **Action/Approval** - Mayoral Nominations of Council Liaisons for Appointment to Committees and Commissions. (Mayor Gabriel)

MOTION:

Vice Mayor Molloy **MOVED** to confirm the appointments of Council Liaisons to Committees and Commissions, and Council Member Knackstedt **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

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

9. **Action/Approval** - Bridges Community Resource Network Mini-Grant Request for its Project Homeless Connect Event. (Mayor Gabriel)

Mayor Gabriel noted this began as a mini-grant application for \$500 for supplies for the Project Homeless Connect event in January. He added that the agency had applied for and received funding in 2017 but because they had received funding in the past they no longer qualified for a mini-grant; suggested putting into the budget. Mayor Gabriel added that the agency collects data on an annual basis on the homeless population and, when they received the grant in the past, they provided a report afterwards as requested.

MOTION:

Council Member Navarre **MOVED** to grant Bridges Community Resource Network \$500 from the mini-grant budget and Council Member Peterkin **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

It was noted it was healthy for the community to help provide and be a part of this service that affects the community and to have the baseline information. It was also noted the event gives tools to those experiencing homelessness to move forward.

It was suggested the donation be included in the budget each year.

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

10. **Discussion** - Personal Use Fishery Capital Improvement Projects. (Administration)

It was noted Administration would take the projects to the Harbor and Parks and Recreation Commissions for recommendations. An overview of the method for generating the list and the 2013 grant was provided.

The projects were discussed and a total estimated cost was provided. It was noted the grant expired June 30, 2020. Estimated savings were also discussed.

H. COMMISSION/COMMITTEE REPORTS

1. Council on Aging – It was reported the Council continued discussion of elements of a Code of Conduct for the Senior Center at a work session on October 29; next meeting November 14.
2. Airport Commission – No report; next meeting November 14.
3. Harbor Commission – It was reported the Commission discussed Title 11 amendments and monitoring and counting fish from city beaches. Also heard updates on the dock; next meeting February 10.
4. Parks and Recreation Commission – No report; next meeting November 7.
5. Planning and Zoning Commission – It was reported that at their October 30 meeting the Commission heard from LeMay Engineering regarding a draft hazard mitigation plan and approved three plat amendments; next meeting November 13.
6. Beautification Committee – No report; next meeting January 14.
7. Mini-Grant Steering Committee – No report.

I. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Thanked Council Member Molloy for chairing the October 16 meeting when he and Vice Mayor Navarre were out of town;
- Noted the Pumpkin Festival went well this year;
- Delivered a joint proclamation with the Vice Mayor of Soldotna for Domestic Violence Awareness Month;
- Expressed regrets for missing recent employee retirements; thanked Vice Mayor Navarre for saying a few words on Council's behalf; wished the retirees luck and thanked them for their service;
- Attended a recent Kenai Peninsula Relay for Life fundraiser;
- Reported on the October 24 Alaska Board of Fisheries meeting where the rotating meeting policy was rescinded; and
- Thanked Vice Mayor Navarre for three years of help as Vice Mayor.

J. ADMINISTRATION REPORTS

1. City Manager –City Manager P. Ostrander reported on the following:
 - An internal team met with the marketing firm and expected a presentation at the January 15 meeting;
 - Attended International City-County Managers Association Conference;

- Attended the recent Alaska Board of Fish meeting and noted, though the motion failed, two recent appointees voted in favor of holding a meeting on the peninsula;
 - Two retirements last week;
 - Would be issuing an RFP for waste as there were now two businesses in town;
 - Met with Kenai Police Department officers regarding changes coming to Council in December; received good feedback on what is beneficial to officers;
 - The 2019 Dipnet Report was in the packet;
 - Spoke with Fish and Game Commissioner regarding fees on dipnet permits noting the Governor wasn't supportive; suggested contacting the legislative delegation;
 - The City's request to start the design process on the Bluff Erosion Project was on the desk of the Assistant Secretary of Army – Civil Works.
2. City Attorney – No Report.
 3. City Clerk – City Clerk J. Heinz reported the Clerk's Office was recruiting for annual Committee and Commission term expirations and vacancies; noted she was attending an upcoming conference of the Alaska Association of Municipal Clerks.

K. ADDITIONAL PUBLIC COMMENT

1. Citizens Comments (*Public comment limited to five (5) minutes per speaker*)

Marion Nelson noted the Arts Council would be interested in the upcoming marketing efforts; also reported on recent inspections and the hope that they would have a cost for construction of their renovations soon.

2. Council Comments

Council Member Knackstedt noted he attended Mary Jo Joiner's retirement party, expressed appreciation for the Parks and Recreation crew; expressed appreciation for getting to see all the commissions working; and, attended a recent Relay for Life Fundraiser. He also pointed out that there was no signage directing people to Old Town Kenai nor any wayfinding in the area.

Council Member Pettey thanked Council Member Navarre for serving as Vice Mayor; noted she looked forward to working with Vice Mayor Molloy; attended the Relay for Life Fundraiser; and, thanked the City Manager for being proactive for the Police Department and recognizing the importance of safety in the community.

Council Member Peterkin noted a new business family was coming to Old Town Kenai with many plans. Also noted he would be out of town but would try to call in for the December 4 meeting.

Council Member Glendening congratulated Vice Mayor Molloy; attended Relay for Life Fundraiser; expressed interest in rejuvenating Old Town Kenai; and, noted he was looking forward to a good year.

Vice Mayor Molloy thanked the Council for electing him Vice Mayor noting he looked forward to supporting Mayor Gabriel; commended the City Clerk on reading the consent agenda items; noted the Planning and Zoning Commission was a thoughtful, deliberative body that served the City and had excellent meetings; noted he was looking forward to working with the Parks and Recreation Commission for the upcoming year; and, noted an informational session on Friday, November 22

held by University of Alaska Anchorage and the Municipality of Anchorage on climate action planning.

Council Member Navarre noted he attended Mary Jo Joiner's retirement party and noted the community was lucky to have her and the service that she provided; attended the Relay for Life fundraiser noting he hoped we don't have to raise money for cancer again; noted he had a busy year with Alaska Municipal League as president and provided a reminder of the upcoming conference coming up in November; also thanked the City for supporting him in his presidency; and, suggested everyone should have an opportunity to serve as Vice Mayor.

L. EXECUTIVE SESSION – None.

M. PENDING ITEMS – None.

N. ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 9:43 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of November 6, 2019.

Jamie Heinz, CMC
City Clerk

**PAYMENTS OVER \$15,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: DECEMBER 4, 2019**

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	97,284.69
INTEGRITY JANITORIAL	OCT. SERVICE AT CITY HALL	NON-DEPARTMENTAL	REPAIR & MAINTENANCE	1,389.00
PRECIOUS JANITORIAL	OCT. SERVICE AT LIBRARY	LIBRARY	REPAIR & MAINTENANCE	2,795.00
PRECIOUS JANITORIAL	OCT. SERVICE AT TERMINAL	AIRPORT	REPAIR & MAINTENANCE	4,495.00
PRECIOUS JANITORIAL	OCT. SERVICE AT POLICE	POLICE	REPAIR & MAINTENANCE	978.00
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	103,007.33
PREMERA BLUE CROSS	NOVEMBER PREMIUM	VARIOUS	LIABILITY	197,672.95

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
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Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3098-2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND, POLICE DEPARTMENT AND AMENDING KENAI MUNICIPAL CODE SECTIONS 23.25.040 – APPOINTEE COMPENSATION, 23.25.065 – SHIFT DIFFERENTIAL PAY, 23.50.010 – EMPLOYEE CLASSIFICATION, AND 23.55.030 – QUALIFICATION PAY TO IMPROVE RECRUITMENT AND RETENTION FOR POLICE OFFICERS AND OTHER ELIGIBLE EMPLOYEES RECEIVING SHIFT DIFFERENTIAL PAY.

WHEREAS, pursuant to KMC 23.20.020, the classification plan shall be revised as changing positions require it, with the recommendation of the City Manager and the approval of the City Council; and,

WHEREAS, such revisions may consist of addition, abolishment, consolidation, division, or amendment of the existing classes; and,

WHEREAS, the Human Resource Director worked with the Police Department to address ongoing issues with the Kenai Police Department's compensation plan in order to improve recruitment, competitive standing and reduce turnover; and,

WHEREAS, the Kenai Police Department has had challenges in recent years attracting strong talent to apply for officer positions, retaining trained talent, and meeting the needs and expectations of the community with existing staff; and,

WHEREAS, other agencies around the state, led by the Alaska State Troopers and the Anchorage Police Department, are making extensive efforts to recruit and retain officers, including to recruit lateral officers from other departments such as the Kenai Police Department; and,

WHEREAS, to address these issues, a number of potential changes were evaluated, including increasing the number of full-time officers, making changes to current grading and titling, addressing professional pay inequities with relative law enforcement organizations, and incentive bonuses; and,

WHEREAS, an incentive bonus for lateral officers who have received certification recognized by the Alaska Police Standards Council will attract new police officers and reduce the City's cost in sending new officers to the required basic training academy; and,

WHEREAS, an increase to shift differential pay will bring the City closer to the competitive average pay for this type of pay as well as adjust the shift differential pay for other City employees working eligible shifts, including Public Safety Dispatchers and Kenai Municipal Airport Employees operating snow removal equipment; and,

WHEREAS, it is estimated that supplemental funding in the amount of \$13,755 will be needed in FY2019 and additional appropriations in the amount of approximately \$115,000 in subsequent years, assuming full staffing of the police department, exclusive of any Field Training Officer details, and exclusive of paying any hiring bonuses; and,

WHEREAS, the City Manager recommends amendments to the Kenai Municipal Code to improve recruitment and retention for police officer positions and is in the best interests of the City of Kenai.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, as follows:

Section 1. Form: That this is code ordinance.

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

General Fund – Police Department	
Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$13,755</u>
Increase Expenditures:	
Salaries	\$(56,094)
Overtime	69,000
PERS	660
Medicare	<u>189</u>
	<u>\$13,755</u>

Section 3. Amendment of Section 23.25.040 of the Kenai Municipal Code: That Kenai Municipal Code, Section 23.25.040 – Appointee Compensation is hereby amended as follows:

23.25.040 Appointee compensation – Classified service.

(a) Upon initial appointment to a position, the employees in the classified service shall receive the minimum compensation for the class to which the position is allocated, except as provided below.

(b) In cases when unusual difficulty in filling the vacancy is experienced, or when the appointee is exceptionally qualified, the City Manager may cause the appointment for employees in the classified service to be made at a compensation level above the minimum, but not more than Level D for the same class.

(c) For recruitment of police officers who have successfully completed a police academy recognized by the Alaska Police Standards Council, the City Manager may offer additional compensation in the form of a signing bonus up to twenty-thousand dollars (\$20,000) to a police officer certified in accordance with the State of Alaska Certification Standards. The signing bonus must be paid according to a plan approved by the City Manager.

Section 4. Amendment of Section 23.25.065 of the Kenai Municipal Code: That Kenai Municipal Code, Section 23.25.065 – Shift Differential Pay, is hereby amended as follows:

23.25.065 Shift differential pay.

(a) Eligible full-time regular employees who work certain shifts explained below are entitled to additional compensation. To be eligible, the scheduled shift must be for a period of less than twenty-four (24) hours.

(b) Eligible shifts and rates are:

- (1) Shift begins on or after 2:00 p.m. and before 6:00 p.m.—[2]3%.
- (2) Shift begins on or after 6:00 p.m. and on or before 3:00 a.m.—[4]6%.

(c) The above rates will be computed against [STEP A OF] the [PAYRANGE] current range and step of the employee. Shift pay is not to be considered in computing annual leave or holiday pay.

(d) Eligible employees shall receive shift differential pay for each eligible shift worked.

(e) Shift pay will be allowed only upon approval of the City Manager when such work schedule is necessary for the benefit of the City.

Section 5. Amendment of Section 23.50.010 (c) of the Kenai Municipal Code: That Kenai Municipal Code, Section 23.50.010 (c) – Employee Classification, is hereby amended as follows:

CLASS CODE	CLASS TITLE	RANGE
(c) PUBLIC SAFETY		
302	Fire Fighter	13
303	Police Lieutenant	[20]22
304	Police Sergeant	[18]19
305	Police Officer	16
306	Public Safety Dispatcher	9
307	Fire Engineer	15
311	Fire Captain	16
312	Fire Marshal	17
313	Communications Supervisor	12
314	Police Trainee	16/2 ¹
315	Deputy Chief	20
316	Chief Animal Control Officer	11
317	Animal Control Officer	9

Section 6. Amendment of Section 23.55.030 (b) of the Kenai Municipal Code: That Kenai Municipal Code, Section 23.55.030 (b) – Qualification Pay, is hereby amended as follows:

23.55.030 Qualification pay.

(a) In recognition of professional development, personal time, and effort of the individual to achieve same, the following annual recognition entitlement is authorized, payable on a pro rata monthly basis.

(b) This recognition entitlement, except senior officer pay and driver/operator pay, is not considered when calculating hourly rates for annual leave or holiday pay.

(1) Police Department.

(i) Certification in accordance with State of Alaska Certification Standards[.] as follows:

Police Officer	
Intermediate Certification	\$1,800/year
Advanced Certification	\$3,000/year
Police Sergeant	
Intermediate Certification	\$1,800/year
Advanced Certification	\$3,000/year
Police Lieutenant	
Advanced Certification	\$3,000/year
Police Chief	
Advanced Certification	\$3,000/year

(ii) Recognition pay for qualified Senior Officers. Senior Officer pay is for Police Officers who have completed step 16E subject to an overall evaluation rating of "Meet Expectations" or better, as follows:

Advance one (1) pay grade and decrease one step (from 16E to 17D)

(iii) Recognition pay for qualified Field Training Officer personnel for officers temporarily assigned Field Training Officer duties for eligible shifts only as follows:

5% increase of the employee's current range and step

(iv) Recognition pay for qualified "Investigator" personnel for temporary assignment as an Investigator when the assignment is the employee's primary assignment and the assignment has been approved by the City Manager or designee as follows:

5% increase of the employee's current range and step

(2) Fire Department.

(i) Recognition entitlement for an associate degree in fire science is four hundred eighty dollars (\$480.00) per year. Eligible grades are fire fighter, engineer, and captain.

(ii) Recognition entitlements for EMT certification for eligible grades of fire fighter, engineer, and captain are as follows:

EMT I Instructor	\$250/year
EMT II	\$500/year
EMT III	\$1,000/year (includes EMT II pay)
EMT-Paramedic	\$1,500/year (includes EMT II & III pay)

(iii) Recognition entitlements for driver/operator qualified personnel for eligible grades of fire fighter are as follows:

Driver/Operator Qualified One (1) pay range increase (pay range 13 to pay range 14)

(3) Water and Sewer Utility. Certification in accordance with the State of Alaska Certification Standards.

W & S II \$300/year
W & S III \$480/year

(4) City Clerk's Office. Certification in accordance with International Institute of Municipal Clerks.

Certified Municipal Clerk 2.5% of the employee's base pay

Section 7. 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 8. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect thirty (30) days after adoption.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 18th day of December, 2019.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance 

Introduced: December 4, 2019
Enacted: December 18, 2019
Effective: January 17, 2020



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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: David Ross, Police Chief
 Stormy Brown, Human Resource Director

DATE: November 18, 2019

SUBJECT: **Ordinance No. 3098-2019 - Amending Kenai Municipal Code Addressing Police Officer Compensation**

The Police Department has been having officer recruitment and retention challenges for several years now. The challenges have included: 1. Attracting strong applicants to apply for positions at the Department. 2. Retaining highly trained and qualified officers. 3. Consistently meeting the needs and expectations of the community with existing staff. 4. Staying competitive with other agencies around the State that are making extensive efforts to recruit and retain officers, including to recruit lateral officers from other departments such as ours.

The Human Resource Director and Police Chief, along with support from other members of administration have spent a great deal of time over this past year analyzing those challenges, evaluating turnover, evaluating comparative compensation data, evaluating what is occurring in departments around the State, and evaluating solutions.

That analysis resulted in some basic findings including: 1) The police department is having recruitment and retention issues that need to be addressed. 2) Internal policies and practices that could impact recruitment, and retention have been changed and others continue to be analyzed. 3) The cause of those challenges experienced by the Department are multifaceted, but in line with state and national trends in law enforcement. 4) There are areas of strength in the City's pay & benefit package and areas of weakness when it comes to attracting officers and retaining them as they gain experience and expertise. 5) Law Enforcement requires extensive training at the beginning of employment, and ongoing training to maintain and expand skills. That training has a high cost both in dollars and dedicated hours. 6) We needed to take an in-depth



look at each item of the pay structure and determine what changes could have the greatest impact toward recruiting and retaining officers.

The analysis conducted by the City Administration has resulted in Code change recommendations under Ordinance No. 3098-2019. Those recommended changes include:

1. The City Manager is given authorization to use signing bonuses to recruit certified police officers that have already attended an in-state academy or one that is granted reciprocity. Hiring of lateral officers that do not have to attend the 16-week police academy in Sitka is a significant cost savings and time savings for officers to be on the road and functioning as a trained police officer. (i.e. hiring an Alaska certified police officer saves the City approximately \$13,500 in academy travel and tuitions costs in addition to salary and benefits during the 16 weeks of attendance and an out-of-State officer granted reciprocity through the Alaska Police Standards Council is also a significant cost saving, requiring only a two week academy at a cost of under \$3,500 in travel and tuition rather than the full academy.)
2. Shift differential pay for swing shift and night shift are adjusted from 2% and 4% to 3% and 6%, respectively. These increased rates are common in law enforcement and among those agencies in the State that are competitively recruiting. This change impacts a couple other departments including Dispatch and the Airport, who also have personnel starting work on later shifts. Shift differential under this change would also be pegged to the employee's current range and step rather than Step A of their Range as was previously the case.
3. Creation of a "Senior Officer" pay adjustment that would take an officer from a 16E on the pay scale to a 17D. This adjustment at approximately five years of experience addresses several issues: 1. It addresses the fact that officer pay loses competitiveness with peers as time goes on. 2. It considers that some other agencies are recruiting lateral officers with higher starting pay incentives than had previously been the case. 3. It considers the high value of both training and experience that a senior officer provides to the Department.
4. The Police Sergeant positions are adjusted from pay range 18 to pay range 19. The reasons for this adjustment are two-fold: 1. To recruit into the position and to retain the most highly qualified individuals. 2. To address compression in pay with lower ranking positions created by other changes within the ordinance.
5. The Police Lieutenant position is adjusted from pay range 20 to pay range 22. This position is exempt under FSLA. In order to be able to competitively recruit from highly qualified supervisors, and to retain a highly qualified person in this position this pay range adjustment is needed. This adjustment is also necessary given the other changes within this ordinance, to address compression in pay with lower ranking positions. As part of this change the Police Lieutenant will directly supervise the Animal Control division.
6. Recognition pay for a Field Training Officer, as assigned to this duty by the Chief, is instituted. This is very standard in law enforcement and among those agencies in the State that are competitively recruiting. A new officer is commonly placed with three Field Training Officers at the Department for a total of approximately three months (each trainer for a month) at the beginning of their employment. That trainer spends every shift with the trainee, evaluating and training them throughout every day. This requires a very intensive training effort and very high level of commitment on the trainer. The 5% recognition pay received for this is only received by the officer during the period they are actually assigned to training.
7. Recognition pay for investigators, as assigned to this duty by the Chief, is instituted. Again, this is very standard in law enforcement and among those agencies in the State that are competitively recruiting. When fully staffed, the Department currently operates

with four investigators. These investigators are drawn from patrol officers and assigned to work on the most serious of cases including Felony Assaults, Homicides, Sexual Abuse of a Minor, Sexual Assaults, complex drug cases, and various other cases that require a high degree of training and proficiency. It is common to move highly trained and very experienced officers into the investigator role to handle those cases, however without this pay incentive it can be difficult to recruit officers into that role, when they would otherwise make more money given shift differential pay, and overtime commonly available in patrol. The 5% recognition pay received for this duty is only received by the officer during the period they are actually assigned as an investigator.

The annual estimated cost of these compensation changes is approximately \$115,000, assuming full staffing of the police department, exclusive of any Field Training Officer details, and exclusive of paying any hiring bonuses. It is anticipated that hiring bonuses would be up to \$20,000 for an Alaska Certified Police Officer and up to \$10,000 for an out of State Police officer who meets reciprocity standards with the Alaska Police Standards Council. Those bonuses, if given, would result in payments over a period up to four years. The first year anticipated cost for the bonus for an in-State lateral officer would be \$6,349 and the first year anticipated cost for the bonus for an out-of-State lateral officer would be \$5,079. If given, these bonuses would result in cost savings in the FY21 budget, when compared to the costs associated with sending an officer to a full academy in Sitka. It is the intent of the administration to absorb these increases in the FY2021 Budget without a change to the General Fund's revenue rates and percentages.

These recommendations are the work of the Human Resource Director, the Police Chief, and the administration to identify a reasoned and measured response to what is occurring in the police department and in law enforcement in general. In conjunction with the work on these changes, the City Manager has met with all the officers of the Department in both 2018 and 2019 to discuss recruitment, retention, staffing, and compensation-related issues, and those officers are all aware of the administration's efforts to improve officer recruitment and retention.

Your consideration of this ordinance is respectfully requested.



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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Terry Eubank, Finance Director

DATE: November 25, 2019

SUBJECT: **Ordinance No. 3098-2019 – Police Compensation Amendment**

The purpose of this memo is to discuss the financial impact of the proposed amendments to Kenai Municipal Code (KMC) Title 23 – Personnel Regulations in an effort to attract and retain qualified police officers.

Ordinance 3098-2019 amends several sections of KMC Title 23 with the estimated FY19 and future fiscal year impact for each.

Signing Bonus

The payment of a \$20,000 signing bonus to a candidate who has successfully completed an Alaskan police academy recognized by the Alaska Police Standards Council (APSC) would be accomplished as follows:

After 90 days of employment	\$ 5,000
Successful completion of probationary period (typically one-year of employment)	5,000
Upon completion of two-years of employment	5,000
Upon completion of three-years of employment	<u>5,000</u>
	<u>\$20,000</u>

The cost per fiscal year of this change is estimated to be \$6,349 including associated benefits.

The payment of a \$10,000 signing bonus to a candidate who has successfully completed a police academy recognized by the Alaska Police Standards Council (APSC) would be accomplished as follows:



After 90 days of employment	\$ 4,000
Successful completion of probationary period (typically one-year of employment)	3,000
Upon completion of two-years of employment	<u>3,000</u>
	<u>\$10,000</u>

The cost of this change, including associated benefits, in the first fiscal year is estimated to be \$5,079 and in year's two and three \$3,810.

Shift Differential

Increasing the percentage paid for working certain shifts and changing the pay rate to which the percentage will be applied from Step A of the employee's pay range to the employee's actual range and step. The estimated annual cost of this change is for the Police Department will be \$23,824. This change will also impact the Airport and Communications Department an estimated \$3,234, for a total impact of \$27,058.

Police Lieutenant Reclassification

The proposal is to reclassify the Police Lieutenant position from a Range 20 to Range 22. The estimated annual cost of this change is \$13,633, including associated benefits. There is only one full time, authorized Police Lieutenant Position.

Police Sergeant Reclassification

The proposal is to reclassify the Police Sergeant position from a Range 18 to Range 19. The estimated annual cost of this change is \$19,854 including associated benefits. There are three full time, authorized Police Sergeant Positions.

Senior Officer Qualification Pay

The proposal is to provide a new qualification pay, entitled Senior Officer, to be applied to Police Officers receiving a satisfactory evaluation at the conclusion of Step 16E where the officer's pay would increase by one range to Range 17E. The effect of this change would: be slightly more than a normal step increase to Step F, provide for another step increase in one year as opposed to two, increase the time in which the officer will reach the top end of their pay scale by one year, and increase the maximum compensation of the officer by five percent. The estimated annual cost of this change is \$28,274 including associated benefits. There are thirteen full time, authorized Police Officer positions, of which seven would be currently eligible for this change.

Field Training Officer (FTO) Qualification Pay

The proposal is to provide a new qualification pay, entitled Field Training Officer, to be applied to an Officer or Sergeant performing FTO duties. This pay item would provide for a five-percent increase to the employee's current range and step while performing FTO duties. The estimated cost per training of a new Officer in FTO status, estimated to be three months long, would be \$1,578.

Investigator Qualification Pay

The proposal is to provide a new qualification pay, entitled Investigator, to be applied to an Officer or Sergeant performing Investigator duties. This pay item would provide for a five-percent increase to the employee's current range and step while performing Investigator duties. The estimated cost is \$24,393. The department normally has three Officers and one Sergeant performing Investigator duties.

The total financial impact of these change in FY19 is estimated at \$33,226 and \$115,000 in subsequent years, assuming full staffing of the police department, exclusive of any Field Training Officer details, and exclusive of paying any hiring bonuses.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3099-2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AMENDING KENAI MUNICIPAL CODE SECTION 23.50.010 – EMPLOYEE CLASSIFICATION, TO AMEND CLASS TITLES IN THE PUBLIC WORKS WATER AND SEWER AND WASTEWATER CLASSES.

WHEREAS, pursuant to KMC 23.20.020, the classification plan shall be revised as changing positions require it, with the recommendation of the City Manager and the approval of the City Council; and,

WHEREAS, such revisions may consist of addition, abolishment, consolidation, division, or amendment of the existing classes; and,

WHEREAS, the Human Resource Director worked with the Public Works Department to improve the naming conventions, organizational structure and position descriptions for the current Water and Sewer and Wastewater Treatment positions to improve recruitment efforts as well as efficiency and effectiveness of each division; and,

WHEREAS, standardizing and updating the naming convention for each division will allow for a clearer understanding and delineation between the two divisions, now to be named 'Water and Sewer' and 'Wastewater Treatment Plant'; and,

WHEREAS, the updated structure amends the current Water and Sewer Operator and Sewer Treatment Plant Operator to allow for two levels within the same job: Water and Sewer Operator I and II and Wastewater Treatment Plant Operator I and II to provide additional flexibility in staffing for operators who obtain additional certification in both public water and wastewater systems; and,

WHEREAS, this update in the structure does not require an increase to the adopted FY2020 Budget as it will result in a cost-savings; and,

WHEREAS, the City Manager recommends updating the organizational structure of the Public Works Department to allow for staffing Operator positions at a level I or level II commensurate with the experience of the candidate.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, as follows:

Section 1. Form: That this is code ordinance.

Section 2. Amendment of Section 23.50.010 of the Kenai Municipal Code: The Kenai Municipal Code, Section 23.50.010, Employee Classification, is hereby amended as follows:

CLASS CODE	CLASS TITLE	RANGE
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	(d) PUBLIC WORKS	
401	Building Official/Manager	17
402	Shop Foreman	16
403	Street Foreman	16
404	[SEWER] <u>Wastewater</u> Treatment Plant Operator <u>II</u>	13
405	Water and Sewer Operator <u>II</u>	13
<u>406</u>	<u>Water and Sewer Operator I</u>	<u>10</u>
407	Equipment Operator	11
408	Shop Mechanic	14
409	Equipment Lead Operator	14
410	Water and Sewer Foreman	16
412	Building Maintenance Technician	12
413	[SEWER] <u>Wastewater</u> Treatment Plant Lead Operator	14
414	Sewer Treatment Plant Foreman	16
<u>414</u>	<u>Wastewater Treatment Plant Operator II</u>	<u>13</u>
<u>415</u>	<u>Wastewater Treatment Plant Operator I</u>	<u>10</u>
417	Airport Operations Specialist	11
418	Airport Operations Supervisor	15
419	Building Maintenance Lead Technician	14
420	Water and Sewer Lead Operator	14

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 thirty (30) days after adoption.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 18th day of December, 2019.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance 

Introduced: December 4, 2019
Enacted: December 18, 2019
Effective: January 17, 2020



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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Stormy Brown, Human Resources Director
 Scott Curtin, Public Works Director

DATE: November 22, 2019

SUBJECT: **Ordinance No. 3099-2019 – Amending Employee Classification in the Public Works Water and Sewer and Wastewater Classes**

The Public Works Department has been working in conjunction with the Human Resource Director to address the organizational design and position descriptions for the Water and Sewer and Waste Water Treatment functions within the City. As these positions have had recent turnover, it was an opportunity to review the current design and position descriptions to improve recruitment efforts, as well as efficiency and effectiveness of both functions.

The first revision included separating the existing Water and Sewer Operator position (Grade 13) into two levels within the same job: Operator I & II, at grades 10 and 13, respectively. The intention is to allow a broader pool of candidates with less formal training to apply for the positions at the Operator I level, and then permit the successful new hire Operator I's to continue training and working on certifications while working in the position. Once minimum requirements of training, certifications, and work experience have been completed, qualified employees would be moved to the Operator II stage.

The next step was to revise and combine the Wastewater side of the Operators (into Operator I and II), and to continue to update and improve job descriptions to support the organizational design improvements planned for this group in Phase II of these updates. Making these changes will allow for cross-training between the functions, as well as more efficient and consistent management of this division.

Thank you for your consideration.





Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3100-2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS BY \$4,786.53 IN THE GENERAL FUND – POLICE DEPARTMENT FOR DRUG INVESTIGATION OVERTIME EXPENDITURES.

WHEREAS, the Kenai Police Department participates in 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 HIDTA was available to reimburse certain overtime expenditures for the Kenai Police Officer assigned to the drug unit during the time period between October 2018 and April 2019; and,

WHEREAS, the overtime expense that is eligible for reimbursement totals \$4,786.53.

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 HIDTA in the amount of \$4,786.53 and to expend those funds to fulfill the purpose and intent of this ordinance.

Section 2. That the fiscal year 2020 estimated revenues and appropriations be increased as follows:

General Fund:

Increase Estimated Revenues – Federal Grants – Police	<u>\$4,786.53</u>
--	-------------------

Increase Appropriations – Police - Overtime	<u>\$4,786.53</u>
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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 18th day of December, 2019.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, City Clerk

Approved by Finance



Introduced: December 4, 2019
Enacted: December 18, 2019
Effective: December 18, 2019



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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: David Ross, Police Chief

DATE: November 21, 2019

SUBJECT: **Ordinance No. 3100-2019 - Ordinance Accepting and Appropriating Funds for Drug Investigation Overtime Expenditures**

The Kenai Police Department participates in the regional drug task force when staffing allows. In October of 2018 certain overtime worked within the regional drug task force became eligible for reimbursement through the Alaska High Intensity Drug Trafficking Area (AK HIDTA), which receives its funding through Federal appropriation. The Police Department requested and received reimbursement for \$4,786.53 in overtime expenditures for the time period of October 2018 through April 2019.

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





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MEMORANDUM

TO: Mayor Gabriel and Kenai City Council

FROM: Henry Knackstedt, Councilor

DATE: December 4, 2019

SUBJECT: Discussion - Old Town Kenai Signs

It has come to my attention and surprise that there is not a sign in the Kenai Spur Highway Right-of-Way directing visitors toward Old Town Kenai. A sign should be located on the signal light pole arm at Main Street Loop where it would be most visible and increase tourist traffic into Old Town Kenai, as well as the Kenai Visitors and Cultural Center (KVCC). Once directed into the old city core area, additional small signs of similar design are needed to direct the public to places of interest. Additional consideration should be given to phone apps which can be scanned at points of interest to give visitors a historic perspective.

Administration has begun exploring these sign ideas, so I thought now is a good time for council to have an initial discussion with Administration regarding signs, as well as the boundaries of the area to be served. My hopes are that a comprehensive sign plan will include input from the old town community.

END OF MEMORANDUM





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MEMORANDUM

TO: Planning and Zoning Commission

FROM: Elizabeth Appleby, City Planner

DATE: November 8, 2019

SUBJECT: **KPB Substitute Ordinance No. 2019-24, Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions**

The Kenai Peninsula Borough (KPB) has proposed Substitute Ordinance No. 2019-24 to allow for the creation of private streets and gated subdivisions in a way other than the KPB exception process. They could be created at the time of subdivision or after streets have been dedicated with the proposed Ordinance. The Ordinance would also set out requirements and standards for private roads and gated subdivisions.

The KPB Planning Commission discussed the Ordinance at their August 26, 2019 meeting and September 23, 2019 meeting. The KPB Planning Commission will consider Substitute Ordinance No. 2019-24 at their meeting on November 12, 2019. The Borough Assembly will consider the Substitute Ordinance at its meeting on December 3, 2019.

KPB staff has discussed the Ordinance with cities in the Borough and have met with City of Kenai staff. KPB staff will be present at the City of Kenai Planning and Zoning Commission meeting on November 12, 2019 to discuss the Ordinance and answer questions of the Commissioners before it goes before the KPB Assembly.

Included in this packet are memorandums from KPB staff and Substitute Ordinance No. 2019-24 for your review.



MEMORANDUM

TO: KPB Planning Commission
THRU: Max Best – Planning Director
FROM: Scott Huff – Platting Manger
DATE: October 31, 2019
RE: Substitute Ordinance 2019-24, Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor)

At the August 26th Planning Commission meeting, Ordinance 2019-24 Adopting KPB 20.80 Subdivision Private Streets and Gated Subdivision was introduced. A motion was made to approve Ordinance 2019-24; an ordinance adopting KPB 20.80 Subdivision private streets and gates subdivision. The commissioners then requested Staff to gather additional information and reviews before a vote on the motion.

At the September 23, 2019 Planning Commission meeting further discussion was had regarding Ordinance 2019-24. The Commission moved and approved a motion to postpone until brought back by staff.

This ordinance was introduced to the KPB Assembly on September 3, 2019. On October 8th the Assembly moved to postpone any action on the ordinance until the December 3, 2019 Assembly meeting.

With the additional time, staff met with cities of the borough to discuss the ordinance. During the discussions with the cities, and staff work sessions, further edits and changes were made to the ordinance. As a result, a substitute ordinance has been prepared. The following summarizes the changes that the substitute ordinance incorporates.

SECTION 1

- 20.80.020 - Requirements
 - o The provisions were changed to follow KPB Chapter 20 subdivisions, excluding 20.30.210 fronting on a dedicated right of way and 20.50 Exceptions.
 - o Reference to the construction of roadways within a private street tract was

- removed. The borough will not inspect, or regulate, the construction of roads within a private tract.
- Private streets must follow KPB street naming and street addressing standards.
 - All reference to Home Owners Association (HOA) has been removed from the ordinance.
 - Plat notes were identified that must be added to the subdivision plat.
 - Reference was added any final plat located within a city must comply with KPB 20.60.080 – Installation Agreement.
- 20.80.030 - Gates
 - All reference to the HOA owning the private tract was removed.
 - Language was clarified that the fire and emergency service provider that serves the proposed gated subdivision must approve the access plan prior to installation.
 - The fire and emergency service provider will also approve the emergency access systems after installation.
 - 20.80.040 – Converting to gated subdivision
 - Language was added to follow KPB 20.70.040(A) – application for vacating the public right of way. This complies with State Statute Sec. 29.40.120.
 - At the request of utility providers, a line was removed which read, 'Utilities proposed for vacation must not provide service to customers outside the proposed gated subdivision boundary.'. Staff was agreeable to this as all plats are sent to utility providers for review and comments.
 - All reference to the HOA owning the private tract was removed.
 - The requirement for all land owners to submit fully executed deeds conveying their interest in the vacated street to the HOA was eliminated.
 - 20.80.050 – Converting private streets to public right of way in gated subdivision
 - A section was added to clarify that the private street to be dedicated to right of way must comply with KPB design criteria.
 - All reference to the HOA owning the private tract was removed.
 - 20.80.060 – Enforcement
 - The KPB code reference has been corrected.

SECTION 2

- 20.90.010 – Definitions generally
 - o The definition of gated subdivision has been edited by
 - removing the number of lots required (5) so that any number of multiple lots will comply
 - revising the language to not limit gates, security personnel, fences or walls.
 - Remove the portion that addressed gates or other barriers on private parcels.

SECTION 3

- Revised the effective date to be 90 days after the ordinance is enacted. This will allow cities to review their code and make any additions for private streets within cities, if necessary. This extra time will also allow staff to prepare application forms and review forms for preparing the staff reports.

Staff recommends the Planning Commission approve Substitute Ordinance 2019-24 and forward to the KPB Assembly for their review and approval.

Introduced by: Mayor
Date: 9/3/19
Hearing: 10/8/19
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2019-**

**AN ORDINANCE ADOPTING KPB 20.80, SUBDIVISION PRIVATE
STREETS AND GATED SUBDIVISIONS**

WHEREAS, privacy, security, and public safety concerns expressed by residents may be addressed by private streets in subdivisions; and

WHEREAS, Goal 6.5 of the 2005 Comprehensive Plan is to maintain the freedom of property owners in the rural areas of the borough to make decisions and control use of their private land; and

WHEREAS, private streets can only be approved through the KPB 20.50 exception process and there are currently no designated standards and requirements, nor established procedures to create subdivisions with private streets and gated access; and

WHEREAS, there is a need for designated standards and requirements and establishment of procedures for creating gated communities; and

WHEREAS, designating standards, requirements and procedures for establishing private streets within subdivisions with gated access will address residents as well as the public’s privacy, security, and access concerns; and

WHEREAS, the Kenai Peninsula Borough Road Service Area board at its meeting held on August 13, 2019, recommended unanimous approval of this ordinance; and

WHEREAS, the Kenai Peninsula Borough Planning Commission at its meeting held on November 12, 2019 recommended _____;

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

SECTION 1. That KPB Chapter 20.80, entitled “Private Streets and Gated Communities” is enacted as follows:

20.80.010. - Purpose.

This chapter provides standards and requirements for the establishment of private streets in subdivisions in the borough. A subdivision with private streets and gated access may be created at the time of subdivision by the owner of the parcel being subdivided or, where streets have been previously dedicated to the public which access lots in different ownerships, by the owners of those parcels in accordance with the provisions of this chapter.

20.80.020. – Requirements.

Private streets in subdivisions shall meet the following requirements:

- A. Provisions of KPB Chapter 20, excluding 20.30.210 and 20.50, apply and must be met.
- B. When constructed, private streets shall generally conform to the same standards regulating the design and construction of streets per KPB 14.06.
- C. All private streets will comply to street naming and street addressing per KPB 14.10 and 14.20.
- D. A public vehicular turn around shall be provided to allow vehicles that have been denied entry to the private streets the ability to exit. An unrestricted turn around, located within the private street, shall be provided to allow vehicles that have been denied entry to the private streets the ability to exit. The turnaround requirements shall be reviewed and approved by the Road Service Area Board. KPB Maintenance of the turnaround is not required but can be provided at the discretion of the Roads Director.
- E. Private streets shall be contained within a separate lot which meets right of way requirements of Chapter 20. The entrances to all private streets will be marked with a sign stating that it is a private street in compliance with KPB 14.06.200.
- F. The borough shall not pay for or contribute to any cost to construct, improve, or maintain a private street.
- G. The following notes are required on the subdivision final plat
 - 1. Borough maintenance shall not be provided on any private streets.

2. Private streets are not public and are subject to private construction and maintenance.
3. To convert private streets back to a public right of way, the requirements of KPB 14.06 – Road Standards, must be met.

H. Gated subdivisions and private streets may be approved, provided they meet the following criteria:

1. Emergency services shall be provided access within the private subdivision. Approval by the fire and emergency services provider, with jurisdiction in the area of the gated subdivision, is required. The fire and emergency services provider must be satisfied that fire and emergency services providers will have safe access into and within the gated subdivision;

20.80.030. – Gates

If a gate is installed to prevent public access to a subdivision with private streets the gate must conform to the following requirements:

- A. The fire and emergency services provider that serves the proposed gated subdivision must approve the fire and emergency services access plan for each gate prior to installation. The fire and emergency services provider should consider access for emergency vehicles into, and within, the private streets and gated subdivision.
- B. Gates, approach and departure areas shall be designed by a licensed professional civil engineer.
- C. Approach and departure areas on both sides of a gated entrance must provide adequate setbacks and proper alignment to allow free and unimpeded passage of emergency vehicles through the entrance area.
- D. After installation, all emergency access systems must be approved by the fire and emergency services providers serving the gated subdivision. The owner(s) of the private street parcel must maintain all components of the gate system in a normal operating condition and have them serviced on a regular basis, as needed, to ensure proper gate operation.
- E. No part of the gate system will be placed in a public right-of-way.

20.80.040. – Converting to gated subdivision.

- A. A platted right of way may not be vacated, except upon petition by resolution of the governing body from a municipality in which the property is located or by the owner of the majority of land fronting or abutting the right of way to be vacated. The request shall comply with the applicable replat and vacation requirements and procedures in this title, except as provided otherwise in this chapter.
- B. Converting public street to private street – standards.
1. Vacation of the public right-of-way shall be in accordance with the criteria set forth in KPB 20.70.
 2. The proposed gated subdivision shall not cause discontinuity in the existing or proposed public street system for adjoining lands.
 3. The proposed gated subdivision must not cause discontinuity in the existing or proposed road system to any property owner within the proposed gated subdivision that fronts on the public right-of-way that is to be vacated.
 4. Prior to recording, the private tract owner(s) shall accept the road “as-is” in its present condition and shall agree to indemnify, hold harmless, and defend the borough against any claims arising from the private ownership, maintenance and control of the converted street.
 5. The private tract owner(s) shall execute a defense and indemnification agreement in favor of the borough in the following form: The private tract owner(s) shall indemnify, defend, and hold and save the borough, its elected and appointed officers, officials, agents and employees, hereinafter collectively referred to as “agents”, harmless from any and all claims, demands, suits, or liability of any nature, kind or character including costs, expenses, and attorneys’ fees. The private tract owner(s) shall be responsible under this clause for any and all legal actions or claims of any character arising from the private tract owner(s) or the private tract owner(s) acts or omissions related to its private streets and gates in any way whatsoever. This defense and indemnification responsibility includes claims alleging acts or omissions of the borough or its agents, which are said to have contributed to the losses, failure, violations, or damages, except for acts or omissions solely attributable to the borough.

20.80.050. – Converting private streets to public right of way in gated subdivision.

- A. The owner(s) of a private street may petition to dedicate the private street through the platting process. The plat must comply with KPB Chapter 20.
- B. The private street to be dedicated to a public right of way must meet the design criteria set forth in KPB 20.30 and KPB 14.06.
- C. At the expense of the private street tract owner(s), a civil engineer will determine whether the private streets meet KPB Title 14 and Title 20 standards for street design and construction. If the streets do not meet borough standards the dedication shall be denied.
- D. The borough may also require, at the private street tract owner’s expense, the removal of any improvements, access control devices, gates, landscaping or other aesthetic amenities associated with the private street.

20.80.060. – Enforcement.

Violations of this chapter shall be in accordance with KPB 20.10.030 and KPB 21.50.

SECTION 2. That KPB Chapter 20.90, entitled “Definitions is amended as follows:

20.90.010. – Definitions generally.

In this title, unless otherwise provided, or the context otherwise requires, the following definitions shall apply.

...
“Gated subdivision” means a residential subdivision consisting of multiple parcels of land where vehicular and/or pedestrian access by the general public from a public street and street(s) within the gated community and/or public right-of-way(s) is restricted as a result of a barrier that may include, but is not limited to gates, security personnel, fences or walls.

...
“Private street” is defined as a vehicular access way shared by and serving two or more lots, which is not publicly maintained, but maintained by a homeowners’ association. The term “private street” shall be inclusive of alleys. The term “street” also includes the term “street” as used in KPB title 14.

SECTION 3. That this ordinance shall become effective upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS
_____ DAY OF _____, 2019.

, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

MEMORANDUM

TO: Wayne Ogle, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Charlie Pierce, Mayor
Dil Uhlin, Roads Director

FROM: Max Best, Planning Director

DATE: August 22, 2019

RE: Ordinance 2019-_____, Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor)

Goal 6.5 of the 2005 Comprehensive Plan is to maintain the freedom of property owners in the rural areas of the borough to make decisions and control use of their private land. Privacy, security, and public safety concerns expressed by residents may be addressed by private streets in subdivisions. Private streets can only be approved through the KPB 20.50 exception process and there are currently no designated standards and requirements, nor established procedures to create subdivisions with private streets and gated access.

There is a need for standardization, criteria, and establishment of procedures for creating both subdivisions with private streets and gated subdivisions. This ordinance codifies the requirements and procedures for creating these types of subdivisions.

This matter is scheduled to come before the KPB Road Service Area Board's at its August 13, 2019 meeting and the KPB Planning Commission at its August 26, 2019 meeting. The recommendations of both boards will be presented to the assembly prior to the final hearing on this ordinance.

Your consideration of this ordinance is appreciated.

MEMORANDUM

TO: KPB Planning Commission
THRU: Max Best – Planning Director
FROM: Scott Huff – Platting Manger
DATE: November 8, 2019
RE: Substitute Ordinance 2019-24, Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor)

At the August 26th Planning Commission meeting, Ordinance 2019-24 Adopting KPB 20.80 Subdivision Private Streets and Gated Subdivision was introduced. A motion was made to approve Ordinance 2019-24; an ordinance adopting KPB 20.80 Subdivision private streets and gates subdivision. The commissioners then requested Staff to gather additional information and reviews before a vote on the motion.

At the September 23, 2019 Planning Commission meeting further discussion was had regarding Ordinance 2019-24. The Commission moved and approved a motion to postpone until brought back by staff.

This ordinance was introduced to the KPB Assembly on September 3, 2019. On October 8th the Assembly moved to postpone any action on the ordinance until the December 3, 2019 Assembly meeting.

With the additional time, staff met with cities of the borough to discuss the ordinance. During the discussions with the cities, and staff work sessions, further edits and changes were made to the ordinance. As a result, a substitute ordinance has been prepared. The following summarizes the changes that the substitute ordinance incorporates.

SECTION 1

- 20.80.010. – Purpose.
 - o Re-worded for clarity.

- 20.80.020 - Requirements
 - o The provisions were changed to follow KPB Chapter 20 subdivisions,

excluding 20.30.210 fronting on a dedicated right of way and 20.50 Exceptions.

- Reference to the construction of roadways within a private street tract was removed. The borough will not inspect, or regulate, the construction of roads within a private tract.
 - Private streets must follow KPB street naming and street addressing standards.
 - Language was added regarding minimum requirements for turnarounds where borough maintenance is requested.
 - All reference to Home Owners Association (HOA) has been removed from the ordinance.
 - Plat notes were identified that must be added to the subdivision plat.
 - Reference was added any final plat located within a city must comply with KPB 20.60.080 – Installation Agreement.
- 20.80.030 - Gates
- All reference to the HOA owning the private tract was removed.
 - Language was clarified that the fire and emergency service provider that serves the proposed gated subdivision must approve the access plan prior to installation.
 - The fire and emergency service provider will also approve the emergency access systems after installation.
- 20.80.040 – Converting to gated subdivision
- Language was added to follow KPB 20.70.040(A) – application for vacating the public right of way. This complies with State Statute Sec. 29.40.120.
 - At the request of utility providers, a line was removed which read, 'Utilities proposed for vacation must not provide service to customers outside the proposed gates subdivision boundary.'. Staff was agreeable to this as all plats are sent to utility providers for review and comments.
 - All reference to the HOA owning the private tract was removed.
 - The requirement for all land owners to submit fully executed deeds conveying their interest in the vacated street to the HOA was eliminated.
 - Language was added that a public road cannot be converted if a RIAD or CIP has been performed on the road within the last 10 years.

Page 3
Date November 8, 2019
To: Planning Commission
RE: Substitute Ordinance 2019-24, Subdivision Private Streets and Gated Subdivisions

- 20.80.050 – Converting private streets to public right of way in gates subdivision
 - o A section was added to clarify that the private street to be dedicated to right of way must comply with KPB design criteria.
 - o All reference to the HOA owning the private tract was removed.
- 20.80.060 – Enforcement
 - o The KPB code reference has been corrected.

SECTION 2

- 20.90.010 – Definitions generally
 - o The definition of gated subdivision has been edited by
 - removing the number of lots required (5) so that any number of multiple lots will comply
 - revising the language to not limit gates, security personnel, fences or walls.
 - Remove the portion that addressed gates or other barriers on private parcels.

SECTION 3

- Revised the effective date to be 90 days after the ordinance is enacted. This will allow cities to review their code and make any additions for private streets within cities, if necessary. This extra time will also allow staff to prepare application forms and review forms for preparing the staff reports.

Staff recommends the Planning Commission approve Substitute Ordinance 2019-24 and forward to the KPB Assembly for their review and approval.

Introduced by: Mayor
Date: 9/3/19
Hearing: 12/3/19
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2019-24**

**AN ORDINANCE ADOPTING KPB 20.80, SUBDIVISION PRIVATE
STREETS AND GATED SUBDIVISIONS**

WHEREAS, privacy, security, and public safety concerns expressed by residents may be addressed by private streets in subdivisions; and

WHEREAS, Goal 2, Focus Area: Land Use and Changing Environment, Objective A of the 2019 Comprehensive Plan is to establish policies that better guide land use to minimize land use conflicts, maintain property values, protect natural systems and support individual land use freedoms; and

WHEREAS, private streets can only be approved through the KPB 20.50 exception process and there are currently no designated standards and requirements, nor established procedures to create subdivisions with private streets and gated access; and

WHEREAS, there is a need for designated standards and requirements and establishment of procedures for creating gated communities; and

WHEREAS, designating standards, requirements and procedures for establishing private streets within subdivisions with gated access will address residents as well as the public’s privacy, security, and access concerns; and

WHEREAS, the Kenai Peninsula Borough Road Service Area board at its meeting held on August 13, 2019, recommended unanimous approval of this ordinance; and

WHEREAS, the Kenai Peninsula Borough Planning Commission at its meeting held on November 12, 2019 recommended _____;

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

SECTION 1. That KPB Chapter 20.80, entitled “Private Streets and Gated Communities” is enacted as follows:

20.80.010. - Purpose.

This chapter provides standards and requirements for the establishment of private streets in subdivisions in the borough. In accordance with the requirements of this chapter, a subdivision with private streets and gated access may be created either at the time of subdivision by the owner of the parcel being subdivided or by the owners of the parcels along a public street(s).

20.80.020. – Requirements.

Private streets in subdivisions shall meet the following requirements:

- A. Provisions of KPB Chapter 20, excluding 20.30.210 and 20.50, apply and must be met.
- B. All private streets will comply with street naming and street addressing per KPB 14.10 and 14.20.
- C. A public vehicular turn around shall be provided to allow vehicles that have been denied entry to the private streets the ability to exit. An unrestricted turn around, located within the private street, shall be provided to allow vehicles that have been denied entry to the private streets the ability to exit. If borough maintenance of a turnaround is requested, then the turnaround must: (1) remain a public right-of-way; (2) be constructed with a minimum radius of 30 feet with a grade of 4 percent or less per KPB 14.06.160(D); and (3) be accepted into the borough’s road maintenance program. The owner(s) of an approved gated subdivision shall be responsible for providing maintenance to all private streets and unmaintained turnarounds.
- D. Private streets shall be contained within a separate lot which meets the right of way requirements of Chapter 20. The entrances to all private streets will be marked with a sign stating that it is a private street in compliance with KPB 14.06.200.
- E. The borough shall not pay for or contribute to any cost to construct, improve, or maintain a private street.
- F. The following notes are required on the subdivision final plat

1. Borough maintenance shall not be provided on any private streets.
 2. Private streets are not public and are subject to private construction and maintenance.
 3. To convert private streets back to a public right of way, the requirements of KPB 14.06 – Road Standards, must be met.
- G. Gated subdivisions and private streets may be approved, provided they meet the following criteria:
1. Emergency services shall be provided access within the private subdivision. Approval by the fire and emergency services provider, with jurisdiction in the area of the gated subdivision, is required. The fire and emergency services provider must be satisfied that fire and emergency services providers will have safe access into and within the gated subdivision.
 2. When located within a city, a final plat of a subdivision with a private street must comply with KPB 20.60.080 – Improvements – Installation agreement required.

20.80.030. – Gates

If a gate is installed to prevent public access to a subdivision with private streets the gate must conform to the following requirements:

- A. The fire and emergency services provider that serves the proposed gated subdivision must approve the fire and emergency services access plan for each gate prior to installation. The fire and emergency services provider should consider access for emergency vehicles into, and within, the private streets and gated subdivision.
- B. The approach and departure areas for the gate(s) must be designed by a licensed professional civil engineer.
- C. Approach and departure areas on both sides of a gated entrance must provide adequate setbacks and proper alignment to allow free and unimpeded passage of emergency vehicles through the entrance area.
- D. After installation, all emergency access systems must be approved by the fire and emergency services providers serving the gated subdivision. The owner(s) of the private street parcel must maintain all components of the gate system in a normal operating condition

and have them serviced on a regular basis, as needed, to ensure proper gate operation.

E. No part of the gate system may be placed in a public right-of-way.

20.80.040. – Converting to gated subdivision.

A. A platted right of way may not be vacated, except upon petition by resolution of the governing body from a municipality in which the property is located or by the owner(s) of the majority of land fronting or abutting the right of way to be vacated. The request shall comply with the applicable replat and vacation requirements and procedures in this title, except as provided otherwise in this chapter.

B. Converting public street to private street – standards.

1. Vacation of the public right-of-way shall be in accordance with the criteria set forth in KPB 20.70.
2. The proposed gated subdivision shall not cause discontinuity in the existing or proposed public street system for adjoining lands.
3. The proposed gated subdivision must not cause discontinuity in the existing or proposed road system to any property owner within the proposed gated subdivision that fronts on the public right-of-way that is to be vacated.
4. Prior to recording, the private tract owner(s) shall accept the road “as-is” in its present condition and shall agree to indemnify, hold harmless, and defend the borough against any claims arising from the private ownership, maintenance and control of the converted street.
5. The private tract owner(s) shall execute a defense and indemnification agreement in favor of the borough in the following form: The private tract owner(s) shall indemnify, defend, and hold and save the borough, its elected and appointed officers, officials, agents and employees, hereinafter collectively referred to as “agents”, harmless from any and all claims, demands, suits, or liability of any nature, kind or character including costs, expenses, and attorneys’ fees. The private tract owner(s) shall be responsible under this clause for any and all legal actions or claims of any character arising from the private tract owner(s) or the private tract owner(s) acts or omissions related to its private streets and gates in any way whatsoever. This defense and indemnification responsibility includes claims

alleging acts or omissions of the borough or its agents, which are said to have contributed to the losses, failure, violations, or damages, except for acts or omissions solely attributable to the borough.

- C. A public street constructed or improved with borough funds, either through a Capital Improvement Project (CIP) or Road Improvement Assessment District (RIAD), cannot be converted to a private street within ten (10) years of the CIP or RIAD competition date for that street.

20.80.050. – Converting private streets to public right of way in gated subdivision.

- A. The owner(s) of a private street may petition to dedicate the private street through the platting process. The plat must comply with KPB Chapter 20.
- B. The private street to be dedicated to a public right of way must meet the design criteria set forth in KPB 20.30 and KPB 14.06.
- C. At the expense of the private street tract owner(s), a civil engineer will determine whether the private streets meet KPB Title 14 and Title 20 standards for street design and construction. If the streets do not meet borough standards the dedication shall be denied.
- D. The borough may also require, at the private street tract owner’s expense, the removal of any improvements, access control devices, gates, landscaping or other aesthetic amenities associated with the private street.

20.80.060. – Enforcement.

Violations of this chapter shall be in accordance with KPB 20.10.030 and KPB 21.50.

SECTION 2. That KPB Chapter 20.90, entitled “Definitions is amended as follows:

20.90.010. – Definitions generally.

In this title, unless otherwise provided, or the context otherwise requires, the following definitions shall apply.

...

“Gated subdivision” means a residential subdivision consisting of multiple parcels of land where vehicular and/or pedestrian access by the general public from a public street and street(s) within the gated community and/or public right-of-way(s) is restricted as a result of a barrier that may include, but is not limited to gates, security personnel, fences or walls.

...

“Private street” is defined as a vehicular access way shared by and serving two or more lots, which is not publicly maintained, but maintained by a homeowners’ association. The term “private street” shall be inclusive of alleys. The term “street” also includes the term “street” as used in KPB title 14.

SECTION 3. That this ordinance shall become effective 90 days after its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS _____ DAY OF _____, 2019.

Kelly Cooper, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Kenai River Keys Property Owners Association
PO Box 1073
Sterling, AK 99672

October 18, 2019

Planning Commission Members
Kenai Peninsula Borough

Subject: Comments for Ordinance 2019-24, Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions

In the minutes of the Planning Commission meeting on August 26, 2019, Commissioner Fikes suggested she would like to hear from people that live in a current gated community regarding services. Her comment was in regard to emergency services and utility companies, and Max Best responded there were no complaints that the Borough is aware of. We confirm that.

Utilities and service providers have different means of access to our gated subdivision which are worked out with each individually. We have a keyed swing gate which is primarily for large vehicles or those with trailers, and an electric gate operated by remote clickers. HEA, Enstar and Alaska Communications have their own locks on our keyed gate, and Enstar also has clickers. Peninsula Pumping, Fed Ex and UPS have clickers, as do several contractors. CES has a Knox key box attached to our gate, but they usually call a contact person before they arrive for assistance navigating through the neighborhood. Borough OEM and the State Troopers have clickers. Each lot owner provides access to other service providers and generally meets them at the gate. There are enough year-round residents to call upon if a lot owner is away when a service provider or contractor needs access. Realtors are an ongoing problem, and we generally provide them with gate keys.

Our subdivision has enjoyed good relations with Borough departments, including Roads, OEM, CES, Assessing and for the most part, the River Center. But we have an ongoing issue with the Planning Director that we will explain below. Any person on Borough business can access our subdivision, and upon request we provide gate clickers and/or keys. We share a boundary with State-owned land and provide access to Fish & Game, Parks, DNR, and State Troopers. We don't often encounter federal employees or contractors, but if the Corps, BLM or refuge people request access, it is provided. We have protocols for our gate during floods, fires, CES responses, power outages, extreme cold and for when the electric gate is out of service. We can always improve, and suggestions from the Borough are welcomed.

We have issues with public roads and plat interpretation, which are not addressed realistically in the proposed KPB 20.80. Basically, we have no way of keeping the Borough from adding public roads to our subdivision, and we have no path outside of litigation to resolve disagreement with the Borough Planning Director.

Public or Private

Kenai River Keys Subdivision was established in 1972 containing private streets that were approved through the exception process in the subdivision code. The exception request was granted for all rights-of-way in the subdivision but the right-of-way on the east boundary, which contained a section line easement and was dedicated to public use. Plat 72-62 depicted lot ownerships extending to the center of roads with private road easements for the use of lot owners only.

In 1974 the Borough approved a resubdivision of Tract A forming 6 additional residential lots. Access to these lots was provided by extension of a stub street that had been platted as a private road easement. The developer chose to dedicate the street extension to public use, and the Borough approved and accepted the dedication on the resubdivision plat. No private ownerships were indicated within the street extension, and it was depicted on the resubdivision plat exactly like the dedicated street containing the section line easement.

The Borough's Planning Director considers the street extension to be a private road easement, even though (1) the exception request approved by the Borough did not contain the condition that future roads in the subdivision also had to be private, (2) dedication language on the plat clearly says dedicated to public use, (3) no boundaries for private ownerships within the street extension were depicted on the plat, (4) no signatures were required of lot owners who might have held those ownership interests, and (5) the developer's intent was clearly for a dedication to public use. Failure of the Planning Director to recognize responsibility for the street extension has left us with an orphaned property. Mayor Pierce suggested a work-around, giving the Association authority to regulate use of the street extension, but the Planning Director later rejected that approach. Without an owner upon which to enforce covenants, we are left with a rather low opinion of the Borough's ability to resolve unanticipated issues.

"To and Through" versus Gated

The second issue occurred in 1981 when the Borough approved Stephenkie Subdivision No. 2 adjoining Kenai River Keys Subdivision and containing two dedicated public streets. The only vehicle access to these streets was through our gate and over our private road easements. To build access through wetlands along the section line easement was impractical, and the new subdivision liked having a gate. To resolve this, in year 2000 we embraced our neighbors and formed the Association to include both Stephenkie Subdivision No. 2 and Kenai River Keys Subdivision. No Borough action was needed, offered or threatened. As a consequence, the Association maintains roads in both subdivisions, including private easements and public streets. This doesn't fit the private road criteria of the proposed KPB 20.80.

A "to and through" adjacent subdivision or landowner may want the benefit of an existing gate, and circumstances may require access through existing private roads. In such case, and if the two subdivisions can agree, public roads may need to be accommodated behind a subdivision gate. We recognize the public right to use these roads, but the public has no right to use private roads to get to them. In our case, trails are used to get to public roads which then connect to public lands upstream of our subdivision. We find the people "walking in" to be generally respectful of our private property and more interested in fishing reports than challenging the access.

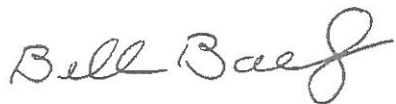
Appeal Process

We are unnecessarily targeted by the Borough Planning Department. For example, the staff report for vacation of Dorothy Drive right-of-way presented on August 13, 2018 included the following statement: "Owners in Kenai River Keys have been to the Planning Department multiple times recently regarding access conflicts and trespass. KPB cannot resolve disputes involving private road easements." Well guess what, the dispute is with the Borough over responsibility for the road extension dedicated to public use. The Planning Director doesn't resolve disputes, he overrules them.

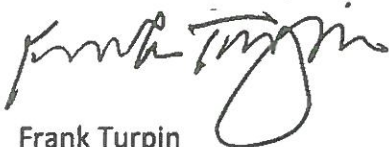
We suggest a process be included in the proposed ordinance allowing a Homeowners Association to appeal to the Planning Commission if a decision of the Planning Director adversely or unreasonably impacts a private subdivision. There are just too many ways the intent of this ordinance can be muddled or wrongly administered. We have no mechanisms at present other than litigation, which we cannot afford, or being a nuisance to the Borough, which we're getting better at. Nothing in the proposed ordinance defines a process to resolve disagreements between a Homeowners Association and the Borough's Planning Director.

Thank you for your consideration.

Sincerely,



Bill Bailey
President
Kenai River Keys Property Owners Association



Frank Turpin
Member of the Board of Directors
Kenai River Keys Property Owners Association

From: Jackson, Byron
To: [Huff, Scott](#)
Subject: FW: New KPB code for Subdivision Private Streets and Gates Subdivisions
Date: Wednesday, October 2, 2019 3:52:21 PM
Attachments: [image002.png](#)
[image003.png](#)

Hi Scott,

Please see the comments below from our real estate/legal team in Anchorage.

Thank You,

Byron T. Jackson

From: Doty, Gayle L.
Sent: Wednesday, October 02, 2019 3:30 PM
To: Jackson, Byron <Byron.Jackson@acsalaska.com>; Bernard, Andrea N. <Andrea.Bernard@acsalaska.com>
Cc: Stone, James R. <James.Stone@acsalaska.com>
Subject: RE: New KPB code for Subdivision Private Streets and Gates Subdivisions

Byron –

Thanks for taking the time to discuss this with me last week. I just read through the Ordinance again and offer these thoughts:

1. I don't see a provision for Utilities. I would suggest that a Blanket Easement should be established to provide for ALL utilities / utility Companies.
2. Access for Utility Companies should be 24/7; similar to the Emergency Services.
3. Under C.2 – Propose striking the last sentence in this paragraph.

How do we get these comments back to the Borough? Will you send them back to Scott or should I be doing something with them?

Thanks.

Gayle Doty

Sr. Manager, Real Estate Program

907.564.1064 direct

907-529-9757 mobile

gayle.doty@acsalaska.com



From: Jackson, Byron
Sent: Tuesday, September 24, 2019 11:13 AM
To: Doty, Gayle L. <Gayle.Doty@acsalaska.com>; Bernard, Andrea N. <Andrea.Bernard@acsalaska.com>
Cc: Stone, James R. <James.Stone@acsalaska.com>
Subject: FW: New KPB code for Subdivision Private Streets and Gates Subdivisions

I just received this form the Kenai Peninsula Borough, would like your thoughts. We've never had gated subdivisions here, what has our experience been with them in other areas of the state?

My initial concerns are access to maintain our facilities, and the right to pass-through one subdivision to serve another. It's rare, but there are instances where we utilize section line easements or back lot line PUEs that pass through one subdivision to reach another. I don't think we want each gated subdivision necessarily have to be a "dead end" for us.

Please let me know what you think, thanks.

Thank You,

Byron T. Jackson

From: Huff, Scott [<mailto:shuff@kpb.us>]
Sent: Tuesday, September 24, 2019 10:51 AM
To: Jackson, Byron <Byron.Jackson@acsalaska.com>; karen_keesecker@chugachelectric.com; pgillis@cityofseward.net; andrew.fraiser@enstarnaturalgas.com; bbeck@gci.com; Cody Neuendorf (<CNeuendorf@HomerElectric.com>) <CNeuendorf@HomerElectric.com>
Subject: New KPB code for Subdivision Private Streets and Gates Subdivisions

CAUTION - EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello all,

An ordinance has been proposed to allow subdivisions with private streets and gated communities. This ordinance will allow new subdivisions to have private streets. The ordinance will also allow existing public right of ways within a subdivision to be converted to private roads. The private streets can be gated to limit the access to the residencies within the subdivision.

Any private street subdivision would have to follow the current subdivision standards. The main difference is that instead of a public right of way (ROW) being dedicated there will be a private tract of land which will be the private access for the subdivision. The tract will be just like a ROW in that it will be 60 feet in width and there will be utility easements adjoining the outside of the tract. Building setbacks will also be applied to the private tract. The tract will be privately owned and maintained by a home owners association.

From: Karen Keesecker
To: [Huff, Scott](#)
Subject: RE: New KPB code for Subdivision Private Streets and Gates Subdivisions
Date: Friday, October 4, 2019 4:11:27 PM
Attachments: [image001.png](#)

Scott,
Land Services has reviewed the proposed ordinance to allow private streets and gated communities, with the conversion of existing public rights of way to private roads. While the ordinance allows for utilities to install within easements outside of the private road tract, we had concerns regarding the crossing of the private road tract by utilities. To cross a private road tract would likely require utilities to obtain an easement directly from the HOA or owner(s) of the tract.

We would request that utilities have the ability to request needed easements on the private road tract during the platting or re-plat process. This is particularly important to protect our rights for existing electrical facilities during the re-plat process.

Thank you for the opportunity to comment.

Karen Keesecker SR/WA
Manager, Land Services
Chugach Electric Association, Inc.
5601 Electron Drive
Anchorage, AK 99519-6300
907-762-4726 (office)
907-762-4852 (fax)
Karen_keesecker@chugachelectric.com

From: Huff, Scott <shuff@kpb.us>
Sent: Tuesday, September 24, 2019 10:51 AM
To: Jackson, Byron <Byron.Jackson@acsalaska.com>; Karen Keesecker <Karen_Keesecker@chugachelectric.com>; pgillis@cityofseward.net; andrew.fraiser@enstarnaturalgas.com; bbeck@gci.com; Cody Neuendorf (CNeuendorf@HomerElectric.com) <CNeuendorf@HomerElectric.com>
Subject: New KPB code for Subdivision Private Streets and Gates Subdivisions

*****EXTERNAL EMAIL*****

Hello all,

An ordinance has been proposed to allow subdivisions with private streets and gated communities. This ordinance will allow new subdivisions to have private streets. The ordinance will also allow existing public right of ways within a subdivision to be converted to private roads. The private streets can be gated to limit the access to the residencies within the subdivision.

Any private street subdivision would have to follow the current subdivision standards. The main

From: Kachemak City
To: [Huff, Scott](#)
Subject: RE: New KPB code for Subdivisions Private Streets and Gated Subdivisions
Date: Friday, October 4, 2019 3:00:57 PM
Attachments: [image001.png](#)

Dear Mr. Huff,

Thank you for alerting us to this proposed Ordinance and inviting comments. We would like to request additional time to comment, since the Kachemak City Council meeting doesn't take place until 10/9.

Sincerely,

Erica Fitzpatrick

Kachemak City Clerk

From: Huff, Scott [mailto:shuff@kpb.us]

Sent: Tuesday, September 24, 2019 10:39 AM

To: citymanager@cityofseldovia.com; cityclerk@cityofseldovia.com; Baxter, Tammaron <tbaxter@kpb.us>; kachemak@xyz.net

Subject: New KPB code for Subdivisions Private Streets and Gated Subdivisions

Hello all,

The KPB Planning Department has proposed an ordinance to allow private streets and gated communities. This ordinance will allow new subdivisions to have private streets. The ordinance will also allow existing public right of ways within a subdivision to be converted to private roads. The private roads may be gated to limit the access to the private residencies within the subdivision.

Any private subdivision within City limits would follow the same procedure that is currently in place. The preliminary plat will be sent to the City for review and approval. It would be up to the City to require any improvements be constructed, or extension of utilities be completed.

The design standards of a gated subdivision will follow the existing borough requirements for a regular subdivision. A gated subdivision will have to meet block length standards and cannot limit access to neighboring parcels.

At your convenience, please review the attached ordinance and submit comments to me. Any comments that you have will be forwarded to the KPB Planning Commission for them to review at the October 14th meeting. The recommendations of the Planning Commission will be presented to the KPB Assembly. The Assembly will review, and may approve, the ordinance on October 8th. The assembly may postpone action if there are requests for additional time from Cities and/or planning commissions.

Please let me know if you have any questions or need additional information.

Thank you,

Items that were included in the August 26, 2019 and September 23, 2019 Packet. Duplicate items were removed.

1. Charlie Pierce, Kenai Peninsula Borough Mayor

Mayor Pierce wanted to address two items with the Planning Commission. The first was the Material Site Work Group and the Planning Commission recommendations. Staff and the administration have reviewed the Planning Commission's recommendations. Staff will be preparing an Ordinance with all of the Planning Commission recommendations except for one, the restriction on the buffer zones. The buffer zones are important to the Planning Commission and were important to the people that were a part of the Material Site Work Group. It was one of the most contentious issues and there was a considerable amount of discussion and consideration. He recalled, during his six years on the Assembly, dialog from the public asking for protections and separation between the activities in gravel pits and the development of subdivisions. The separation between those two seemed to be the real issue. He understands and respects the passion that people bring with these issues. Short of having zoning requirements there is not a way to get all the protections people are wanting. This is a second-class borough and there is no zoning. He does not see any Assembly members nor himself having a strong desire to introduce any new code or legislature that would create considerations for zoning. During the Work Group sessions he attend a few meetings, watched the dialog that took place, and was updated regularly by staff. The new code has made some significant changes for the better. There are now new requirements for noise, hours of operation, ingress / egress, and dust control. A major new requirement has to do with the repairing of the extracted areas. It will be done in a more organized way. There are some new operating conditions and rules for the operators. In the beginning, there was a huge amount of resistance but over time, the two groups came together and were able to agree. What he was advocating for was better neighbors. A number of operators came to him complaining about the proposals as they developed and evolved. He always encouraged them to stay at the table and talk about what was important to them but that they needed to recognize that they are evolving and changing as a community. He cannot support minimum setback requirements. It will be discussed with the Assembly and the Assembly can make some suggestions and recommendations. The Planning Commission can also make recommendations to the Assembly. The parties involved came together, discussed the buffer, and agreed on a maximum of a 100-foot setback requirement. He would like to pass what they have and continue to look toward the future in regards to changes. He thinks the next change that will come will be zoning. If true separation between gravel pits and subdivisions is wanted, the way to get there is by zoning. The existing pits will have to be dealt with for the next fifty years, for those that can operate that long. He knew this was important to the Planning Commission and he wanted to come to them to address it. He feels very favorable to the work that has been done, including the work the Planning Commission has done. All the Planning Commission recommendations and changes, except the one, have been accepted, are supported, and will be in the ordinance.

Mayor Pierce also wanted to discuss the Gated Community Ordinance. There was a group in Sterling that proposed to do a road improvement in their subdivision. He was running for Mayor at the time and they contacted him to come to their subdivision and met with them. They had concerns about the clearing along the edge of the right-of-way. They wanted to know what they could do and he had them speak with staff. They talked about decertifying the road but it was confusing to them. They also talked about having a gate. They did get the decertification of the road and saved their trees and they now own the road. He knows an individual that lives on that street and they still talk about having a gate and being a gated community. If the Borough will manage or have a request to manage gates in the future a set of strong clear rules are needed. Terms and conditions are needed so that there is consistency and positive outcomes. The Kenai Keys is a perfect example of a gated community. There has been a gate there for many years. Many concerns are about accessing the community. He managed a company for many years that needed access to the subdivision to read meters. They had a door opener for the gate and the Sterling Fire Department has one as well. There is also a gate with a chain that could be cut and removed if necessary. There was some controversy in Homer recently. Some people thought he was creating a code or condition for a specific individual. He wanted to ensure the Planning Commission that as Mayor he tries to listen to anyone and everyone that comes to the Borough with a concern or a

request. He treats all things with equality and fairness. He would like to consider himself as a person that seeks to solve problems. The Gated Community Ordinance is sitting before the Assembly and has been postponed. Staff is working with the various cities and reviewing the code with them to take their comments under review and consideration. The Ordinance might be modified to accommodate some of those concerns. He supports that effort.

Since taking office there has been an enormity amount of work that has been done by all the Borough employees. He likes to think that they have made things better and they strive every day to make things better. He invited the Planning Commissioners to come to the Mayor's office. One thing they have created as a process is a white board that has a list of things that they have been working on. It is the to do list. The things that have been accomplished and done are on that list. Many of the Directors in the borough take ownership of some of the items that are on the board. Staff will reach out to each of the Commissioners to invite them to take some time to look at the board. They will be given the opportunity to review it and hopefully it will trigger some suggestions. They like to be creative and productive and think that they are doing the public's business and doing it well.

Commissioner Ruffner told the Mayor that he appreciated him coming to talk to the Commission. He was the Chair of the Material Site Work Group and it was a struggle to Chair that meeting and then come back to the Planning Commission to work through it. He appreciates that Administration took the time to look at the Planning Commission's recommendations. Modifying the Ordinance to go forward is really good and appreciated. In regards to the gated subdivisions, the only pause he has will be addressed by going to the cities. It came before the Commission to read and review and it looked good but there were not any comments from anybody. Mayor Pierce said they are getting the input. It was an oversight and the cities should have been included during the development process. Mayor Pierce thanked Commissioner Ruffner's leadership and his handling of the Material Site Work Group meetings was outstanding. He noted that Commissioner Ruffner dealt with many conflicting and emotional issues. Commissioner Ruffner did very well in handling it and thanked him for stepping up and sharing his leadership with that group. It is not 100% of what everyone wanted. Everyone in the room sacrificed something. The group that was there was balanced and represented all parties within the borough. It was the best outcome they could hope for without having zoning. Zoning would probably be the next step in the future.

Seeing and hearing no one else wishing to comment, public comment was closed and the meeting continued.

PUBLIC HEARINGS

AGENDA ITEM F. PUBLIC HEARINGS

1. Vacate a 30 foot wide portion of Greatland Street Right of Way. Vacation described as the east half of right of way where adjoining Lots 18A and 19A and the south half of the east-west aligned right of way between Olson Lane and Greatland Street, containing approximately 7,541 sq. ft. as dedicated on Chamberlain and Watson Subdivision, Plat HM-24. The right-of-way being vacated is unconstructed and located within the SE 1/4 of Section 19, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2019-105V.

Staff Report given by Scott Huff

PC Meeting: 10/14/19

Purpose as stated in petition: Request to vacate a portion of the right of way as the City of Homer deemed the right of way as unnecessary.

Petitioner: Tom Livingston of Anchorage, AK.

Notification: Public notice appeared in the October 3, 2019 issue of the Homer News as a separate ad. The public hearing notice was published in the October 10, 2019 issue of the Homer News as part of the

It was a member of the Alaska Salmon Alliance. They did not mention anything in particular related to commercial fishing. He recommended that they call Mr. Wall. He was curious if anyone had contacted Mr. Wall. Mr. Wall said they did not.

Commissioner Ruffner noted that they were on the main motion that has now been amended.

Commissioner Morgan noted another grammatical error in the previous amendment. "...are likely to continue, outline explicit adaption and mitigation strategies." This would read, "After identifying areas that are experiencing change and are likely to continue, outline explicit adaption and mitigation strategies (e.g., reduction of greenhouse gas emissions generated in the region)." Commissioner Ecklund, as maker of the motion agreed with the change, as did the second, Commissioner Carluccio.

Chairman Martin asked if there were any objections to the clarification. Seeing and hearing no objection or discussion, Chairman Martin noted that the correction stands.

MAIN MOTION PASSED: Seeing and hearing no objection or discussion, the motion passed by unanimous consent.

AGENDA ITEM E. UNFINISHED BUSINESS

- 2. Ordinance 2019-24; Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions. *Postponed from the August 26, 2019 Planning Commission meeting.*

Staff Report Given by Scott Huff

PC Meeting: 09/23/2019

At the August 26, 2019 Planning Commission meeting there was a motion to forward to the Assembly a recommendation to approve Ordinance 2019-24 to adopt KPB 20.80. At that meeting, the Planning Commission asked staff to get more information. The Ordinance was sent to the KPB Roads Director, Emergency Management providers as well as title officers. There were no responses received back except for some conversations Mr. Best had with Chief Browning. Late this evening the Roads Director commented that the RSA Board had already approved the Ordinance.

There has been contact with the cities of Kenai, Soldotna, Homer and Seward. Staff will be meeting with the City of Homer on September 23, 2019 and the City of Soldotna on October 2, 2019 to review the ordinance and hear their concerns.

Since the August 26, 2019 meeting, staff has come up with nine revisions. Most of them are general housekeeping items. A few items were mentioned in the code two or three times. There are no major changes being proposed.

Mr. Huff offered to review the changes one by one if requested. He noted that the Planning Commission could approve in one motion or review and act on each one separately. The Commission could also choose to not amend and pass the ordinance onto the Assembly as presented.

END OF STAFF REPORT

MOTION ON FLOOR: to forward to the Assembly a recommendation to approve Ordinance 2019-___; an ordinance adopting KPB 20.80, Subdivision private streets and gated subdivisions.

Mr. Best summarized his conversation with Chief Browning about access through gates onto private streets. Chief Browning indicated that most jurisdictions have a box with a coded universal key. There is a time stamp for when the key is used and by whom. It is up to the emergency service providers in the area to determine what they would require such as a padlock or combination lock. The ordinance already contains that the approval of the emergency responders would be required. That includes the construction of the

gate. The height, width, the access and the availability to get an apparatus through will go through the emergency responders.

Mr. Best also had a discussion with the roads director, Mr. Uhlin. Commissioner Whitney had previously asked about public money being put into a public road and then turning it into a private road. Mr. Uhlin's felt that it would be given up because the maintenance cost over time would be more than what invested into the road. Less roads will be maintained by the borough, which will cost less money.

Mr. Best noted that after discussion and review with staff the question of how the ordinance will work within the cities arose. It is not mentioned in the ordinance. Currently the code says that at the time of final review an installation agreement with the city is needed. During the preliminary process staff has the plat go to the city for comments in relationship to the borough code because the borough is the platting authority. Staff wants to meet with the cities and talk about building setbacks and their zoning. They may require the roads to be constructed to a standard in the city because of obligations for water, sewer, utilities and the access required to maintain those services. The cities may be able to allow gates now because they have that authority but the concern is that they do not have anything in place to address the specifics laid out in this ordinance. The meetings with Soldotna and Homer are scheduled. The meeting with Kenai has not be scheduled but there have been conversations with them. Staff wants to give the cities a chance to see how it would work with their code, if they want to prohibit it within their boundaries or agree with what is proposed.

Commissioner Whitney wondered if this should be postponed until the meetings with the cities are held to see if they need to propose any additional changes. The changes can be done at one time so it does not have to come back for more changes. Mr. Huff let the Planning Commission know that the Assembly would hear this item on October 8, 2019. Mr. Best said that the managers for the cities of Soldotna and Kenai have requested that they be given more time. He does not have any indication from the Assembly if they will honor that request.

Commissioner Ecklund asked if there could be postponement on this item at the Assembly meeting. She wanted to know if the Assembly could be told there had been a request for postponement by two cities. Mr. Huff said the Assembly could postpone if they hear from the Planning Commission and the cities to postpone.

Commissioner Venuti wanted to know more about the meeting in Homer on September 23, 2019. Mr. Huff said it would be a phone call on September 24, 2019. Commissioner Venuti wanted to know whom staff was meeting with. Mr. Huff said it would be with Julie Engebretsen, Deputy City Planner, as well as Mr. Abboud, the City Planner. He was not sure what others would be taking part. Commissioner Venuti wanted to know if there were plans to meet with the City Council. Mr. Huff said that the upcoming meeting was a teleconference with city staff to answer questions. It is possible that a meeting with the City Council will be requested or needed but that will be determined after discussions are had with the city staff.

Commissioner Ruffner said he felt like he wanted to postpone. This is a big change in code and the public has not commented on this. He is not sure if this came from the public or how it originated. He felt that it was a little odd that there has not been anyone testifying on gated subdivisions.

Commissioner Ruffner wanted to make sure this is not used as a tool to block public access. He had thought about limiting the size and wanted to know if staff discussed it since there is not a size limitation. Mr. Huff said it was discussed but the very first item says it must comply with Chapter 20.30, which is design. It must meet the block length requirements and provide to and through rights-of-way. Access cannot be limited to unsubdivided lands beyond the subdivision.

Commissioner Ernst asked if it could limit access to public section line easements. Mr. Huff said possibly to get to the section line easement. If the right-of-way is to a section line easement for to and through access it could not be vacated. He does not think one could be vacated if the right-of-way connects to a section line easement.

MOTION FOR POSTPONEMENT: Commissioner Ruffner moved, seconded by Commissioner Bentz, to postpone until brought back by staff.

MOTION TO POSTPONE PASSED: Seeing and hearing no objection or discussion, the motion passed by unanimous consent.

PUBLIC HEARINGS

AGENDA ITEM F. PUBLIC HEARING

- 1. Local Option Zoning District; Fritz Creek Area

Staff Report given by Bruce Wall

PC MEETING: September 23, 2019

Applicant's Contact: Craig Cutler

Legal Description: Those lots within the boundaries of C & H Estates, according to Plat 80-23, Homer Recording District; specifically,

- Lots 1 through 16, C & H Estates, according to Plat 80-23;
- Lots 18 through 26, C & H Estates, according to Plat 80-23;
- Lots 28 through 34, C & H Estates, according to Plat 80-23;
- Lots 37 through 45, C & H Estates, according to Plat 80-23;
- Lot 17C, C & H Estates Bell Addition No. 2, according to Plat 2000-58; and
- Lots 27A and 35A, C & H Estates Four, according to Plat 2005-86.

Location: Parcels along Albenglow Circle, Abbas Court, and Windsor Court; and certain parcels along Glacier View Road S, Taku Avenue W, Taku Avenue E, and Portlock Drive.

BACKGROUND INFORMATION: The applicants have submitted a Local Option Zoning District (LOZD) application signed by the record owners of at least six lots within the proposed LOZD as required by KPB 21.44.040B.

On August 8, 2019, a meeting was held, as required by KPB 21.44.040C, at the Kachemak Community Center. The meeting was attended by 25 individuals that own property within the proposed LOZD or within the 300-foot notification area.

The Planning Department has reviewed the proposed LOZD map submitted by the applicant for the proposed district using the criteria contained in KPB 21.44.040A. Based upon land use, location, access, soils, topography, availability of utilities, encumbrances and permits, staff has determined the boundary of the proposed LOZD is appropriate as requested. Although portions of the parcels on the northwesterly side of Glacier View Road S are significantly steeper than is the rest of the proposed LOZD, there are areas that are less steep adjacent to the road. Three of the parcels on the northwesterly side of Glacier View Road S are larger than the five-acre maximum size lot allowed in the R-1 LOZD; however, KPB 21.44.040(E) allows the owner of parcels larger than the maximum allowed lot size to request to be included within the LOZD. The Planning Department has received a request from each of these three parcels to include their property in the LOZD.

PUBLIC NOTICE: Public notice of the hearing was mailed on September 4, 2019 to the owners of the 44 parcels within the boundaries of the proposed LOZD and the 40 parcels within 300 feet of the proposed LOZD. Public notice of the application was published in the September 12, 2019 & September 19, 2019 issues of the Homer News.

ATTACHMENTS

- Application with Proposed Boundaries

Commissioner Venuti wanted to know if Ms. Wade had the opportunity to read the letter from the Kachemak Bay Conservation Society. Ms. Wade read it briefly right before the meeting. Commissioner Venuti wanted to know what she thought of the recommendations and if they were feasible to add into the plan. Ms. Wade felt that they could and did not see anything that contradicted the values that have been shared through this process.

Commissioner Ecklund wanted to discuss the process for the plan. She wanted to know if it could be brought back after some of the suggestions are made so they can review it. She felt they did not need the whole plan again but would like to see the changes. She also wanted to know if they had to make motions for each recommendation or if some could be grouped. Mr. Wall said that they could instruct staff to make some changes and bring it back and then they will have a new draft to review and adopt.

Chairman Martin said that he would like it to be time specific on when to review the plan.

Commissioner Ruffner wanted to try to summarize the wishes of the Commission for Ms. Wade. Update the census tables for the agriculture data from 2012 to 2017; incorporate the five recommendations from the Kachemak Bay Conservation Society, and a specific timeline for review instead of periodic update.

Chairman Martin noted from his agriculture perspective that the cannabis statistics are significant even if the benefits are not local relatively speaking. Commissioner Carluccio noted that we do get sales tax. Mr. Wall said the sales tax does go to the Borough.

Commissioner Ruffner wanted to know if staff needed more information. Mr. Wall felt that what was given was sufficient direction. He does have concerns about item one on the Kachemak Bay Conservation Society list. It deals directly with the Hazard Mitigation Plan. That is something that the Commission has already forwarded to the Assembly. He would recommend items two through five on the list.

Commissioner Ecklund noted that Kachemak Bay Conservation Society amendments do not get specific enough for alternative energy or the solar and wind farmland use. She would like to see more about alternative energy.

Ms. Wade said there were two things she did not hear Commissioner Ruffner cover in his summary and the alternative energy was one. The other was related to it, the educational and training opportunities tied to growth industries. Tying it back to those alternative energy and others discussed. Commissioner Ruffner wanted to clarify that those suggestions would also be looked at. Ms. Wade confirmed.

Commissioner Ruffner asked if staff wanted to the postponement to be date certain or brought back by staff. Mr. Best asked what Ms. Wade's ability would be to have the changes made. Ms. Wade said she would like to have the changes made within the next two weeks. After hearing the public input and with it already being a two-year process, she felt sooner was better. Mr. Best said that brought back by staff would be best.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Ecklund, to postpone the review of the Comprehensive Plan until brought back by staff.

MOTION PASSED: seeing and hearing no objection or discussion, the motion passed by unanimous consent.

AGENDA ITEM F. PUBLIC HEARINGS

2. Ordinance 2019-___; Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions.

Staff Report Given by Max Best

PC Meeting: 8/26/19

This ordinance is to allow people to have gated or private subdivisions within the Borough. If all of the requirements of the Borough Platting code are met, a road can be vacated and made into a tract of land creating a gated private community.

Some requirements are that Title 14 and 20, as they relate to development, would need to apply. Utility requirements, road width, etc. would have to apply in case the tract is dedicated as a public right-of-way and ceases being private.

There are requirements to get to and through the gates. There must be a turnaround before the gate and adequate access. All of the requirements go through fire and emergency services to determine that they could access the subdivision if needed. They would have a clicker or code that would allow them access to the subdivision.

This was created by staff to address those subdivisions that may potentially want private roads. This can be difficult but doable. There are situations where "to and through" the subdivision is not needed. Example would be a small cul-de-sac that accesses land that does not require streets to go around or through the subdivision. It would work in that situation.

END OF STAFF REPORT

Chairman Martin opened the meeting for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the Commission.

MOTION: Commissioner Venuti moved, seconded by Commissioner Carluccio, to forward to the Assembly a recommendation to approve Ordinance 2019-___; an ordinance adopting KPB 20.80, Subdivision private streets and gated subdivisions.

Commissioner Whitney wanted to know if an existing subdivision could do this if the ordinance is adopted. Mr. Best said they could but the right-of-way would have to be vacated. One hundred percent of the property owners that abut the right-of-way would have to be a part of the process. It will take everyone in the area to agree to it.

Commissioner Ecklund noted that this is a brand new section of Borough Code. She did not think there was anything existing about gated communities or private streets in the code. Mr. Best said this is new. It can be done under existing code but it requires numerous exceptions to the code. Commissioner Ecklund wanted to know if there was a specific instance that had caused this to be drafted. Mr. Best said perhaps.

Commissioner Carluccio wanted to know if staff looked at other Boroughs or States that have gated communities to see how it worked for them. Mr. Best said they did a lot of research on how it worked in other municipalities. There are a lot of them in California, etc. The biggest concern was providing emergency services to people and making sure there is a way to adequately respond to people. It cannot just be a trail that emergency vehicles cannot use. Commissioner Carluccio followed up by asking if it would all have to be privately owned land, that there would be no easements or trails. Mr. Best said it would be a tract of land that is owned by all the abutting landowners. If it is done at the time of subdivision, it would be a tract owned by the Home Owners Association and the Association would own, operate, and maintain the road. Utility easements would be associated with it and building setbacks in case the Borough takes over the right-of-way. It has to meet all of title 14 and 20 for the Borough to take it. Non-conforming structures or things in the right-of-way would not allow the Borough to take the road. It must be built to Borough standards and met all the requirements the Borough has in place. Commissioner Carluccio asked if the best way to do this is to start with a tract of land and then subdivide to build the gated community. Mr. Best said this is generally for that situation. It will be difficult but possible for existing subdivisions to become a gated community.

Commissioner Venuti wanted to know if a local option zone could be a gated community and about emergency vehicle access. Mr. Best said that he did not know any reasons why a local option zone could not be a gated community. The Borough would have access anytime staff needed. Gates would have to

be approved by emergency service providers. There would be a code, a lock that can be cut, and a way to access the subdivision if needed even if the power is out. Emergency services would have free access and this ordinance reserves access for the Planning Department. Widths and heights of gates will be worked out with Emergency Services. Commissioner Venuti wanted to know if a how property rights will be handled. Mr. Best said that an HOA would have to own it and the Borough would not have property rights associated with the roadway. The HOA would also maintain the road.

Commissioner Ecklund is concerned about not having building setbacks incorporated into the ordinance due to safety standards for fires, etc. Mr. Best noted that building set backs are a provision of Chapter 20 so it would have to be in place.

Commissioner Whitney wanted to know if the Borough would be compensated for giving up a right-of-way in established subdivisions that form a gated community and turn the road into a private road. Mr. Best responded that if a municipality purchased land for a right-of-way they could be compensated during the vacation process. The Borough gets the right-of-ways mostly through dedicated fee land with no cost. Commissioner Whitney noted that the Borough may have been improving it and have money invested into the road. Mr. Best thought that the Roads Department would be willing to give up the maintenance on the road over what it costs to continue maintenance and improvements. Mr. Best noted that it was a good question that was not fully considered.

Commissioner Ruffner noted that when reading the proposal it is generally following all the subdivision requirements and Title 14 for road construction. That seems reasonable in the sense that it could wind up coming back to the Borough and it needs to be safe. The issue he sees is once a certain sized parcel is turned into a gated community the through traffic to get to future development seems to be a challenge. He wanted to know if there was any thought put into size limitations. There are block length requirements, but he wanted to know if there was something in this ordinance that talks about size. Mr. Best said that it must meet Chapter 20 requirements including the "to and through". It is not for every piece of property. There is no size requirement because many larger parcels require "to and through" easements or right-of-way dedications. Commissioner Ruffner noted that the exception to block length is given generously and he could see that becoming an issue.

Chairman Martin wanted to know if there would be any legal complications if the Borough owns a parcel inside a gated community after tax foreclosure. Mr. Best said that was discussed and it was determined that the borough would not be obligated to pay Home Owner fees for tax foreclosed properties. The Borough currently does not have those obligations for property acquired during tax foreclosure.

Commissioner Whitney wanted to know if the property owners in the gated community would still have to pay the road service mill rate. Mr. Best said they would. Commissioner Whitney said the owners would be doubling their cost because they would also pay the maintenance through the Home Owners Association. Mr. Best said that was correct.

Chairman Martin noted he likes to encourage more parks and open space within subdivisions. Currently there is no economic incentive for a developer to do that and the Borough does not want to own those parks. He wanted to know if this would help encourage that. Mr. Best said the developer or owners could designate a lot within the subdivision as an open space and the Home Owners Association can own it and utilize it as a park. This could possibly advance that type of situation. Chairman Martin noted they would still have to pay property tax on it. Mr. Best said they would.

Commissioner Ruffner said he did not have any issues if a developer wants to develop a gated community if it does not interfere with future development of the larger lands that are still out there. The Borough is still entitled to some State lands and the State is still entitled to some Federal lands. This is a big piece of code to introduce and vote on in the same meeting. He does not know if the public knows that this is out there. Everything he has heard sounds reasonable but is reluctant to vote on it.

Commissioner Ecklund wanted some clarification about section line easements that go through a parcel that wants to be a gated community. She wanted to know if the gate would go on the far side of the section

line easement so that public access is not blocked. Mr. Huff said that public access easements would have to stay open from point A to point B. The easement could pass through a subdivision but the public would not have the right to get onto the private access road. Commissioner Ecklund wanted to know if the property was to be gated if a pedestrian gate would have to be allowed on either side to allow people to walk through the section line easement. Mr. Huff stated that a legally a pedestrian or section line easement cannot be blocked. The gate would be on the road and the public could continue to use the section line easement to pass through the subdivision. Commissioner Ecklund followed up by stating that the owners could not put up a fence around the whole property from both sides of the gate and block the whole subdivision off if there is a section line easement through it. Mr. Huff said a fence could be put up on their property but the section line easement cannot be blocked.

Commissioner Whitney felt that many questions of had been raised and many answers were not available right now. He felt that there needed to be more research and clarification on what the parameters, rules and regulations would be for somebody to do this. Mr. Best asked Commissioner Whitney what specific questions he would like answered. Commissioner Whitney wanted to know what would happen to the street in an already formed subdivision. If that road has been built and maintained by the Borough who will pay for that investment.

Commissioner Fikes asked if there were any gated communities in the Borough at this time. Mr. Best said there are some. Commissioner Fikes asked how they are operated. Mr. Best said it is similar to this ordinance. Kenai River Keys is one and the emergency service providers have clickers to get access and a gate that can be clipped and opened at any time. It has been a private subdivision with private roads since about 1972.

Commissioner Ruffner he would like some more thought on size limitations and tie it to block length. Maybe two time the block length or something similar would be a limitation. It can get more complicated than that when looking at the surrounding lands. A block length could be met but forcing the only other access into a wetland that cannot be developed. He would like to see some rules that limit size and feasibility for construction around the subdivision. Mr. Best said that they could look into it more. The ordinance is being introduced to the Assembly on September 3 and will be heard on October 8. The Planning Commission will have a meeting between those dated so more information can be given to the Commission before they vote.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Carluccio to postpone until brought back by staff.

Commissioner Ecklund wanted to ask about the management of the new ordinance. She wanted to know the Planning Commissioner or Assembly will be making the decisions on private subdivisions. Mr. Best said it would be the Planning Commission and their decision would not be forwarded to the Assembly.

Commissioner Fikes said if this were coming back, she would like to see or hear some feedback from Emergency Services if there have been any complaints or issues. In addition, if the utility companies have had problems with access, or complaints from people that live in a current gated community regarding services. Mr. Best said that there have been no complaints that the Borough is aware of because they make the subdivision must be access available. Kenai Keys has had a special assessment done and had gas put into the community. During a flood event, the gate is locked open so that people can come and go to escape any flood issues. Commissioner Fikes was concerned about seasonal people or those that are on the slope. If an emergency arises when they are not there, where would the protection and responsibility lie, with the Borough or Home Owners Association?

Commissioner Ecklund said this brings to mind when a staff report says that the different groups say no comment or no objection. She wanted to know if that could be included in a staff report for this item. It may be helpful to know that others have reviewed it.

MOTION PASSED: Seeing and hearing no objection or discussion, the motion passed by unanimous consent.

Anchor Point Advisory Planning Commission

Meeting Minutes: 10/10/2019

Meeting Called to Order at 7:05 pm

Roll Call: Dawson Slaughter, Jon Marsh, Raymond Drake, Brok Shafer and Donna White present. Christine Crum was present telephonically.

Approval of previous minutes: Brok Shafer made a motion to approve the minutes of the previous meeting, Raymond Drake seconded. The motion carried.

Approval of Agenda: Donna White made a motion to approve the agenda, Brok Shafer seconded. The motion carried.

Correspondence: No correspondence received.

Public Comment/Presentation without previous notice: None. There were four members of the community present: Warren and Debra Waldorf, Harry Olson and Barry White

New Business:

A. Conditional Use Permit Modification Application:

The original permit for this gravel permit was approved 15 years ago. The permit required a 50 foot vegetation buffer. After a road was built for a subdivision, the vegetative buffer has been removed on the northern boundary. The owner has proposed that a 6 foot berm be built to replace the vegetative buffer. There will also be a 2 to 1 slope down to the pit. The owner also informed the committee and borough that snow drifts across the road and that the berm might increase the drifting.

Debra Waldorf, a resident in the subdivision, questioned about planting the berm to protect it from erosion. There is no plan to add vegetation because natural grasses and alders will grow quickly.

Brok Shafer made a motion to recommend approval of the Permit Modification Application. Jon Marsh seconded. The motion carried.

B. Ordinance 2019-24 Adopting KPB 20.80 Subdivision Private Streets and Gated Subdivisions.

Bruce Wall, borough representative, stated that currently every lot must have a public right of way. This ordinance will provide for private roads and a gated community. The subdivision will have private ownership and will be responsible for maintaining the roads. The ordinance could result in there being less connectivity through the community.

The Advisory Committee was concerned regarding the impact of this ordinance on pre-existing communities.

A motion was made by Cris Crum the Advisory Commission recommend approval of the ordinance for new subdivisions. However, if existing communities are impacted, there should be 100% approval from all homeowners affected.

Announcements:

Bruce Wall commented that a new member to the Advisory Commission could be confirmed by the Borough assembly at the November meeting.

There was discussion regarding the gravel pit working group and their recommendations to change the ordinance governing gravel permits. Essentially, pre-existing gravel permits must prove that they have complied with the state of Alaska requirements regarding vegetation, reclamation project and bonding. If the gravel permit owners do not comply, they will not be allowed to remove any more product from the site.

The Advisory Committee has moved the monthly meeting to the Thursday before the first meeting of the KPB Planning Commission instead of the Wednesday before.

Next Regular Meeting: November 7, 2019 at 7:00 pm

Commissioner's Comments: None

Adjournment: Jon Marsh made a motion to adjourn the meeting, Donna White seconded. The motion carried. The meeting adjourned at 7:30.

C. Announcements/Next meeting:

Next meeting scheduled for September 4, 2019 at 7:00 pm

Commissioner's Comments:

None

Adjournment: Meeting adjourned at 7:31 pm

COOPER LANDING ADVISORY PLANNING COMMISSION
REGULAR MEETING
LOCATION: COMMUNITY CLUB
WEDNESDAY, OCTOBER 9, 2019
6:00 PM
UNAPPROVED MINUTES

1. CALL TO ORDER – 6:01pm
2. ROLL CALL – K. Recken, H. Harrison, Y. Galbraith, J. Cadieux, D. Story, L. Johnson present. C. Degernes excused.
3. APPROVAL OF AGENDA – H. Harrison moves to approve the agenda as written. Y. Galbraith seconds. All approve.
4. APPROVAL OF MINUTES for Aug 07, 2018 – L. Johnson moves to approve the minutes as written. H. Harrison seconds. All approve.
5. CORRESPONDENCE – none.
6. PUBLIC COMMENT/PRESENTATION WITHOUT PREVIOUS NOTICE – none.
7. REPORT FROM BOROUGH – none.
8. OLD BUSINESS – none.
9. NEW BUSINESS
 - a. An ordinance adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions
 - i. K. Recken moves to approve the ordinance with amendment to ensure fair remuneration to the KPB for the infrastructure costs of public street construction for those areas in which public streets are made private. Y. Galbraith seconds. All approve.
10. PLAT REVIEW – none.
11. INFORMATION and ANNOUNCEMENTS
 - a. Sterling Hwy MP 45-60 Project update and question/answer with Jonathan Tymick of AK DOT, Mark Dalton with HDR.
 - i. J. Tymick – here to give an update to the community on the actions since the update last month.



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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

FROM: Paul Ostrander, City Manager

DATE: November 25, 2019

SUBJECT: Discussion item – Potential Parcel Acquisition by Ron Hyde

City administration was approached by Mr. Ron Hyde about a possible lease with an option to purchase a portion of a City-owned parcel as shown on the attached map for the development of a hangar to house an airship. The parcel is located in the tidal flats on the south side of the Kenai River with the southerly portion of the parcel suitable for limited development, if permitting is able to be obtained. Mr. Hyde will be available to present his plans and answer questions when this item comes up on the agenda.

If Council is supportive of pursuing this further, Mr. Hyde will submit a lease application pursuant to KMC 22.05.095(b)(2)(iv), which allows for a method of disposal through a competitive process. The Lease would be subject to competition through the lease application review process and would contain an option to purchase once the minimum development requirements have been met for the fair market value of the land excluding permanent improvements made by the Lessee. An appraisal to determine fair market value must be completed within a one (1) year period prior to the sale.

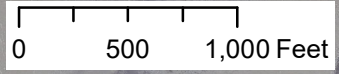
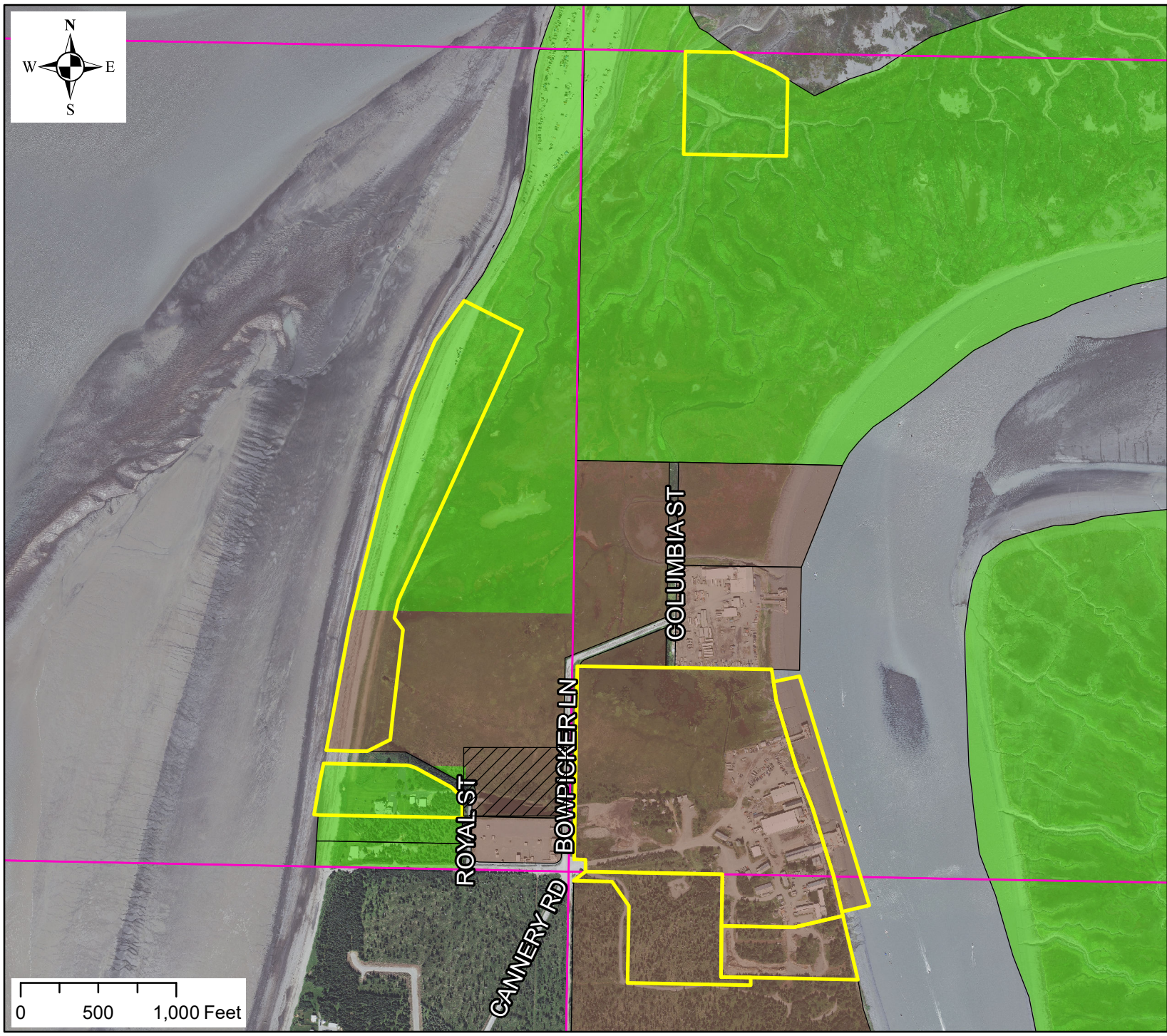
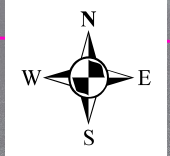
Mr. Hyde would be responsible for all necessary permitting, and subdivision costs.

Administration would ask Council to consider a motion of support to process the application and pursue the disposal of this property.

cc: Ron Hyde








City of Kenai Parcels Owned by Ron Hyde or PRL Logistics or Kenai Landing



LEGEND

Zoning

-  Heavy Industrial (IH)
-  Rural Residential (RR)
-  Section Lines
-  Owned by Ron Hyde, PRL Logistics, or Kenai Landing
-  Potential Area for Lease with Option to Purchase



The information depicted here on is for graphic representation only of the best available sources. The City of Kenai assumes no responsibility for errors on this map.

**KENAI COUNCIL ON AGING
REGULAR MEETING
NOVEMBER 14, 2019 – 4:30 P.M.
KENAI SENIOR CENTER
CHAIR ROY WILLIAMS, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

Chair Williams called the meeting to order at 4:30 p.m.

a. Pledge of Allegiance

Chair Williams led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Members Present: Chair R. Williams, Vice Chair D. Erwin, V. Geller, C. Thornton, S. Bise, L. Nelson, B. Modigh

Members Absent: M. Milewski, A. Weeks

Staff/Council Liaison Present: Senior Center Director K. Romain, City Attorney S. Bloom, Administrative Assistant A. Clary, Council Member J. Glendening

A quorum was present.

c. Agenda Approval

MOTION:

Member Thornton **MOVED** for approval of the agenda and Member Geller **SECONDED** the motion. There were no objections; **SO ORDERED**.

2. SCHEDULED PUBLIC COMMENTS – None.

3. UNSCHEDULED PUBLIC COMMENT – None.

4. APPROVAL OF MEETING SUMMARY

a. October 10, 2019

MOTION:

Member Erwin **MOVED** to approve the October 10, 2019 meeting summary and Member Thornton **SECONDED** the motion. There were no objections; **SO ORDERED**.

5. UNFINISHED BUSINESS

- a. Discussion/Recommendation – Code of Conduct for the Senior Center

A copy of the October 29, 2019 Council on Aging Work Session Notes related to further discussion and formulation of the draft Code of Conduct were provided to those present. The City Attorney reviewed the notes and provided suggested options for some wording.

Director Romain will provide a final draft for review, discussion, and action at the December 12 Council on Aging meeting.

6. NEW BUSINESS – None.

7. REPORTS

- a. **Senior Center Director** – Romain reported the following:
- The new flooring installation will happen in January due to holidays, rentals, etc. happening in November and December;
 - A temporary janitor was hired and she would be conducting permanent interviews for a permanent janitor position shortly;
 - The Hilcorp Thanksgiving dinner will be held on Tuesday, November 26; and
 - The Senior Connection will be purchasing meats for Christmas food baskets and the food and toy drives are in progress.
- b. **Council on Aging Chair** – Williams thanked the Administration for upgrading the connecting door to the Center as an automatic opening door with the swipe cards and thanked those attending for their participation.
- c. **City Council Liaison** – Council Member Glendening reviewed the Action Agenda for the Council's November 6, 2019 meeting noting ordinances and resolutions passed, and that a request for proposals had been issued for naming rights of the multi-purpose facility and nominations for Council liaisons to City commissions/committees were offered.

8. NEXT MEETING ATTENDANCE NOTIFICATION – December 12, 2019

There were no announcements of absences for the December 12, 2019 meeting.

9. COUNCIL MEMBERS COMMENTS AND QUESTIONS – None.

10. ADDITIONAL PUBLIC COMMENT – None.

11. INFORMATIONAL ITEMS – None.

12. ADJOURNMENT

MOTION:

Member Geller **MOVED** for adjournment and Member Nelson **SECONDED** the motion. There were no objections; **SO ORDERED**.

There being no further business, the Council on Aging meeting adjourned at 5:41 p.m.

Meeting summary prepared and submitted by:

Jacquelyn LaPlante
Deputy City Clerk

**KENAI HARBOR COMMISSION
NOVEMBER 4, 2019 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
CHAIR MIKE DUNN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

Chair Dunn called the meeting to order at approximately 6:00 p.m.

a. Pledge of Allegiance

Chair Dunn led those assembled in the Pledge of Allegiance.

b. Roll Call

Roll was confirmed as follows:

Commissioners present: Chair M. Dunn, Vice-Chair C. Crandall, B. Peters, G. Greenberg, C. Hutchison, N. Berga

Commissioners absent: J. Desimone

Staff/Council Liaison present: Public Works Director S. Curtin, Public Works Assistant K. Feltman, Council Member J. Glendinging

A quorum was present.

c. Agenda Approval

MOTION:

Commissioner Crandall **MOVED** to approve the agenda and Commissioner Peters **SECONDED** the motion. There were no objections; **SO ORDERED**.

2. SCHEDULED PUBLIC COMMENTS – (10 minutes) None scheduled.

3. UNSCHEDULED PUBLIC COMMENT – None.

4. APPROVAL OF MEETING SUMMARY

a. September 16, 2019

MOTION:

Commissioner Peters **MOVED** to approve the meeting summary of September 16, 2019; and Commissioner Crandall **SECONDED** the motion. There were no objections; **SO ORDERED**.

5. UNFINISHED BUSINESS – None.

6. NEW BUSINESS

a. **Discussion/Recommendation** – Harbor Commission Title 11

The Commission discussed postponing this item for further review of Kenai Municipal Code (KMC) Title 11 proposed changes.

MOTION:

Commissioner Hutchison **MOVED** to postpone discussion of Harbor Title 11 to a special Commission meeting on January 6 and Commissioner Berga **SECONDED** the motion. There were no objections; **SO ORDERED**.

b. **Discussion** – Dock and Harbor Facility Survey Results

The survey results were reviewed and the Public Works Director discussed capital improvement projects for the dock.

c. **Discussion** - Monitoring and Counting Fish from City Beaches

The U.S. Fish and Game (USF&G) fish count was reviewed. It was noted USF&G Representative, Pat Shields would be invited to attend the February 11 Commission meeting and answer questions.

MOTION:

Commissioner Crandall **MOVED** to send a letter to USF&G on how to monitor and count fish coming off Kenai beaches during personal use fishery; Commissioner Berga **SECONDED** the motion.

MOTION TO POSTPONE:

Commissioner Hutchison **MOVED** to postpone sending a letter until more details were provided on USF&G fishing rules. Commissioner Berga **SECONDED** the motion.

Commissioner Crandall withdrew the original motion. There were no objections.

7. REPORTS

a. **Public Works Director** – S. Curtin reported the following:

- Whittier Seafoods was interested in leasing the property at the City Dock this year; a special use permit was provided to use the cranes;
- An update was provided on the Bluff Erosion project, Dock Repair project, and the Peninsula Avenue Bluff Erosion project; and
- The Personal Use Fishery Report was included in the upcoming City Council packet.

b. **Commission Chair** – No report.

c. **City Council Liaison** – J. Glendening provided an overview of the Personal Use Fishery Report and the actions at the October 16 Council Meeting. He added that

budget discussions were coming up and any project ideas should be brought to Council.

8. **NEXT MEETING ATTENDANCE NOTIFICATION** – January 6, 2020

It was noted the special meeting in January was for the purpose of discussing KMC Title 11.

9. **COMMISSIONER COMMENTS AND QUESTIONS**

Commissioner Berga commented on diversifying the City Dock.

Commissioner Hutchison inquired about the dredging at the City Dock and noted the survey results were good.

Commissioner Greenberg commented that the survey was valuable and inquired about the deed and commercial business use. He also thanked Commission members and Council Member Glendening for being so supportive to the work of the Harbor Commission, noting he would not be renewing his term.

Commissioners Crandall and Dunn thanked members and staff, and a warm farewell of Commissioner Greenberg.

10. **ADDITIONAL PUBLIC COMMENT** – None.

11. **INFORMATION ITEMS** – None.

12. **ADJOURNMENT**

MOTION:

Commissioner Hutchison **MOVED** to adjourn and Commissioner Peters **SECONDED** the motion. There were no objections; **SO ORDERED**.

There being no further business before the Commission, the meeting was adjourned at 8:23 p.m.

Meeting summary prepared and submitted by:

Jacquelyn LaPlante
Deputy City Clerk

**JOINT KENAI HARBOR COMMISSION AND
KENAI PARKS & RECREATION COMMISSION
NOVEMBER 25, 2019 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
HARBOR COMMISSION CHAIR MIKE DUNN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

Chair Dunn called the meeting to order at approximately 6:00 p.m.

a. Pledge of Allegiance

Chair Dunn led those assembled in the Pledge of Allegiance.

b. Roll Call

Roll was confirmed as follows:

Commissioners present: M. Dunn, C. Crandall, B. Peters, G. Greenberg, C. Hutchison, N. Berga, J. Desimone, G. Wisniewski, J. Joanis, C. Stephens, J. Dennis, T. Winger

Commissioners absent: Kisena

Staff/Council Liaison present: Parks and Recreation Director B. Frates, Public Works Director S. Curtin, City Manager P. Ostrander, Public Works Assistant K. Feltman, IT Manager D. Castimore, Council Members B. Molloy and R. Peterkin

A quorum was present.

c. Agenda Approval

MOTION:

Commissioner Stephens **MOVED** to approve the agenda and Commissioner Crandall **SECONDED** the motion. There were no objections; **SO ORDERED**.

2. UNSCHEDULED PUBLIC COMMENT

Council Member Jim Glendening reported on the Alaska Municipal League meeting and the need of repair and maintenance of harbors throughout the state. He reminded folks that the City of Kenai always needed commissioners to fill spots on various Committees and Commissions.

3. UNFINISHED BUSINESS – None.

4. NEW BUSINESS

a. Discussion/Recommendation – Personal Use Fishery Capital Projects

The City Manager stated he intended to forward a recommendation to Kenai City Council on

December 4 with respect to Personal Use Fishery Capital Projects. He provided a history of the grant from the State of Alaska and an explanation of how the money was to be used for improvements on the north and south beaches. The City Manager also reviewed the top four projects along with the scoring criteria, such as, quality of life, safety, timelines, operating expenses and potential revenue. The projects suggested include: 1) Vault Restrooms (north and south beach); 2) Spruce Campground; 3) Little League Permanent Restrooms, and 4): South Beach Shack Replacement.

It was also reported that the grant may be extended per a recent notification from the State of Alaska.

Clarification was provided that the top three priorities for the City of Kenai were Bluff, Waste Water Upgrades and Streets. Clarification was also provided that a campground is compatible with the Municipal Lands Plan although a location was not specified;

Considering other projects instead of the South Beach Shack project, the expense of portable restroom rentals, applying leftover funds to other projects, fencing on South Beach being important to prevent ATV use, and a private property owner installing a bridge to protect certain areas were topics discussed.

MOTION:

Commissioner Hutchison **MOVED** that all four (4) projects listed on page 7 of the Personal Use Fishery Capital Project list be forwarded to Council; Commissioner Berga **SECONDED** the motion.

There was discussion regarding the campground and it being available for RV and tent camping, purchasing the lot adjacent to the proposed campground being included in the development costs, the campground paying for itself, support for the vault restroom project were topics discussed.

Clarification was provided on the breakdown of the costs for the fee shack project.

It was suggested that someone could divide the question and separate out the projects individually.

Commissioner Hutchison required the division of the question to each individual project.

1. Restrooms

VOTE:

YEA: Wisniewski, Hutchison, Stephens, Desimone, Dennis, Dunn, Joanis, Greenberg, Winger, Peters, Berga, Crandall

NAY:

MOTION PASSED UNANIMOUSLY.

2. Spruce Campground

VOTE:

YEA: Stephens, Wisniewski, Desimone, Dennis, Hutchison, Joanis, Dunn, Greenberg, Crandall, Peters, Berga

NAY: Winger

MOTION PASSED.

3. Little League Permanent Restrooms

VOTE:

YEA: Wisniewski, Hutchison, Stephens, Desimone, Dennis, Dunn, Joanis, Greenberg,
Winger, Peters, Berga, Crandall

NAY:

MOTION PASSED UNANIMOUSLY.

4. South Beach Shack Replacement

VOTE:

YEA: Wisniewski, Hutchison, Stephens, Desimone, Dennis, Dunn, Joanis, Greenberg,
Winger, Crandall, Peters, Berga

NAY:

MOTION PASSED UNANIMOUSLY.

The Public Works Director stated that it would be beneficial if another project could be identified in the event one of the top four (4) projects was dismissed for some reason.

MOTION:

Commissioner Hutchison **MOVED** that the South Beach Fence Completion project be identified as an alternative; Commissioner Peters **SECONDED** the motion.

VOTE:

YEA: Wisniewski, Hutchison, Stephens, Desimone, Dennis, Dunn, Joanis, Greenberg,
Peters, Berga, Crandall

NAY: Winger

MOTION PASSED.

5. COMMISSIONER COMMENTS AND QUESTIONS

Parks & Recreation Commissioner Joanis thanked administration for all the work put into bringing this forward.

Harbor Chair Dunn thanked administration for the clarification on the cost of the gates for the south beach shacks.

6. ADDITIONAL PUBLIC COMMENT

Council Member Glendening thanked everyone for their time and coming out tonight for this important discussion.

7. **ADJOURNMENT**

There being no further business before the Commissions, the meeting was adjourned at 6:59 p.m.

Meeting summary prepared and submitted by:

Jacquelyn LaPlante
Deputy City Clerk

DRAFT

**KENAI PARKS & RECREATION COMMISSION
NOVEMBER 7, 2019 – 6:00 PM
KENAI CITY COUNCIL CHAMBERS
CHAIR CHARLIE STEPHENS, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

Chair Stephens called the meeting to order at 6:05 p.m.

a. Pledge of Allegiance

Chair Stephens led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Commissioners present: T. Wisniewski, C. Stephens, T. Winger

Commissioners absent: J. Dennis, S. Kisenia, J. Joanis

Staff/Council Liaison present: Parks & Rec Director B. Frates, IT Manager D. Castimore,
Council Liaison H. Molloy

A quorum was not present.

c. Agenda Approval

2. SCHEDULED PUBLIC COMMENTS – None.

3. UNSCHEDULED PUBLIC COMMENT

4. APPROVAL OF MEETING SUMMARY

a. October 3, 2019

5. UNFINISHED BUSINESS – None.

6. NEW BUSINESS

a. **Discussion/Recommendation** – Personal Use Fishery Capital Projects

7. REPORTS

- a. Parks and Recreation
- b. Commission Chair
- c. City Council Liaison

8. NEXT MEETING ATTENDANCE NOTIFICATION – December 5, 2019

9. COMMISSION QUESTIONS & COMMENTS

10. ADDITIONAL PUBLIC COMMENT

11. INFORMATION

- a. Multi-Purpose Facility Ice Schedule – November 2019

12. ADJOURNMENT

Meeting summary prepared and submitted by:

Jacquelyn LaPlante
Deputy City Clerk

DRAFT

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
OCTOBER 30, 2019 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
COMMISSION CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

Commission Chair Twait called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

Commission Chair Twait led those assembled in the Pledge of the Allegiance.

2. Roll Call

Commissioners present: Chair J. Twait, J. Halstead, V. Askin, G. Greenberg, T. McIntyre

Commissioners absent: Vice-Chair D. Fikes, R. Springer

Staff/Council Liaison present: City Planner E. Appleby, Planning Assistant W. Anderson, Deputy Clerk J. LaPlante, Council Liaison B. Molloy

A quorum was present.

3. Agenda Approval

MOTION:

Commissioner Halstead **MOVED** to approve the agenda and Commissioner Askin **SECONDED** the motion.

There were no objections on the amendment; **SO ORDERED.**

4. Consent Agenda

MOTION:

Commissioner Askin **MOVED** to approve the consent agenda and Commissioner Halstead **SECONDED** the motion. There were no objections; **SO ORDERED.**

All items listed with an asterisk () are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda

as part of the General Orders.

5. *Excused absences – R. Springer, D. Fikes

B. APPROVAL OF MINUTES

1. *September 25, 2019

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT

1. **Jennifer LeMay**, LeMay Engineering & Consulting, Inc. to Discuss the City of Kenai Local Hazard Mitigation Plan

Ms. LeMay noted that this was the first public meeting, the draft plan would be available for public comment in the second week of November, and the public hearing for the Draft Plan was scheduled for December 4, 2019. She explained the hazards applicable for the City of Kenai included Flood/Erosion, Earthquakes, Severe Weather, Wildland/Conflagration Fires, Volcanic Ashfall, and changes in the Cryosphere. Ms. LeMay summarized the plan process, the purpose of the plan, and noted the mitigation goals ranked in order of priority for the City of Kenai.

The City Planner clarified that currently the City of Kenai does not participate in the National Flood Insurance Plan (NFIP) and the Local Hazard Mitigation Plan would not make that decision for the City but would only evaluate and provide the hazards, goals, and mitigation measures.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2019-40** - Original Preliminary Plat of Valhalla Heights Osmond Replat, submitted by Edge Survey and Design, P.O. Box 468, Soldotna AK 99669, on behalf of Jeremiah N. and Jennifer Cates, 415 Phillips Dr., Kenai, AK 99611

The City Planner reviewed the staff report as provided in the meeting packet and noted the submitted plat would vacate the property lines between the two lots to create one larger lot.

The City Planner reported that staff recommended approval of this preliminary plat, subject to the following conditions:

- Further development of the property shall conform to all federal, State of Alaska, and local Regulations;
- Remove Note #4 on the plat covering building setbacks as it is covered under Note #2 referencing City of Kenai zoning regulations; and
- Remove the depiction of the building setback line from the plat as the building setback is a City of Kenai zoning regulation that could be amended with a Code change.

MOTION:

Commissioner Askin **MOVED** to approve Resolution No. PZ2019-40 with staff recommendations

and Commissioner Halstead **SECONDED** the motion.

Chair Twait opened the floor for public testimony. There being no one wishing to be heard, public comment was closed.

VOTE:

YEA: Greenberg, McIntyre, Halstead, Askin, Twait
NAY:

MOTION PASSED UNANIMOUSLY.

2. **Resolution PZ2019-41** – Original Preliminary Plat of Valhalla Heights 2019 Replat, submitted by McLane Consulting, Inc., P.O. Box 468, Soldotna AK 99669, on behalf of Jeremiah N. and Jennifer Cates, 415 Phillips Dr., Kenai, AK 99611

The City Planner reviewed the staff report as provided in the meeting packet noting there was an existing home on lot 11 and this plat would remove the property lines between lot 10 and 11, creating one large lot.

The City Planner reported that staff recommended approval of this preliminary plat, subject to the condition that further development of the property shall conform to all federal, State of Alaska, and local regulations.

MOTION:

Commissioner Askin **MOVED** to approve Resolution No. PZ2019-41 with staff recommendations and Commissioner Halstead **SECONDED** the motion.

Chair Twait opened the floor for public testimony. There being no one wishing to be heard, public comment was closed.

VOTE:

YEA: McIntyre, Askin, Greenberg, Twait, Halstead
NAY:

MOTION PASSED UNANIMOUSLY.

3. **Resolution PZ2019-42** – Original Preliminary Plat of Valhalla Heights White Replat, submitted by McLane Consulting, Inc., P.O. Box 468, Soldotna, AK 99669, on behalf of John J. and Mary L. White, 5327 Kenai Spur Highway, Kenai, AK 99611

The City Planner reviewed the staff report as provided in the meeting packet and specifically noted it has different zoning than the previous two plats, clarifying it was not Rural Residential as the staff report noted but actually Limited Commercial as it was located along the Kenai Spur Highway. It was added that removing these lot lines would just place the primary and accessory residential structures onto one lot. In addition, this would add Block 9 on the legal record for additional clarity.

The City Planner reported that staff recommended approval of this preliminary plat, subject to the following conditions:

- Further development of the property shall conform to all federal, State of Alaska, and local regulations; and
- Add "Block 9" to the legal description on the proposed plat.

MOTION:

Commissioner Halstead **MOVED** to approve Resolution No. PZ2019-42 with staff recommendations and Commissioner McIntyre **SECONDED** the motion.

Chair Twait opened the floor for public testimony. There being no one wishing to be heard, public comment was closed.

Clarification was provided that the primary residence on the property crossed between two lot lines and combining the lots would remove that concern if there was interest in selling the property in the future.

Clarification was also provided that the shop size would have had to meet the zoning setback requirements when it was constructed.

VOTE:

YEA: Twait, Askin, Halstead, Greenberg, McIntyre

NAY:

MOTION PASSED UNANIMOUSLY.

F. **PUBLIC HEARINGS** – None.

G. **UNFINISHED BUSINESS** – None.

H. **NEW BUSINESS** – None.

I. **PENDING ITEMS** – None.

J. REPORTS

1. **City Council** – Council Member Molloy reported on the Board of Adjustment meeting of October 7, noting a decision would be distributed on or after November 8, and he reviewed the action agenda from the October 2 and 16 meetings. He added that at the next Council meeting on November 6, the Mayor would re-assign Council member liaisons to Commissions/Committees.
2. **Borough Planning** – No report.
3. **Administration** – City Planner Appleby reported on the following:
 - The Department of Transportation updated their website for the Kenai Spur Highway and Beaver Loop Road projects; clarifying that the State of Alaska would snow plow

Beaver Loop this winter and upon completion of the project, the City of Kenai would be responsible for it;

- The Hazard Mitigation Draft Plan would come before the Planning and Zoning Commission as a resolution in the near future for review;
- The Commission meetings of November 13 and December 11 were as scheduled but due to the holiday, the November 27 meeting would be canceled;
- Staff was currently doing an internal review of the land parcels as part of the Lands Management Plan; and
- A quick summary of the informational items in the packet was provided.

K. ADDITIONAL PUBLIC COMMENT – None.

L. INFORMATIONAL ITEMS

1. Planning and Zoning Resolutions – Third Quarter 2019
2. Building Permits – Third Quarter 2019
3. Code Violations – Third Quarter 2019

M. NEXT MEETING ATTENDANCE NOTIFICATION – November 13, 2019

Chair Twait noted he would be absent from the next meeting.

N. COMMISSION COMMENTS & QUESTIONS

Commissioner Halstead thanked Council Member Molloy for being the representative on the Planning and Zoning Commission this year and for the information he provided.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 8:00 p.m.

Minutes prepared and submitted by:

Jacquelyn LaPlante
Deputy City Clerk

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
NOVEMBER 13, 2019 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
COMMISSION VICE CHAIR DIANE FIKES, PRESIDING**

MINUTES

A. CALL TO ORDER

Commission Vice Chair Fikes called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

Commission Vice Chair Fikes led those assembled in the Pledge of the Allegiance.

2. Roll Call

Commissioners present: J. Halstead, V. Askin, G. Greenberg, T. McIntyre, Vice-Chair D. Fikes, R. Springer

Commissioners absent: Chair J. Twait

Staff/Council Liaison present: City Planner E. Appleby, Planning Assistant W. Anderson, City Clerk J. Heinz, Council Liaison H. Knackstedt

A quorum was present.

3. Agenda Approval

MOTION:

Commissioner Halstead **MOVED** to approve the agenda to include the items in the laydown and Commissioner Askin **SECONDED** the motion. There were no objections on the amendment; **SO ORDERED.**

4. Consent Agenda

MOTION:

Commissioner Halstead **MOVED** to approve the consent agenda and Commissioner McIntyre **SECONDED** the motion. There were no objections; **SO ORDERED.**

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

5. *Excused absences – J. Twait

B. APPROVAL OF MINUTES

1. *October 30, 2019

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS – None.

F. PUBLIC HEARINGS

1. **Resolution PZ2019-43** – Application for a Conditional Use Permit to operate Gunsmithing Business, located at 1006 Inlet Woods Drive, Kenai, Alaska 99611 and further described as Lot 2A, Block 2, Inlet Woods Subdivision Moore Replat. The application was submitted by Paul N. Begins, 1006 Inlet Woods Drive, Kenai, AK 99611.

City Planner Appleby reviewed the staff report and rationale for how the application met the approval criteria provided in the packet noting the Conditional Use Permit was for a gunsmithing business to test his prototype apparatus for cleaning guns and recommended approval with the following conditions:

- Applicant must comply with all federal, State of Alaska, and local regulations;
- Applicant shall file an annual report for the Conditional Use Permit as set forth in Kenai Municipal Code 14.20.155;
- The applicant will meet with City staff for on-site inspections when requested;
- If there is a change of use for the above described property, a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5). This includes a change in use to have customers at the garage instead of the described use;
- Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year;
- Prior to operation, the applicant must submit a copy of the federal firearms license issued by the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives;
- Prior to operation, the applicant must schedule and appointment for an inspection by the City of Kenai Fire Marshal and shall comply with instructions from the Fire Marshal to meet municipal Fire Code. The applicant will provide documentation to the City of biannual fire inspections (once every two years) after the initial inspection prior to operation;
- Prior to operation, the applicant will install security cameras, improved door locks, and update the security of his fencing as required by the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives and the City of Kenai Fire Marshal. Casual access shall not be available to the garage;
- If the applicant decides to put up a sign for his business, he will first obtain a sign permit from the City of Kenai;
- Failure to provide documentation to the City of meeting these conditions prior to operation

of the gunsmithing business shall be grounds for the suspension or revocation of the Conditional Use Permit.

MOTION:

Commissioner Springer **MOVED** to approve Resolution No. PZ2019-43 and Commissioner Askin **SECONDED** the motion.

Commission Vice Chair Fikes opened the floor for public testimony.

Rhonda Baisden spoke against the Conditional Use Permit noting the Homeowner Association Covenants indicated no commercial business may take place in the neighborhood adding that her family chose that area for its zoning and family feel. She also suggested the Material Safety Data Sheets on gun cleaning solvents, which were hazardous to the environment, be required.

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

Clarification was provided that the applicant was modifying an apparatus used for cleaning guns, not guns themselves; the applicant estimated he wouldn't be able to fill up a Windex bottle with the amount of solvent he intended to use; and, the applicant planned to use commercially available solvents.

Clarification was also provided the applicant wanted to eventually market the apparatus but never out of the garage and that the City doesn't enforce homeowner association covenants.

There was discussion regarding the need for a Federal Firearms License in the situation and minimal increase in traffic.

VOTE:

YEA: Greenberg, Fikes, Askin, Halstead, Springer

NAY: McIntyre

MOTION PASSED.

Commission Vice Chair Fikes noted the 15-day appeal period.

2. **Resolution PZ2019-44** – Application for Amendment to Conditional Use Permit PZ03-32, (amended by Resolution PZ05-35 and PZ16-39 and transferred by Resolution PZ2018-09) to remove the restriction that all fill material must originally be from the 52.5 acre site located at 2369 Beaver Loop Road, and further described as Tr. A-1, Beaver Loop Acres Addition No. 1. The application was submitted by David N. Yragui, P.O. Box 1290, Kenai, AK 99611, on behalf of Beaver Loop Sand & Gravel LLC, P.O. Box 1290, Kenai, AK 99611.

City Planner Appleby reviewed the staff report and rationale for how the application met the approval criteria provided in the packet noting the amendment to the Conditional Use Permit was to remove the requirement that fill be from the existing site and recommended approval with the following conditions:

- Prior to commencement of extraction of Natural Resources or any reclamation activities, the Applicant shall obtain all necessary State and Federal Permits;
- Prior to commencement of any extraction of Natural Resources or any reclamation activities, the Applicant shall repair or replace any damaged fencing located on the rear of the site;
- Prior to commencement of any extraction of Natural Resources or any reclamation activities, the Applicant shall submit a revised site plan which labels the area behind Area 2 as Area 2A and ensures that the further subsurface extraction is limited to within 10 feet of the rear property line;
- Excavation below the water table shall only be allowed in those locations marked Area 1, Area 2, Area 2A and Area 3;
- There shall be no further excavation below the water table in the Area located up to 10 feet from the rear property line behind Area 2. The final working face shall be back sloped to minimum angle of 2:1;
- The excavation may not penetrate the subsurface clay/silt layer located approximately 30 feet below the original ground surface;
- If fill material is placed in the pits, it must ~~[be fill material originally from this approximately 52.5-acre site and it must]~~ not contain any "hazardous substances," or "industrial waste," "mining waste," "solid waste," or "other waste" as defined in Alaska State Statutes;
- Applicant shall file an annual report for the Conditional Use Permit as set forth in Kenai Municipal Code 14.20.155;
- Applicant shall employ the use of dust control measures to ensure the material site and the driveway fronting onto Beaver Loop Road remain dust free. Dust control shall include the daily use of a water truck and placement of Calcium Chloride on the driveway. A water truck shall also be used to control dust from the working face of the Gravel Pit;
- If there is a change of use for the above described property, a new Conditional Use Permit must be obtained, pursuant to KMC 14.20.150(i)(5).

MOTION:

Commissioner Halstead **MOVED** to approve Resolution No. PZ2019-44 and Commissioner Springer **SECONDED** the motion.

Commission Vice Chair Fikes opened the floor for public testimony.

Dave Yragui noted in the transfer, there were no provisions for bringing in fill for reclaiming the pit and there was a need for that. He noted they had pulled in 100,000 yards of material off of the Beaver Loop Road construction project to begin reclaiming the pit.

Mike Ashwell spoke in favor of overburden from the reconstruction of Beaver Loop Road being used to reclaim as the material was not hazardous or toxic.

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

Clarification was provided that freezers, washers, and old cars wouldn't be permitted by State of Alaska regulations and the condition regarding fill still read that it couldn't contain hazardous substances or other waste.

There was discussion regarding testing for hazardous substances and the intent for development

after reclamation of the pit.

VOTE:

YEA: Greenberg, Fikes, Askin, Halstead, McIntyre, Springer

NAY:

MOTION PASSED UNANIMOUSLY.

Commission Vice Chair Fikes noted the 15-day appeal period.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. Review of Kenai Peninsula Borough Substitute Ordinance 2019-24 - Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions.

Clarification was provided the Kenai Peninsula Borough was proposing an ordinance allowing for private streets and gated subdivisions, other than an exemption process, and Borough staff had been talking with the cities within the borough. Clarification was also provided the City Manager wanted to ensure the City of Kenai had the ability to veto or prohibit to new or existing private subdivisions.

An overview of the ordinance, including advantages to the Borough and impacts to the City was provided. An example of a community that has been operating successfully as a gated community in the borough was also provided.

A Council's ability to veto an action, the Borough's intent to protect the ability to provide services to an area, and the amount of time the City had to amend subdivision codes after adoption of the ordinance was provided.

2. Review of City of Kenai Draft Hazard Mitigation Plan

It was noted Jennifer LeMay with Lemay Engineering provided a presentation at the last meeting and the draft plan was now available for public comment and provided to the Commission. The importance of updating hazard mitigation plans and the City's plan being an annex to the Borough's plan was also noted.

The City Planner reviewed identified hazards and extent of hazards in the City; also listed goals and actions the City would like to accomplish regarding each hazard. A table noting critical facilities that the City couldn't function without was noted.

Clarification was provided on the remainder of the process noting it was anticipated the plan would be adopted in the spring.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Knackstedt noted he was glad to be back as liaison to the Commission and reported on the actions from the November 6 City Council meeting.
2. **Borough Planning** – Vice Chair Fikes provided a report of the November 12 Planning Commission meeting.
3. **Administration** – City Planner Appleby reported on the following:
 - Thanked Council Member Molloy for serving as previous liaison; looking forward to working with Council Member Knackstedt;
 - Reported on the appraisal process for updating lease rates recently approved by Council;
 - Working with the Police Department on clearing streets at night;
 - Working internally on additional items for land inventory and how to move forward with the information.

K. ADDITIONAL PUBLIC COMMENT

Jim Glendening thanked Borough staff for attending and explaining the ordinance coming forth. He noted comments and summaries were provided in the laydown and urged reading them for concerns and questions that may be brought forth to the Borough so the issues can be addressed when the City is amending their codes.

L. INFORMATIONAL ITEMS

1. Public Comment from Inlet Woods Subdivision Resident

M. NEXT MEETING ATTENDANCE NOTIFICATION – December 11, 2019

N. COMMISSION COMMENTS & QUESTIONS

Commissioners Askin, Halstead, and Springer welcomed Council Member Knackstedt back as liaison.

Commission Vice Chair Fikes noted all the information provided in the packet and urged reading it.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 8:39 p.m.

Minutes prepared and submitted by:

Jamie Heinz, CMC
City Clerk



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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Mary Bondurant, Airport Manager
DATE: November 15, 2019
SUBJECT: **November Mid-month Report**

2018 Terminal Rehabilitation Project – Construction: This project is well underway with new changes every week.

2019 Airfield Marking, Crack Sealing, & Pavement Repair – This project is in the closeout stage.

2019 Alaska Fire Training Facility Rehabilitation & Acquire Aircraft Rescue and Firefighting Trucks (ARFF) – This project started on October 4, 2019 and is going well.

In-house Activities –

Airport Recruiting – The Airport has successfully filled the second winter seasonal position and created a call out list for temporary equipment operators for the 2019-2020 season.

Airport Administration continues to work with City Administration on the development of the new City-wide Land Management Plan.

Airport Reserve Lease Lot Inspections – Lease lot inspections were conducted in October and November by the Airport Manager, Airport Operations Supervisor, and the Kenai Fire Marshall. Inspection reports will be completed and notifications sent to the lessee of facts and findings.



AK REAL ID - The Alaska DOT/PF and the Alaska Division of Motor Vehicles have reached out and asked the Kenai Airport to partner with them in efforts to cover the documentation needed by Alaskans to get a Federally Compliant Credential aka REAL ID required by October 1, 2020. Beginning October 1, 2020 Alaska residents will need one of the following forms of ID to fly on commercial airlines, visit or work on a military base or other federal property: Alaska Read ID compliant driver's license or state ID or a currently approved federal ID like a passport, military ID, Bureau of Indian Affairs card with a photo or others.

The Airport wishes everyone a safe and happy holiday!



Division of Motor Vehicles • 1300 W Benson Blvd • Anchorage, Alaska 99503-3696 • 907-269-5551
<http://www.alaska.gov/dmv>

Do you need a REAL ID compliant Driver's License or ID card? If you want to travel, you might.

Under new Federal law, beginning **October 1, 2020**, to **board a commercial airline or enter a federal building**, your standard Alaska Driver's License or Identification Card **will not be enough**.

If you do not have a REAL ID Driver's License or State ID, you will need a federally compliant ID such as a passport, military ID, federally issued tribal ID or other. For all accepted IDs visit:
dhs.gov/real-id

Do my children need a REAL ID?

TSA does not currently require children under 18 to provide identification when traveling with a companion within the United States. The companion needs acceptable identification. Special rules apply to children traveling alone.

How do I get a REAL ID?

In person at your local DMV or Business Partner. For detailed information visit **doa.alaska.gov/dmv** where you'll find:

Alaska DMV locations, including business partner offices.
A complete list of documents required to get a Real ID.

If you need a Real ID, please avoid the 2020 long DMV summer lines and get your Real ID as soon as possible. We encourage a mid-week appointment to save you time.

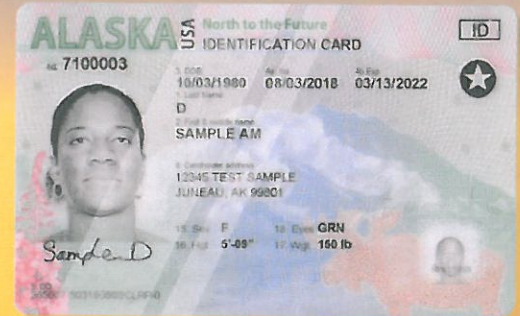
Remember to always drive safely and maintain required motor vehicle insurance!



Got Yours?

Beginning October 1, 2020 Alaska residents will need one of the following forms of ID to fly on commercial airlines, visit or work on a military base or other federal property:

- **Alaska Real ID compliant driver's license or state ID**
- **A currently approved federal ID like a passport, military ID, Bureau of Indian Affairs card with a photo, or others**



The ★ says your Alaska ID is Real ID compliant.

What is a Real ID?

It's an Alaska driver's license or state ID that meets the highest security standards required by federal law.

How Do You Get an Alaska Real ID?

Your new Alaska Real ID will replace your current driver's license or state ID. The process to get one is the same, except:

- You can't get one online, you have to visit a DMV office or DMV partner location
- Additional ID documents are required

Is it Mandatory?

No. Your regular Alaska driver's license or state ID will still be valid for all other identification purposes except flying or visiting federal properties.

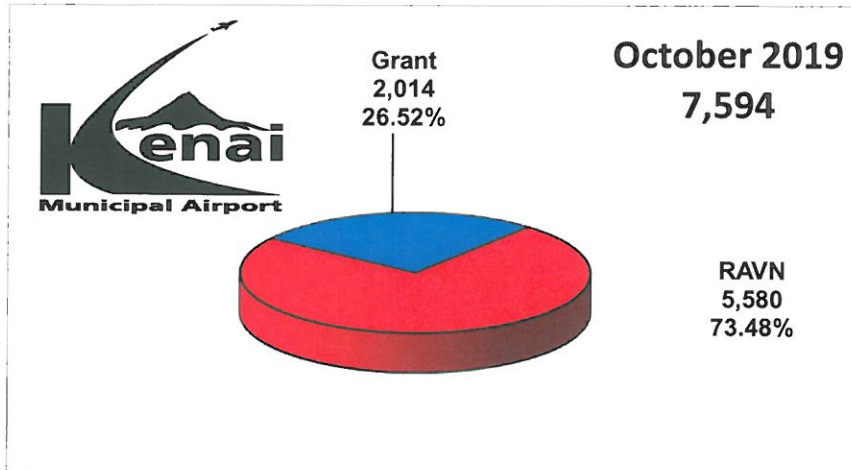
Take the First Step, Visit:

DOA.ALASKA.GOV/DMV

You'll find:

- Alaska DMV locations including partner offices
- List of other federally compliant forms of ID
- List of documents required to get a Real ID
- Where to get the documents you need
- News updates and FAQs

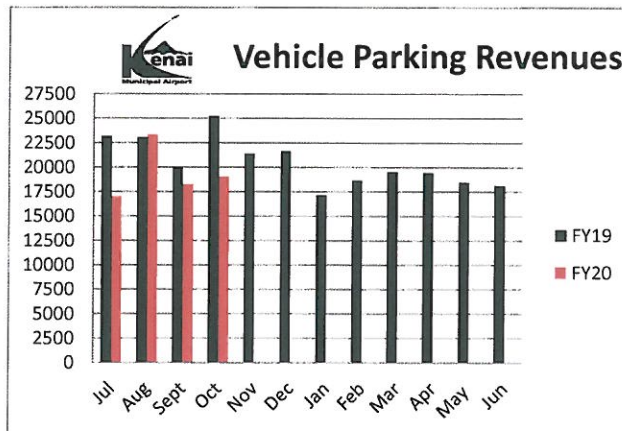
Alaska Real IDs or federally compliant IDs become required beginning October 1, 2020.



Month	RAVN ALASKA	GRANT AVIATION	Total 2019	2018	Change from 2018
January	5,248	1,537	6,785	6,148	637
February	4,573	1,384	5,957	5,651	306
March	4,941	1,867	6,808	6,999	-191
April	4,702	1,739	6,441	6,383	58
May	5,330	1,868	7,198	7,501	-303
June	5,817	1,839	7,656	8,048	-392
July	8,422	2,236	10,658	10,568	90
August	10,726	2,199	12,925	11,485	1,440
September	6,873	2,078	8,951	7,990	961
October	5,580	2,014	7,594	7,433	161
November				6,905	
December				7,016	
Totals	62,212	18,761	80,973	92,127	2,767

Terminal - Vehicle Parking Revenues

October		FY19 Total	
FY19	\$25,232	FY19 Total	\$245,918
FY20	\$19,040	FY20 YTD	\$58,493





FLOAT PLANE BASIN ACTIVITY 2015-2019

OPERATIONS

Month	2019	2018	2017	2016	2015
MAY	64	39	23	44	57
JUNE	123	139	106	85	124
JULY	166	261	144	151	164
AUGUST	172	164	103	191	148
SEPTEMBER	132	156	107	115	71
OCTOBER	37	47	6	CLSD	17
Total	694	806	489	586	581

0 not reported

FUEL SALES

Month	2019	2018	2017	2016	2015
MAY	\$1,685	\$134	\$784	\$1,175	\$8
JUNE	\$5,870	\$3,203	\$3,423	\$1,656	\$0
JULY	\$9,030	\$3,635	\$3,420	\$3,036	\$1,873
AUGUST	\$7,146	\$5,890	\$4,325	\$3,647	\$1,710
SEPTEMBER	\$5,906	\$5,590	\$4,901	\$3,830	\$1,380
OCTOBER	\$1,752	\$1,060	\$583	CLSD	\$553
Total	\$31,389	\$19,512	\$17,436	\$13,344	\$5,524

Slips Rented

Private	0
Commerical	0

***October Fuel Sales are the 1st - 21st.**



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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: November 17, 2019
SUBJECT: **October 2019 Monthly Report**

This month the Kenai Animal Shelter took in **98** animals. Animal intake and disposition:

DOGS:				
	INTAKE	41	DISPOSITION	34
	Waiver	16	Adopted	18
	Stray	22	Euthanized	1
	Impound	0	Claimed	8
	Protective Custody	1	Field Release	0
	Quarantine	0	Transferred to Rescue	7
	Other Intakes	2	Other Dispositions	0
CATS:				
	INTAKE	43	DISPOSITION	49
	Waiver	17	Adopted	19
	Stray	25	Euthanized	4
	Impound	0	Claimed	0
	Protective Custody	0	Field Release	0
	Quarantine	1	Transferred to Rescue	26
	Other Intakes	0	Other Dispositions	0
OTHER ANIMALS:				
	INTAKE	14	DISPOSITION	12
	Bird	11	Bird	11
	Rabbit	1	Rabbit	1
	Ferret	2		



DOA:	3	OTHER STATISTICS:	
Dog	0	Licenses (City of Kenai Dog Licenses)	7
Cat	3	Microchips (Dog and Cat)	1

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

Statistical Data:

- 679** 2017 YTD Intakes
- 710** 2018 YTD Intakes
- 797** 2019 YTD Intakes





FINANCE DEPARTMENT MID-MONTH REPORT

November 2019

To: Paul Ostrander, City Manager

From: Terry Eubank, Finance Director

Date: October 8, 2019

Re: Monthly Report

The fiscal year 2019 Comprehensive Annual Financial Report (CAFR) has been completed with the assistance of many departments but especially the staff in the finance department. The document has been forwarded to the City's Auditors for review and issuance of their opinion. The CAFR will be presented to the Council at the December 4th meeting.

The FY21 Budget is now the major focus of the department with information being compiled for department heads to assist them with their budget preparation. As part of the FY21 Budget the department is working on a General Fund Fleet Replacement Plan.

I attended the fall Alaska Government Finance Officers Association (AGFOA) conference in Anchorage the week of November 18th. The conference provided many educational sessions and access to many of the City's financial consultants. I obtained valuable continuing education that also applies to maintaining my Alaska CPA license.

The Alaska Municipal League Investment Pool (AMLIP) board held its annual meeting on Wednesday, November 20th at which I was elected to another three year term on their board of directors. The AMLIP is an investment pool authorized by Alaska Statute which hundreds of Alaska communities utilize for short-term investments. The pool provides a highly liquid investment option to municipalities that also pays competitive rates. Participation on the board will expand my knowledge and experience managing investments like those held by the City.

I would like to thank the City for the opportunity to attend the AGFOA conference and serve on professional boards like that of the AMLIP.



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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Jeff Tucker, Fire Chief

DATE: November 16, 2019

SUBJECT: Fire Department Mid-Month Report – October

October is Fire Prevention Month for the Fire department with most of our activities geared to providing outreach to the schools in our community. During Fire Prevention Month the department completed the following activities including Trunk or Treat.

- 13 different days with events
- 44 separate presentations
- 1,680 individuals reached
- 149 staff hours

In October the department responded to 110 calls for service as compared to 122 calls in September 2018. This is a 9.8% decrease compared to October of 2018.

Special note on calls for service numbers. Starting in January of 2019 some activities that had been previously classified as a call for service such as fire prevention activities were given a run number and counted in our annual call volume. These activities have been removed and are now tracked in a separate category and will be reported at the end of the year. All of the 2018 numbers being reported still include those calls. At the end of the year a detailed breakdown will be presented showing an apples to apples comparison of calls for service and activities.

Through October the department has responded to 1297 calls for service as compared to 1210 in 2018. This is a 7.2% year to date increase over the preceding year.

Fire Marshal Jeremy Hamilton attended a Fire Sprinkler Plan Review course in Anchorage. Firefighter Mitch Miller completed his EMT II training at Kenai Peninsula College.





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 www.kenai.city

MEMORANDUM

TO: Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Mary Jo Joiner
DATE: October 31, 2019
SUBJECT: Library Mid-Month Report

OCTOBER Circulation Figures

Adult Fiction	1,243	Internet Access	805
Adult Non-Fiction	1,013	iPad use	148
Young Adult Fiction	179	Games	8
Periodicals	52	Room Booking	150
Juvenile Fiction	393	Music	39
Juvenile Non-Fiction	359	DVDs	2,199
Easy Fiction	959	Audio books	83
Easy Non-Fiction	308	Miscellaneous	109
Interlibrary Loan	0	Computer Programs	
Books – Consortium	295	Media – Consortium	171
Total Print	4,801	Total Non-Print	3,712

	Total Circulation 10/19	8,513	Downloadable Audio	675
	Total Circulation 10/18	8,403	Downloadable EBooks	517
	% change	+2%	% change in downloadable	+4%
	In-House circulation	185		





Library Door Count..... 6,742

Income

Fines	\$ 352.10
Xerox	12.00
Lost/Damaged	59.98
Test Proctoring Fee	20.00
Printing	369.00
<u>Other</u>	
Total income	\$ 813.08



Library Cards Issued OCTOBER

Homer	1
Kasilof	2
Kenai	29
Nikiski	9
Non-Resident	9
Other Peninsula	5
Soldotna	1
<u>Sterling</u>	<u>1</u>
Total	57

Programs

In October 8 volunteers worked about 56 hours. There were 22 children’s programs with 786 total in attendance, and 12 adult and family programs with 118 attendees.

The annual Literary Haunted House was a success. As of this writing which does not include the actual attendance on Halloween 395 people came through. This number was included in the 786 above.

Note that this report was compiled without figures for the last day of the month.



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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Robert J. Frates, Parks & Recreation Director

DATE: November 20, 2019

SUBJECT: **Mid-month Activity Report**

There were a total of 122.50 hours of ice reserved at the Kenai Multi-Purpose Facility for the month of October. This is an increase of 18.50 hours over last year during this same period. The increase in hours is mostly due to the start-up of a new hockey program (Hockey Club Alaska) in the local area.

Below is a list of recent work accomplishments and activities:

- The department planted three (3) trees in October; one in LH Memorial Park and two at the Kenai Library.
- A total of 55 volunteers assisted with the Fall Pumpkin Festival.
- Staff put in a 1,150 L.F. gravel trail at Municipal Park.
- Approximately 20 beetle-kill spruce trees were removed from Municipal Park.
- MPF scoreboard LED lights changed out & new rink banners installed.
- Crews finalized all winterization of restroom facilities and irrigation lines in early October.
- Four (4) bike racks were installed (Municipal Park, South Forest Dr., Kenai Fine Arts Center and Old Town Park).
- Staff installed winter lights (street poles, facilities, park locations).
- Administration assisted with the City's Hazard Mitigation Plan and working on two upcoming events, including Skate w/ Santa and a community skate night.
- Staff responded to one vandalism incident in November (restroom graffiti).
- Two pedestrian benches were installed at the Blue Star Memorial Greenstrip.
- The department received two hours of community service.





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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Elizabeth Appleby, City Planner
DATE: November 18, 2019
SUBJECT: **Planning and Zoning October 2019 Report**

Below are a summary of activity in October 2019 for the Planning and Zoning Department.

Planning and Zoning Commission Agenda Items and Resolutions

The Planning and Zoning Commission approved of three plats and were presented with information about the City of Kenai Local Hazard Mitigation Plan:

- Resolution PZ2019-40 – Original Preliminary Plat of Valhalla Heights Osland Replat, submitted by Edge Survey and Design, Inc., 43335 K-Beach Rd., Suite 16B, Soldotna, AK 99669, on behalf of Tyler Scott Osland, 236 Riverwatch Dr., Soldotna, AK 99669
- Resolution PZ2019-41 – Original Preliminary Plat of Valhalla Heights 2019 Replat, submitted by McLane Consulting, Inc., P.O. Box 468, Soldotna, AK 99669, on behalf of Jeremiah N. and Jennifer Cates, 415 Phillips Dr., Kenai, AK 99611
- Resolution PZ2019-42 – Original Preliminary Plat of Valhalla Heights White Replat, submitted by McLane Consulting, Inc., P.O. Box 468, Soldotna, AK 99669, on behalf of John J. and Mary L. White, 5327 Kenai Spur Highway, Kenai, AK 99611
- Scheduled Public Comment: Jennifer LeMay, LeMay Engineering & Consulting, Inc. to Discuss the City of Kenai Local Hazard Mitigation Plan



Code Enforcement

1 case was opened in November 2019 for garbage.

4 cases were opened in November 2019 for abandoned or junked vehicles.

The Planning and Zoning Department worked with Kenai Police to tag cars left overnight on the street. Night parking is prohibited on any City street between the hours of 4:00 a.m. and 8:00 a.m. from October 1st of each fall until May 1st of the following year, as outlined in Kenai Municipal Code 13.30.030.

Draft Local Hazard Mitigation Plan

A draft of the Local Hazard Mitigation Plan is available for public comment at:
www.kenai.city/planning/page/draft-hazard-mitigation-plan

After the public comment period, the draft plan will be submitted to the State of Alaska and the Federal Emergency Management Agency (FEMA) for review. The City may then choose to adopt the plan through a resolution by City Council. FEMA requires local governments to develop and adopt hazard mitigation plans as a condition for receiving certain types of non-emergency disaster assistance, including funding for mitigation projects. Jurisdictions must update their hazard mitigation plans and re-submit them for FEMA approval every five years to maintain eligibility.



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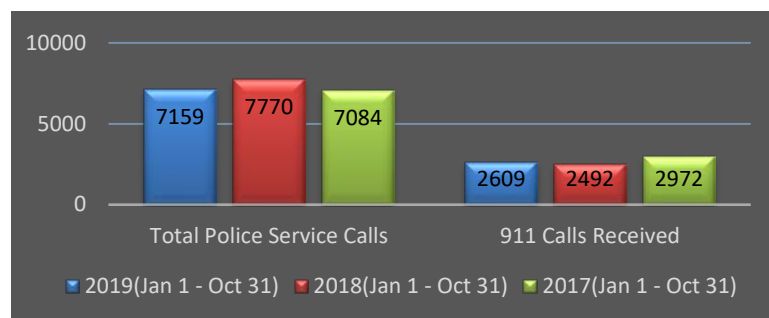
MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: David Ross, Police Chief
DATE: November 12, 2019
SUBJECT: **Police & Communications Department Activity – October 2019**

Police handled 657 calls for service in October. Dispatch received 228 9-1-1 calls. Officers made 58 arrests. Traffic enforcement resulted in 168 traffic contacts and 48 traffic citations. There were 6 DUI arrests. Officers investigated 12 motor vehicle crashes. There were three collisions involving moose. There were no collisions involving drugs or alcohol.

October training included: One officer attended a week long child interview training in Anchorage. Two officers attended a one day search and seizure training in Anchorage. The KPD officer on the SERT team completed two days of training. One officer attended three days of datamaster instructor training in Anchorage. One officer attended a one day Sexual Assault Response Team training in Kenai. One dispatcher attended a week long Incident Response to terrorism class in New Mexico.

One officer resigned from the police department in October and one new officer continued in the Sitka Academy for the month of October. Recruitments to fill two officer vacancies were ongoing in October.





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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin, Public Works Director
DATE: November 2019
SUBJECT: Mid-Month Report; Public Works / Capital Projects

- Terminal Building Rehabilitation Project – Blazy Construction was issued a Notice to Proceed on October 1, 2018. The project is approximately 80% complete to date. Inside the facility much of the containment walls in the main part of the terminal have been removed. This period Air Tenant 3 space is nearing completion along with the Airport Manager and Airport Admin office spaces which will be move in ready just before Thanksgiving as well as the brand new departure gates. The Restaurant will be shutting down for the whole month of December to allow the final areas of abatement to take place, reopening in January. The new arrival entrance is also now open. Exterior Siding Composite Panel installation has begun. See photos below. The Project Completion date remains at February 20, 2020. The A/E Team and Contractor have processed roughly 98% of the required submittals, as well as responding to 232 RFIs; 143 Change Requests have been processed with Six Change Orders executed to date; the project continues to proceed well.



- Alaska Regional Fire Training Facility Building Rehabilitation Project – A Notice to Proceed was issued to Orion Construction on October 4, 2019. *The Contractor had been working through submittals while the contract was getting finalized and in place. As a result the Facility's roof was able to be completely replaced prior to Winter well ahead of the anticipated spring completion for this work. The Original Contract is for \$1,938,755, 93.75% of which is funded by an FAA Grant. With the completion of the roof the contract is 23% complete to date. The Design Team and contractor have processed about 40% of required submittals, and have responded to 7 RFIs. The Project is Proceeding Well.*



Photos of newly installed roof.

- Alaska Regional Fire Training Facility Equipment Rehabilitation Project

A Notice to Proceed was issued to Kirila Fire on October 4, 2019. The Original Contract is for \$1,993,000, 93.75% of which is funded by an FAA Grant. With the Contractor mobilized to the site and the work that has taken place on the burn pit so far the contract is 12% complete to date. The Contractor continues to work through submittals with the Design Team. The photo below shows the main trainer burn pit has had all of the gravel and burners removed. The Project is off to a good start.



- Automated Flight Service Station Renovations Phase 3 (Interior remodel) – All work associated with this project is now complete. On 11/18/19 the City of Kenai sent the final invoice to the FAA for reimbursement of the work requested by the FAA. Reimbursement is pending.
- WWTP Improvements – This project is now in final closeout, all construction related work has been completed. O&M Manuals were received on 11/21, As Built Drawings received on 11/22. Working with the granting agency to finalize all requirements. The project was a tremendous success coming in ahead of schedule and slightly under budget. Thank you very much to everyone involved for their support of the project.
- Dock repair – The City Dock received some new damages as a result of the November 30, 2018 Earthquake. Public Works and Finance are coordinating with the insurance company to complete an Engineer's assessment of the damages. Anticipating the current project documents being modified to account for the new damages. Insurance company and engineer will be on site 6/21 to further inspect the property from the water. Due to weather conditions Engineer rescheduled for August 2, 2019 high tide to complete inspection of trestle from boat. A report was provided on August 28, 2019 identifying eight additional areas requiring modification. Working with Insurance Company to get the project docs finalized and out for bid. *Update: Contract Amendment to Nelson Engineering is pending to complete the revisions to bid documents under the direction of our insurer. Anticipating this project going out for Bid in January 2020 with work taking place May/June 2020.*
- Senior Center Carpet Replacement – This work has now been contracted with materials approved and on order. Work will take place in January 2020 after the Holidays due to some previously schedule events taking place within the space.
- Fire Department Kitchen Remodel – The Fire Department kitchen remodel is nearing completion with the flooring, cabinets & countertops now installed. Appliances are scheduled to arrive 11/25/19. Public Works staff will be closing out the project 1st week of December.
- Recreation Center Improvements – Grant extension was requested to allow additional time to coordinate with other projects, grant now expires June 30, 2020. *Update: Hansen Roofing completed hot mop and cap sheet repairs to specific areas of the building for a contracted cost of \$9,315. Work was successful as areas that had been leaking are no longer. Other repair work will contracted over the winter months with work taking place next spring.*
- Kenai Cemetery Expansion 2018 – Project Documents were recently finalized. The Public Works Department is completing a majority of this work in house. Storm Water Protection Plan has been developed and submitted with the state. Clearing of the site is now complete, installation of parking lot base is now complete. *Update: Project will continue to be on hold until spring when fencing, HEA Power, and asphalt work will be completed.*



- Peninsula Avenue Bluff Erosion 2018 – Design Documents are now 100% complete. Invitation to Bid is pending.
- Kenai Municipal Airport Crack Seal and Pavement Marking – The City released a formal Invitation to Bid on May 7, 2019 with Bids received on 5/28/19. Two Bids were received with Northwest Contracting dba Pacific Asphalt being the lowest responsive responsible bidder at \$713,998.50. Notice to Proceed was issued on July 11, 2019 to Northwest Contracting LLC, the project is approximately 95% complete; with the passage of Ordinance 3078-2019 which added additional funds, \$169,900, to complete some additional crack sealing and hydro-blasting as requested through Change Order 1. Substantial Completion per the contract is September 24, 2019 and the Contractor completed all work on September 23, 2019 one day ahead of schedule. *Update: Project continues with finalization of closeout paperwork, waiting on a few subcontractor certified payrolls before final payment can be released.*
- USACE Bluff Erosion – See City Manager’s report. Director’s Report from the Army Corp of Engineers was signed April 10, 2019.
- DOT KSH Rehabilitation (Widening to 5 lanes) Phase 1 Swires Rd. to Eagle Rock Dr. was bid on March 30, 2018. City of Kenai water main replacement crossing KSH at Shotgun/Beaver Loop designed, funded, and will be bid with DOT project. The 16” new water main associated with this project has now been installed under the Highway. Wolverine continues with the project, the roadway has now been paved, ditch work final grading and bike path work are taking place as well. *Update: Project is shut down for winter, side street approaches were not paved with the Spur and will require maintenance throughout the winter as potholes in the gravel areas are already starting to appear.*
- DOT KSH Rehabilitation (Widening to 5 lanes) Phase 2 Eagle Rock Dr. to Sports Lake – ADOT advises this project will may have some right of way clearing taking place before winter with the majority of the work taking place next year.
- DOT Beaver Loop Road and Pedestrian Pathway Project – QAP was awarded the project. Signage was posted the week of June 10th, clearing of the right of ways and directional boring of utilities is actively underway. DOT advises final asphalt for both the new road and bike path will not be until May/June 2020. *Update: Subgrade and driveway approaches continued to be worked on for this period, establishing ditch lines, installation of utilities. QAP is pretty much shutting down for winter now.*
- Staff has also been working on Request for Proposal documents for the following projects: Kenai Fire Department SCBA Equipment released on 11/15/19, WWTP RAS/WAS Pump Replacement Drawings anticipated release of 11/25/19, Vintage Point Boiler Replacement Design anticipated release of 11/27/19, Kenai Municipal Airport Professional Engineering Services Term Contract 5 years anticipated release of 12/9/19, Water, Sewer, Waste Water Professional Engineering Services Term Contract 5 years anticipated release of 12/16/19.





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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Kathy Romain, Senior Center Director
DATE: November 11, 2019
SUBJECT: **October 2019 Monthly Report**

Congregate Meals Served (Dining Room)	1285
Home Delivered Meals	1570
Volunteer Hours	(34 individuals) = 399
Unassisted Transportation Rides	385
Assisted Transportation Rides	172
Social Security Video Service	34 individuals
Senior Center Rentals	4
Total Event Sign-Ins (through MySeniorCenter)	2593
Total Unduplicated Participants (through MySeniorCenter)	266

October activities highlights included:

- A group of 12 seniors headed out to look at the Swan Lake Fire damage. They also stopped by the Division of Forestry's Soldotna office for an in-depth report of the fire.
- A full van headed to Sterling Senior Center for a Pancake Breakfast. We also ventured to Roscos in Ninilchik for good food and fun conversation.
- The Christmas Choir started this month with record participation of 21! They will perform at the Center's Christmas Party in December.
- With the return of the winter months, the exercises classes are in full swing as 51 seniors participated in some form in October. These include: Growing Strong Class with light weights, Tai-Chi, and Video Exercises.
- The Senior Center hosted a Trick or Treat on Halloween from 4 – 7 pm. Kenai Senior Connection, Inc. sponsored the event and with the help of 25 volunteers, we welcomed approximately 450 throughout the evening. Seniors were sitting around various tables in the Dining Room and the kids could trick or treat around the room. It was a delightful time for everyone involved and with such a positive response from the community, plans are already being made for next year.





Kenai Chamber of Commerce and Visitor Center

Kenai Visitor and Cultural Center Report September 2019

KVCC Walk in Visitor Count

Month	2015	2016	2017	2018	2019
September	3,837	3,639	3,950	2,429	4,033*

*Of the 4,033 KVCC walk-ins, we estimate 429 attendees for facility rentals.
The remaining 3,604 would be visitor traffic and Kenai River Marathon.

Official Kenai Guide Mailings

Month	2015	2016	2017	2018	2019
September	250	348	672	-	-

Official Kenai Guide Display Racks

Location	2016	2017	2018	2019
Airport Hotel – Kenai	20	-	-	-
Aspen – Kenai	-	-	-	-
Aspen – Soldotna	-	-	-	-
Charlotte’s Restaurant			-	25
City Hall	-	-	-	-
Country Foods/IGA	20	-	-	-
Diamond M Ranch	-	-	-	-
Everything Bagels	-	-	-	-
Kenai Airport	140	-	96	143
Kenai Wash & Dry				15
Paradisos Restaurant	-	-	-	-
Quality Inn	35	-	-	-
Safeway – Kenai	10	-	-	45
Safeway – Soldotna			-	-
Soldotna Inn	-	-	34	-
Sportsmans Warehouse	75	-	-	30
The Cannery Lodge			-	-
Three Bears	33	-	-	-
Veronica’s	15	-	-	-
Other				
September Total Guide Count	348	0	130	258



Kenai Chamber of Commerce and Visitor Center

Kenai Visitor and Cultural Center Report

September 2019

Note: In January, we send guides to Anchorage Brochure Distribution to distribute to the following locations throughout the year. ABD also supplies literature to many hotels and businesses that do not have one of their displays.

Downtown

Downtown Tour Group
 4th Street Mall
 Anchorage Guesthouse
 Anchorage Grand Hotel
 Anchorage Historic Hotel
 Clarion Suites
 Comfort Inn
 International Auto Logistics
 Marriott
 Ramada
 Ship Creek RV
 The Aviator
 Quality Inn

JBER

Outdoor Rec Ft. Rich
 Oasis Travel
 YMCA
 Outdoor Rec Elm AFB
 Airforce Inn

Whittier/Girdwood

Inn at Whittier
 Portage Train Station

Midtown

Best Western Golden Lion
 AAA Travel
 Clippership RV
 Extended Stay
 Golden Nugget RV
 Cruise America RV Rentals
 Fairfield Inn Marriott
 Hilton Garden Inn
 Home2 by Hilton
 Marriott
 Springhill Suites 36th
 Springhill Suites Providence

Spenard

ABC Motorhome
 ALEX Inn & Suites
 Coast International Inn
 Comfort Suites
 Courtyard Marriott
 Executive Suites
 Holiday Inn Express
 La Quinta
 Midnight Sun Car Rental
 Rent-A-Subaru
 Puffin Inn
 Microtel
 Barratts Travel Lodge

of guides sent to Anchorage Brochure Distribution in January
 5yr Comparison

	2015	2016	2017	2018	2019
Anchorage Brochure Distribution	20,000	20,000	15,000	15,000	22,425*

*Anchorage Brochure ran out of guides in July. We shipped 7,425.



Kenai Chamber of Commerce and Visitor Center

Kenai Visitor and Cultural Center Report

September 2019

Page 240

Facility Rental/Community Usage

<u>Organization/Company</u>	<u>Hours of Usage</u>
Hays Research	4
Kenai Chamber Board Meetings	2
Kenai Chamber of Commerce Luncheon	3
Kenai Historical Society	4
Kenai River Marathon	18
Kenai Saturday Market	7
LeeShore Resource Center	9.5
State of Alaska	27
September Facility Usage:	74.5

PURCHASE ORDERS BETWEEN \$2,500.00 AND \$15,000.00 FOR COUNCIL REVIEW

COUNCIL MEETING OF: DECEMBER 4, 2019

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
ARS ALEUT ANALYTICA	LAB TESTING	WWTP	PROFESSIONAL SERV.	5,150.00
BIO-AQUATIC TESTING	WET TESTING	WWTP	PROFESSIONAL SERV.	3,300.00
PENINSULA CONSTRUCTION	EMERGENCY WATER LINE REPAIR	WATER	REPAIR & MAINT.	4,165.00
FOUR D CARPET ONE	CARPET & TILE INSTALLATION	CONG. HOUSING	REPAIR & MAINT.	4,539.08
DAN'S TV	KITCHEN APPLIANCES	PUBLIC SAFETY PROJECT	CONSTRUCTION	5,059.94
TAURIAINEN ENGINEERING/TESTING	COLIFORM TRC WATER TESTING	WATER	PROFESSIONAL SERV.	6,500.00

NOTICE OF APPLICATIONS

RIGHT-OF-WAY LEASES FOR THE
ALASKA LNG PROJECT
ADL 421296 and ADL 421297

The Department of Natural Resources (DNR), pursuant to Alaska Statute (AS) 38.35.070, hereby gives notice that the Alaska Gasline Development Corporation (AGDC) submitted two applications for right-of-way (ROW) leases for the Alaska LNG (AKLNG) project; ADL 421296 for the AKLNG Point Thomson Transmission Line (PTTL), and ADL 421297 for the AKLNG GTP-Mainline-LF (Mainline).

The PTTL pipeline would transport natural gas from the Point Thomson Unit Central Pad westerly approx. 63 miles to the project's Gas Treatment Plant (GTP) near Deadhorse. AGDC has requested a 100-foot-wide ROW for pipeline construction and an 80-foot-wide ROW for operations. Approx. 62 miles of the route would be located on state-owned lands, and, with related facilities, occupy approx. 2,032 acres of State land during construction and 611 acres during operations. The proposed pipeline would be 32 inches in diameter, have a maximum allowable operating pressure of 1,150 pounds per square inch gauge (psig), and be elevated on Vertical Support Members (VSMs).

The Mainline pipeline would transport natural gas from the GTP approx. 807 miles south to the project's Liquefaction Facility (LF) in Nikiski. The Mainline pipeline route would originate at the GTP; travel south to Livengood roughly paralleling the TAPS route; then south to Nenana where it roughly parallels the Parks Highway; then south to the Susitna River where the pipeline diverges from the highway; then southwest to Beluga where it enters Cook Inlet; then south to Boulder Point on the Kenai Peninsula; then southwest roughly paralleling the shore and public roads to the termination point at the LF in Nikiski. Related facilities include approx. 632 access roads, 153 potential Material Sites, 108 potential Excess Material Disposal Sites, 57 various work areas and camps, 8 compressor stations, 1 heater station, 11 launchers/receivers, and the Mainline Material Offloading Facility at Beluga. The proposed Mainline ROW lease would encompass the GTP, the 1 mile 60-inch diameter Prudhoe Bay Transmission Line (PBTL), the LF's Marine Facility, and approx. 471 miles of the Mainline pipeline. AGDC has requested a nominal 110-foot-wide ROW for pipeline construction and a 53.5-foot-wide ROW for operations. The proposed pipeline would be 42 inches in diameter, have a maximum allowable operating pressure of 2,075 psig, and be buried for the majority of the route. The proposed Mainline ROW lease, with related facilities, would occupy approx. 54,083 acres of State land during construction and approx. 5,926 acres during operations.

The two AKLNG ROW lease applications are only applicable on state-owned lands managed by DNR. They do not apply to private property located along the route.

The applications are available online at: <http://dog.dnr.alaska.gov/Newsroom>. The public may obtain hard copies of the applications, at cost, from DNR at the address below. Electronic copies are also available at the Barrow, Fairbanks, Anchorage, and Kenai libraries.

AS 38.35.200 governs judicial review of a decision of the Commissioner:

AS 38.35.200 Judicial review of decisions of commissioner on application.

(a) An applicant or competing applicant or a person who has direct financial interest affected by the lease who raises objections within 60 days of the publication of notice under AS 38.35.070 are the only persons with standing to seek judicial review of a decision of the commissioner under AS 38.35.100.

(b) The only grounds for judicial review of a decision of the commissioner are

(1) failure to follow the procedures set out in this chapter; or

(2) abuse of discretion so capricious, arbitrary, or confiscatory as to constitute a denial of due process.

Any objections pursuant to 38.35.200 must be submitted in writing to the address below by 5:00 p.m. Tuesday, **January 14, 2020**. Submittals must include how the commenter has standing under AS 38.35.200(a). Please contact DNR with any inquiries at:

Dept. of Natural Resources – Div. of Oil & Gas
State Pipeline Coordinator's Section
3651 Penland Parkway
Anchorage, AK 99508
Phone: (907) 269-6403 Fax: (907) 269-6880
Email: spco.records@alaska.gov

DNR complies with Title II of the Americans with Disabilities Act of 1990. Individuals with disabilities who may need auxiliary aids, services or special modifications to participate in this review may call 269-8411 TTY/TDD. Please provide sufficient notice in order for the department to accommodate your needs.

DNR reserves the right to waive technical defects in this publication.

/s/ Chris Grundman
Acting State Pipeline Coordinator
Department of Natural Resources

Publish Date: November 15, 2019