



## Kenai City Council - Regular Meeting

December 20, 2023 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

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

### Agenda

#### A. CALL TO ORDER

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

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

#### B. SCHEDULED ADMINISTRATIVE REPORTS

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

1. Services Provided by the LeeShore Center, Cheri Smith, Executive Director

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

#### E. PUBLIC HEARINGS

1. **Ordinance No. 3381-2023** - Repealing Kenai Municipal Code Appendices - Public Record Inspection Regulations, Repealing Kenai Municipal Code Chapter 10.40 - Release of Public Records and Re-Enacting Kenai Municipal Code 10.40 - Access to Public Records. (Baisden)
2. **Ordinance No. 3382-2023** - Amending Kenai Municipal Code Chapter 7.05 Taxation of Real and Personal Property to Provide an Exemption on the First \$100,000 of Assessed Valuation Other Than Motor Vehicles and Watercraft Owned by Each Taxpayer and Making Housekeeping Changes. (Gabriel, Knackstedt, Baisden, Daniel, Askin, Sounart, Douthit)
3. **Resolution No. 2023-66** - Adopting an Alternative Allocation Method for the FY24 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in Fisheries Management Area 14: Cook Inlet Area. (Administration)
4. **Resolution No. 2023-67** - Authorizing a Contract Award and Corresponding Purchase Order for the 2023 Community Wildfire Protection Plan Mitigation Phase Two Project. (Administration)
5. **Resolution No. 2023-68** - Declaring a Portion of Outside Way as Dedicated on Townsite of Kenai (US Survey 2970) is No Longer Needed for a Public Purpose and Consenting to Vacation of the Right-Of-Way. (Administration)

6. **Resolution No. 2023-69** - Naming the Dedicated Right-Of-Way on the Preliminary Plat for Kenai Townsite Oiler's 2024 Addition "Oiler's Street." (Administration)

## F. **MINUTES**

1. \*Regular Meeting of November 15, 2023. (City Clerk)

## G. **UNFINISHED BUSINESS**

## H. **NEW BUSINESS**

1. \***Action/Approval** - Bills to be Ratified. (Administration)
2. \***Action/Approval** - Purchase Orders and Purchase Order Amendments Requiring Council Approval in Accordance with KMC 7.15.020. (Administration)
3. \***Action/Approval** - Special Use Permit to Beacon Occupational Health and Safety Services for Use of Office Space at the Alaska Regional fire Training Facility. (Administration)
4. \***Action/Approval** - Special Use Permit to Alaska Sure Seal for Snow Storage. (Administration)
5. \***Action/Approval** - Special Use Permit to Schillings Alaska, Inc. for Snow Storage. (Administration)
6. \***Action/Approval** - Confirmation of Mayoral Nominations for Partial Term Appointments to the Council on Aging and Beautification Committee. (Gabriel)
7. \***Ordinance 3383-2023** - Amending the Official Zoning Map by Rezoning all Parcels within the Letzing 1985 Subdivision (Plat No. 85-55) and Government Lot 170 from General Commercial (CG) to Suburban Residential (RS) Zoning District. (Administration)
8. \***Ordinance 3384-2023** - Cancelling Previously Appropriated Projects, Authorizing a Transfer of Funds from the Wastewater Facility Capital Project Fund to the Water and Sewer Capital Project Fund and Appropriating Supplemental Funds for the Construction of a New Water Pump House at the City's Water Treatment Facility. (Administration)
9. **Action/Approval** - Authorizing Memorandum of Agreement with the Kenai Peninsula Borough for Tourism Promotion. (Administration)
10. **Discussion** - Schedule a Budget Goals Work Session. (Administration)
11. **Discussion** - Scheduling a CIP Work Session. (Administration)
12. **Discussion** - Scheduling a Joint Work Session with Kenaitze Indian Tribe. (Administration)
13. **Discussion/Action** - Virtual Meeting Participation. (City Clerk)

## I. **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

**J. REPORT OF THE MAYOR**

1. Proclamation in Recognition of Kenai Central High School Football Team as the Alaska Division III State Champions for the Year 2023.
2. Proclamation in Recognition of Kenai Central High School Girls Varsity Volleyball Team as the Alaska Division 3A State Girls Champions for the Year 2023.
3. Southcentral Mayors' Energy Coalition

**K. ADMINISTRATION REPORTS**

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

**L. ADDITIONAL PUBLIC COMMENTS**

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

**M. EXECUTIVE SESSION****N. PENDING ITEMS****O. ADJOURNMENT****P. INFORMATION ITEMS**

1. CIRCAC Director's Report

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

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Sponsored by: Baisden

**CITY OF KENAI  
ORDINANCE NO. 3381-2023**

AN ORDINANCE REPEALING KENAI MUNICIPAL CODE APPENDICES - PUBLIC RECORD INSPECTION REGULATIONS, REPEALING KENAI MUNICIPAL CODE CHAPTER 10.40 - RELEASE OF PUBLIC RECORDS AND RE-ENACTING KENAI MUNICIPAL CODE 10.40 - ACCESS TO PUBLIC RECORDS.

WHEREAS, access to public records regarding the operations of government allows citizens the opportunity to review the activities of their government; and,

WHEREAS, certain records may be exempted from disclosure as provided by state or federal law or regulation; and,

WHEREAS, the number of record requests processed by the City continues to increase annually; and,

WHEREAS, it is important to provide access to public records while balancing City resources; and,

WHEREAS, there are currently two separate parts of Kenai Municipal Code establishing the laws and regulations for access to public records; and,

WHEREAS, locating the applicable laws and regulations related to access to public records in one municipal code title provides clarity for the public and administration; and,

WHEREAS, it is in the best interest of the City and the public to clearly define the procedures for requests and responses to request for records in the custody of the city.

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

**Section 1.** Repeal of Public Records Inspection Regulations Appendices of Kenai Municipal Code: That Kenai Municipal Code Appendices - Public Record Inspection Regulations is hereby repealed in its entirety as follows:

**[1. FEES.**

**1.01 COPIES.**

THE FEE FOR COPYING PUBLIC RECORDS INCLUDING PAPER DOCUMENTS, AUDIO RECORDINGS, CASSETTES, AND COMPACT DISCS SHALL BE A PER COPY FEE AS SET FORTH IN THE CITY'S SCHEDULE OF FEES ADOPTED BY THE CITY COUNCIL. THE FIRST TEN (10) COPIES OF PAPER DOCUMENTS ARE FREE.

**1.02 CERTIFIED COPIES.**

THE FEE FOR A CERTIFIED COPY OF A DOCUMENT WILL BE THE CITY'S STANDARD CERTIFICATION FEE, PLUS THE STANDARD COPYING FEE, BOTH AS SET FORTH IN THE CITY'S SCHEDULE OF FEES ADOPTED BY THE CITY COUNCIL. ONLY THE CITY CLERK OR DEPUTY CITY CLERK WILL CERTIFY DOCUMENTS.

**1.03 PRODUCTION FEE.**

IF THE PRODUCTION OF RECORDS FOR ONE REQUESTOR IN A CALENDAR MONTH EXCEEDS FIVE (5) PERSON HOURS, THE REQUESTOR MUST PAY A PRODUCTION FEE. THE PRODUCTION FEE WILL BE THE CITY EMPLOYEE'S

ACTUAL SALARY, PLUS BENEFIT COSTS, FOR THE TIME REQUIRED OVER FIVE (5) HOURS DURING THE MONTH TO SEARCH, REVIEW, AND COPY THE RECORDS. IF MULTIPLE CITY EMPLOYEES COMPILE THE REQUESTED RECORDS, A COMPOSITE HOURLY RATE FOR ALL EMPLOYEES INVOLVED WILL BE DETERMINED AND A CREDIT FOR FIVE (5) HOURS AT THAT RATE WILL BE APPLIED. THE PRODUCTION FEE WILL BE IN ADDITION TO THE STANDARD COPYING FEE.

EXAMPLE OF COMPOSITE RATE CALCULATION IS:

EMPLOYEE A	15 HOURS	@ \$50/HOUR	=	\$750.00
EMPLOYEE B	4 HOURS	@ \$75/HOUR	=	\$ 300.00
EMPLOYEE C	2 HOURS	@ \$35/HOUR	=	\$ 70.00
TOTALS	21 HOURS			\$1,120.00

$\$1,120 \div 21$  (TOTAL HOURS) = \$53.33 (COMPOSITE RATE)

$\$1,120 - (\$53.33 \times 5$  FREE HOURS) = \$ 853.35 TO BE PAID BY FOIA REQUESTOR

**1.04 ESTIMATE AND ADVANCE PAYMENT.**

IF A PRODUCTION FEE IS REQUIRED OR ANTICIPATED UNDER SECTION 1.03, THE CITY STAFF WILL PREPARE AN ESTIMATE OF THE PRODUCTION FEE AND COPYING FEE THAT ARE EXPECTED TO RESULT FROM PRODUCING THE REQUESTED RECORDS. THE REQUESTOR MUST DEPOSIT THE ESTIMATED PRODUCTION AND COPYING FEES IN ADVANCE OF THE SEARCH. IF THE ACTUAL PRODUCTION AND COPYING FEES ARE LESS THAN THE ESTIMATE, THE REQUESTOR WILL BE GIVEN A REFUND OF THE DIFFERENCE. IF THE ACTUAL PRODUCTION AND COPYING FEES ARE GREATER THAN THE ESTIMATE, THE RECORDS WILL NOT BE RELEASED TO THE REQUESTOR UNTIL THE REQUESTOR PAYS THE DIFFERENCE.

**1.05 INSPECTION ONLY.**

THERE WILL BE NO FEE FOR SIMPLE INSPECTION OF RECORDS, EXCEPT WHEN THE PRODUCTION OF THE RECORDS FOR INSPECTION BY ONE REQUESTOR IN A CALENDAR MONTH EXCEEDS FIVE (5) PERSON-HOURS. IN THAT CASE, THE REQUESTOR WILL BE REQUIRED TO PAY THE PRODUCTION FEE AS DESCRIBED IN SECTION 1.03.

**1.06 INDIGENCY.**

IF A PERSON IS UNABLE TO PAY A FEE, AND SIGNS AN AFFIDAVIT TO THE EFFECT THAT HE OR SHE IS INDIGENT, THEN THE CITY CLERK WILL WAIVE THE COPYING FEE AND PRODUCTION FEE, EXCEPT WHEN THE CITY CLERK, BASED UPON RELIABLE INFORMATION, DETERMINES THE AFFIDAVIT OF INDIGENCY IS MADE IN BAD FAITH OR FRAUDULENTLY.

ANNUAL INCOME AS A PERCENT OF CURRENT HEALTH AND HUMAN SERVICES (HHS) POVERTY GUIDELINES FOR ALASKA	PERCENT OF FEE REDUCED
1—100%	100% WAIVER
101—149%	75% WAIVER
150—174%	50% WAIVER
175—199%	25% WAIVER
200% PLUS	NO WAIVER

AN APPLICATION FOR INDIGENCY MAY BE FILED WITH THE CITY CLERK FOR WAIVING OR PARTIALLY WAIVING THE COSTS OF RECORD REPRODUCTION. THE CITY CLERK MAY ALLOW AN APPLICANT, WHO QUALIFIES AS AN INDIGENT, A REDUCED RECORD REPRODUCTION FEE, A PAYMENT PLAN OR A WAIVER OF THE FILING FEE WHERE THE CITY CLERK IS ABLE TO MAKE A WRITTEN FINDING, BASED ON INFORMATION PROVIDED BY THE APPLICANT THAT PAYMENT OF THE RECORD REPRODUCTION FEE WOULD BE A FINANCIAL HARDSHIP. BASED UPON THE INFORMATION PROVIDED, THE FEE MAY BE REDUCED OR WAIVED IN ACCORDANCE WITH THE ABOVE SCALE. AS REQUIRED BY AS 40.25.110, ANY FEE WAIVER OR REDUCTION MUST BE UNIFORMLY APPLIED TO PERSONS WHO ARE SIMILARLY SITUATED.

## **2. REQUIREMENTS FOR PUBLIC RECORD REQUESTS—APPROVALS AND DENIALS.**

### **2.01 CITY CLERK APPROVAL.**

ACCORDING TO KENAI MUNICIPAL CODE, CHAPTER 10.40, ALL REQUESTS FOR PUBLIC INFORMATION OR RECORDS ARE TO BE APPROVED BY THE CITY CLERK, AFTER CONSULTATION WITH THE CITY MANAGER AND CITY ATTORNEY. (SEE REGULATION 5.01.) THE CITY CLERK, OR DESIGNEE, WILL, CONSISTENT WITH THE ORDERLY CONDUCT OF CITY BUSINESS, MAKE A GOOD FAITH AND DILIGENT EFFORT TO PROVIDE A RAPID AND INTELLIGIBLE RESPONSE TO REQUESTS FOR INSPECTION OF RECORDS.

### **2.02 ROUTINE REQUESTS.**

ROUTINE REQUESTS FOR INSPECTION OR COPYING OF RECORDS MAY BE APPROVED (BUT NOT DENIED) AND RESPONDED TO BY THE CITY CLERK, DEPUTY CITY CLERK, OR THE DEPARTMENT HEAD OF THE DEPARTMENT IN WHICH THE RECORDS ARE LOCATED. THEY MAY ACT AS THE CITY CLERK'S DESIGNEE FOR THE APPROVAL OF ROUTINE REQUESTS. FOR PURPOSES OF THESE REGULATIONS, A ROUTINE REQUEST IS A REQUEST FOR RECORDS THAT ARE CLEARLY TO BE MADE AVAILABLE TO THE PUBLIC, AND WHICH CAN BE RESPONDED TO QUICKLY WITHOUT A SUBSTANTIAL AMOUNT OF EFFORT OR TIME BY THE CITY STAFF. ROUTINE REQUESTS MAY BE SUBMITTED ORALLY OR IN WRITING.

### **2.03 NON-ROUTINE REQUESTS.**

NON-ROUTINE REQUESTS FOR INSPECTION OR COPYING OF RECORDS MUST BE MADE IN WRITING AND REFERRED TO THE CITY CLERK FOR APPROVAL OR DISAPPROVAL. NON-ROUTINE REQUESTS INCLUDE, BUT ARE NOT LIMITED TO, REQUESTS FOR RECORDS THAT ARE OR MIGHT BE EXEMPT FROM DISCLOSURE, REQUESTS THAT WILL OR MIGHT BE DENIED FOR ANY REASON, REQUESTS THAT WILL TAKE MORE THAN ONE (1) PERSON-HOUR OF STAFF TIME TO RESPOND, AND REQUESTS FROM A PERSON INVOLVED IN LITIGATION WITH THE CITY.

### **2.04 AGGREGATION OF CERTAIN REQUESTS.**

IF THE CITY CLERK, BASED ON RELIABLE INFORMATION, AFTER CONSULTATION WITH THE CITY ATTORNEY, DETERMINES ONE (1) OR MORE INDIVIDUALS HAVE MADE ONE (1) OR MORE REQUESTS FOR PUBLIC RECORDS ON BEHALF OF ANOTHER PERSON OR GROUP FOR THE PURPOSE OF DIVIDING A REQUEST INTO SMALLER PARTS TO AVOID THE PAYMENT OF A PRODUCTION FEE (FOR PRODUCTION OF RECORDS REQUIRING MORE THAN FIVE (5) PERSON-HOURS OF STAFF TIME PER MONTH), THE CITY CLERK WILL AGGREGATE ALL SUCH REQUESTS AND TREAT THEM AS ONE (1) REQUEST MADE BY PERSON.

### **2.05 BAD FAITH AFFIDAVIT OF INDIGENCY.**

IF THE CITY CLERK, BASED ON RELIABLE INFORMATION, AFTER CONSULTATION WITH THE CITY ATTORNEY, DETERMINES A PERSON HAS MADE AN AFFIDAVIT OF INDIGENCY IN BAD FAITH OR FRAUDULENTLY FOR THE PURPOSE OF AVOIDING PAYMENT OF PRODUCTION, COPYING, OR OTHER FEES, THE CITY CLERK WILL DENY THE WAIVER OF THE FEES.

### **2.06 HARASSMENT REQUEST.**

IF THE CITY CLERK, IN GOOD FAITH, AFTER CONSULTATION WITH THE CITY ATTORNEY, REASONABLY DETERMINES A REQUEST FOR COPIES OR INSPECTION OF RECORDS IS NOT MADE IN GOOD FAITH, AND IS MADE FOR THE PURPOSE OF HARASSMENT OF THE CITY OR CITY OFFICIALS, OR TO PURPOSELY INTERFERE WITH THE ORDERLY CONDUCT OF CITY BUSINESS, THE CITY CLERK WILL DENY THE REQUEST. SUCH A DETERMINATION

WILL BE MADE ONLY AFTER NOTICE AND AN OPPORTUNITY FOR THE REQUESTOR TO BE HEARD BY THE CITY CLERK.

**2.07 DESCRIPTION OF RECORDS REQUESTED.**

A REQUESTOR MUST DESCRIBE THE RECORDS SOUGHT IN SUFFICIENT DETAIL TO ENABLE THE CITY TO LOCATE AND IDENTIFY THE RECORDS SOUGHT. IF THE RECORDS ARE DESCRIBED BY THE REQUESTOR IN GENERAL TERMS, THE CITY STAFF SHALL ATTEMPT TO COMMUNICATE WITH THE REQUESTOR TO IDENTIFY THE RECORDS REQUESTED AND LESSEN THE ADMINISTRATIVE BURDEN OF PROCESSING AN OVERLY BROAD REQUEST. IF THE REQUEST IS NOT SUFFICIENT TO ALLOW THE STAFF TO IDENTIFY THE REQUESTED RECORDS, THE REQUESTOR SHALL BE NOTIFIED PROMPTLY BY THE CITY CLERK, THE REQUEST CANNOT BE APPROVED OR PROCESSED UNTIL A SUFFICIENT DESCRIPTION OF THE RECORD IS RECEIVED.

**3. TIME AND PLACE OF INSPECTION.**

**3.01 ROUTINE REQUESTS.**

A ROUTINE REQUEST FOR RECORDS WILL BE RESPONDED TO PROMPTLY AT THE OFFICE WHERE THE RECORDS ARE KEPT, OR ANOTHER CITY OFFICE IF MORE CONVENIENT TO THE CITY, DURING BUSINESS HOURS AT A TIME THAT DOES NOT INTERFERE WITH THE ORDERLY CONDUCT OF CITY BUSINESS. IF THE RECORDS CANNOT BE PRODUCED WITHIN FIVE (5) WORKING DAYS, THE REQUESTOR WILL BE ADVISED.

**3.02 NON-ROUTINE REQUESTS.**

RECORDS IN RESPONSE TO AN APPROVED NON-ROUTINE REQUEST WILL BE MADE AVAILABLE FOR INSPECTION OR COPYING AT CITY HALL, UNDER THE DIRECTION OF THE CITY CLERK OR THE CITY CLERK'S DESIGNEE. FOR THE CONVENIENCE OF THE CITY, THE CITY CLERK MAY DESIGNATE AN INSPECTION LOCATION ELSEWHERE IN THE CITY. THE TIME FOR INSPECTION WILL BE DURING BUSINESS HOURS. THE CITY CLERK WILL ADVISE THE REQUESTOR OF THE SPECIFIC TIME AND DATE ON WHICH THE INSPECTION MAY OCCUR. IF, AND TO THE EXTENT NECESSARY TO MAINTAIN THE ORDERLY CONDUCT OF CITY BUSINESS, THE CITY CLERK MAY LIMIT THE DAYS AND HOURS WHEN INSPECTION AND COPYING OF PUBLIC RECORDS MAY OCCUR.

**3.03 LARGE REQUESTS.**

IF A REQUEST IS MADE FOR INSPECTION OR COPYING OF A LARGE VOLUME OF PUBLIC RECORDS, THE CITY CLERK, AFTER CONSULTATION WITH THE CITY ATTORNEY, MAY REQUIRE THE REQUESTOR TO MAKE A WRITTEN DESIGNATION OF THE ORDER IN WHICH THE REQUESTOR WANTS THE RECORDS PRODUCED. WHEN SUCH ORDER IS DESIGNATED BY THE REQUESTOR, THE CITY WILL ATTEMPT TO PRODUCE THE RECORDS IN THAT ORDER. REQUESTS FOR INSPECTION OR COPYING OF A LARGE VOLUME OF PUBLIC RECORDS, OR REQUESTS THAT WILL REQUIRE THE CITY TO SEARCH OR REVIEW A LARGE VOLUME OF PUBLIC RECORDS, WILL BE RESPONDED AS CITY STAFF TIME PERMITS. THE ORDERLY CONDUCT OF CITY BUSINESS WILL NOT BE INTERRUPTED TO MAKE FAST RESPONSE TO SUCH A REQUEST. IT IS REASONABLE THE MAKER OF SUCH A LARGE REQUEST SHOULD EXPECT AN EXTENDED TIME FOR RESPONSE. THE CITY CLERK WILL ADVISE THE REQUESTOR OF THE ESTIMATED TIME IN WHICH THE RESPONSE WILL BE MADE.

**4. FORM OF RECORDS PRODUCED.**

**4.01 FORM OF RECORDS.**

THE RECORDS OF THE CITY WILL NORMALLY BE MADE AVAILABLE FOR INSPECTION OR COPYING IN THE FORMAT IN WHICH THE CITY MAINTAINS OR DISSEMINATES THE RECORDS. EXACT REPRODUCTION IS NOT REQUIRED, BUT ANY ALTERATION OF THE FORM OR MEDIUM OF PUBLIC RECORDS MUST NOT CHANGE THE SUBSTANTIVE CONTENT OF THE INFORMATION, AND IF THE ACTUAL CONTENT IS CHANGED, THE NATURE OF THE CHANGE AND THE REASON FOR THE CHANGE WILL BE COMMUNICATED TO THE REQUESTOR.

**4.02 SUMMARIZATION OR MANIPULATION OF RECORDS.**

THE CITY IS NOT REQUIRED TO COMPILE OR SUMMARIZE ITS RECORDS IN RESPONSE TO A REQUEST FOR INFORMATION. THE CITY IS NOT REQUIRED TO MANIPULATE ITS DATA TO CREATE NEW RECORDS IN RESPONSE TO A REQUEST FOR INFORMATION.

**4.03 PARTIALLY DISCLOSABLE RECORDS.**

IF PUBLIC RECORDS CONTAIN INFORMATION THAT IS DISCLOSABLE IN PART AND NON-DISCLOSABLE IN PART, THE NON-DISCLOSABLE INFORMATION SHALL BE REMOVED PRIOR TO DISCLOSURE.

**5. WRITTEN DETERMINATIONS AND APPEALS.**

**5.01 WRITTEN RESPONSE.**

IF THE CITY CLERK, AFTER CONSULTATION WITH THE CITY ATTORNEY AND CITY MANAGER, MAKES AN ADVERSE DETERMINATION, IN WHOLE OR IN PART, TO A WRITTEN PUBLIC RECORDS REQUEST, THE CITY CLERK WILL PROVIDE A WRITTEN RESPONSE SETTING FORTH THE ADVERSE DETERMINATION. IT WILL INCLUDE A DESCRIPTION OF THE RECORDS REQUESTED, A DESCRIPTION OF THE RECORDS THAT WILL NOT BE PROVIDED, AND THE REASONS FOR THE ADVERSE DETERMINATION, INCLUDING REFERENCE TO PROVISIONS OF LAW OR REGULATIONS, FACTS, AND OTHER INFORMATION RELIED UPON. THE CITY CLERK’S WRITTEN RESPONSE WILL ALSO INCLUDE A NOTICE THE REQUESTOR HAS A RIGHT TO APPEAL TO THE CITY COUNCIL.

**5.02 RESPONSE TO ORAL REQUESTS.**

ORAL REQUESTS MAY BE ACCEPTED FOR A ROUTINE REQUEST. ORAL REQUESTS FOR RECORDS WILL NOT BE ACCEPTED FOR A NON-ROUTINE REQUEST OR RECEIVE A WRITTEN RESPONSE FROM THE CITY CLERK UNLESS THE REQUESTOR IS UNABLE TO MAKE A WRITTEN REQUEST BECAUSE OF INABILITY TO WRITE OR BECAUSE OF MENTAL OR PHYSICAL DISABILITY. IN THAT CASE, THE CITY STAFF WILL ASSIST THE REQUESTOR IN MAKING A REQUEST THAT WILL BE RESPONDED TO AND TREATED AS A WRITTEN REQUEST FOR ALL PURPOSES UNDER THESE REGULATIONS.

**5.03 WHEN NO RESPONSE IS DEEMED DENIAL.**

IF THE REQUESTOR RECEIVES NO RESPONSE TO A WRITTEN REQUEST FOR RECORDS WITHIN FIVE (5) WORKING DAYS OF MAKING THAT REQUEST, THE REQUESTOR MAY FILE WITH THE CITY CLERK A WRITTEN DEMAND FOR A WRITTEN RESPONSE. IF THE CITY CLERK DOES NOT GIVE A WRITTEN RESPONSE TO THAT DEMAND WITHIN THREE (3) WORKING DAYS OF THE CITY CLERK’S RECEIPT OF THE DEMAND, THE REQUEST FOR RECORDS WILL BE DEEMED DENIED.

**5.04 APPEAL TO CITY COUNCIL.**

A DENIAL, IN WHOLE OR IN PART, A DEEMED DENIAL, OR ANY ADVERSE WRITTEN DETERMINATION BY THE CITY CLERK IN RESPONSE TO A WRITTEN REQUEST FOR PUBLIC RECORDS MAY BE APPEALED BY THE REQUESTOR TO THE CITY COUNCIL. AN APPEAL MUST BE FILED IN WRITING AT THE OFFICE OF THE CITY CLERK WITHIN THIRTY (30) DAYS OF THE DATE THE DECISION WAS MAILED TO THE REQUESTOR. THE CITY COUNCIL WILL HEAR THE APPEAL AND ISSUE A WRITTEN DECISION WITHIN THIRTY (30) DAYS OF THE DATE THE APPEAL WAS FILED AT THE OFFICE OF THE CITY CLERK. THERE SHALL BE NO FILING FEE FOR THE APPEAL TO THE CITY COUNCIL.

**5.05 APPEAL TO SUPERIOR COURT.**

A FINAL DECISION OF THE CITY COUNCIL ON AN APPEAL FROM A DECISION OF THE CITY CLERK MAY BE FURTHER APPEALED TO THE SUPERIOR COURT. SUCH AN APPEAL MUST BE MADE UNDER THE COURT RULES OF PROCEDURE GOVERNING APPEALS TO THE SUPERIOR COURT.]

**Section 2.** Repeal of Section 10.40 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 10.40 - Release of Public Records is hereby repealed in its entirety as follows:

**[CHAPTER 10.40  
RELEASE OF PUBLIC RECORDS**



**10.40.010 INTENT.**

IT IS THE INTENTION OF THE CITY TO PROVIDE ACCESS OF THE PUBLIC TO MUNICIPAL RECORDS AND INFORMATION CONSISTENT WITH THE ALASKA PUBLIC RECORDS ACT, SO THAT THE PEOPLE OF THE CITY MAY BE WELL INFORMED AT ALL TIMES AS TO MUNICIPAL BUSINESS. WITH THE EXCEPTION OF THE SPECIFIC EXEMPTIONS SET FORTH UNDER SECTION 10.40.040, ALL INFORMATION AND RECORDS IN THE CONTROL OF THE MUNICIPALITY SHALL BE MADE AVAILABLE TO THE PUBLIC UPON REQUEST.

**10.40.020 DEFINITIONS.**

FOR THE PURPOSES OF THIS CHAPTER:

- (A) "MUNICIPAL AGENCY" MEANS ANY DEPARTMENT, DIVISION, BOARD, COMMISSION OR PRIVATE CONTRACTOR, OF THE CITY, WHICH HAS CUSTODY OF PUBLIC RECORDS AS DEFINED IN THIS CHAPTER.
- (B) "PUBLIC RECORDS" MEAN BOOKS, PAPERS, FILES, ACCOUNTS, WRITINGS, INCLUDING DRAFTS AND MEMORIALIZATIONS OF CONVERSATIONS, AND OTHER ITEMS, REGARDLESS OF FORMAT OR PHYSICAL CHARACTERISTICS, THAT ARE DEVELOPED OR RECEIVED BY THE CITY OR A MUNICIPAL AGENCY AND THAT ARE PRESERVED FOR THEIR INFORMATIONAL VALUE OR AS EVIDENCE OF THE ORGANIZATION OR OPERATION OF THE CITY; "PUBLIC RECORDS" DOES NOT INCLUDE PROPRIETARY SOFTWARE PROGRAMS.

**10.40.030 INFORMATION AVAILABLE TO THE PUBLIC.**

EXCEPT AS PROVIDED BY SECTION 10.40.040, OR BY OTHER PROVISIONS OF MUNICIPAL, STATE OR FEDERAL LAW, ALL PUBLIC RECORDS SHALL BE OPEN TO INSPECTION BY ANY PERSON SUBJECT TO REGULATIONS REGARDING THE TIME, PLACE AND MANNER OF INSPECTION WHICH MAY BE ADOPTED BY THE CITY COUNCIL PURSUANT TO SECTION 10.40.050. DOCUMENTS ARE NOT REQUIRED TO BE CREATED IN ORDER TO COMPLY WITH AN INFORMATION REQUEST, BUT WILL BE PROVIDED FROM DOCUMENTS/INFORMATION THAT ALREADY EXISTS. THE TYPES OF RECORDS AND INFORMATION OPEN TO PUBLIC INSPECTION PURSUANT TO THIS CHAPTER SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THE FOLLOWING:

- (A) FINANCIAL AND OPERATIONAL COST INFORMATION, INCLUDING INFORMATION AS TO REVENUES, EXPENDITURES, INDEBTEDNESS, FORMAL DEPARTMENTAL RECOMMENDATIONS IN REGARD TO PROJECT PRIORITY, AND AFTER BUDGET FINALIZATION, DEPARTMENT BUDGET REQUESTS;
- (B) INFORMATION RELATING TO CONTRACTS TO WHICH THE MUNICIPALITY IS A PARTY, INCLUDING PAYMENT PROVISIONS, INFORMATION RELATING TO BIDS AND REQUESTS FOR PROPOSALS RECEIVED OR SOLICITED BY THE MUNICIPALITY, AND INFORMATION RELATING TO THE STATUS OF GOODS OR SERVICES FURNISHED PURSUANT TO CONTRACT;
- (C) REGULATORY, FINANCIAL ASSESSMENT AND TAX INFORMATION CONCERNING REAL PROPERTY LOCATED WITHIN THE MUNICIPALITY;
- (D) COMPENSATION LEVELS AND FRINGE BENEFITS ACCORDED MUNICIPAL OFFICERS AND EMPLOYEES BY LAW, INCLUDING INFORMATION IN REGARD TO THE PAY RANGE AND STEP GRADE OF AN EMPLOYEE OR OFFICER AND STATISTICAL ANALYSES OR COMPILATIONS RELATING TO MUNICIPAL PRACTICES AND POLICIES CONCERNING COMPENSATION FOR VARIOUS OCCUPATIONAL GROUPS, DEPARTMENTS AND DIVISIONS;
- (E) STATISTICAL INFORMATION AND ANALYSES CONCERNING CASE LOADS, NUMBERS AND CATEGORIES OF PERSONS FOR WHOM SERVICES WERE PERFORMED OR TREATMENT PROVIDED, RESULTS ACHIEVED AND PER PATIENT AND PER UNIT COST; AND
- (F) FEASIBILITY, MANAGEMENT, COST EFFECTIVENESS AND SIMILAR REPORTS PREPARED BY THE MUNICIPALITY WITH MUNICIPAL MONEYS.

THE FOREGOING ENUMERATION OF INFORMATION AVAILABLE FOR PUBLIC INSPECTION IS NOT DESIGNED TO LIMIT THE CATEGORIES OF RECORDS AND INFORMATION THAT SHALL BE MADE AVAILABLE TO THE PUBLIC PURSUANT TO THIS CHAPTER. THE POLICY OF PROVIDING PUBLIC ACCESS TO PUBLIC INFORMATION SHALL BE BROADLY AND LIBERALLY CONSTRUED.

**10.40.040 RECORDS EXEMPTED.**

THE CITY SHALL NOT BE REQUIRED TO RELEASE OR DISCLOSE THE FOLLOWING DOCUMENTS OR RECORDS:

- (A) COMMUNICATIONS OF ANY KIND BETWEEN THE MUNICIPAL ATTORNEY AND OFFICERS OR EMPLOYEES OF THE CITY, OR ANY OTHER INDIVIDUAL, FIRM OR CORPORATION CONTAINING A LEGAL OPINION, MEMORANDUM OR OTHER DISCLOSURE OR INFORMATION PERTAINING TO ANY MATTER THEN IN LITIGATION OR WHERE LITIGATION MAY BE REASONABLY ANTICIPATED. THIS EXEMPTION DOES NOT EXTEND, HOWEVER, TO ANY DOCUMENTS, RECORDS OR OTHER WRITTEN COMMUNICATION THAT MAY HAVE BEEN MADE PUBLIC PRIOR TO THE COMMENCEMENT OF LITIGATION AND PUBLIC RECORDS WHICH MUST OTHERWISE BE DISCLOSED CANNOT BE WITHHELD ON THE GROUNDS THAT THEY HAVE BEEN SUBMITTED TO THE MUNICIPAL ATTORNEY;
- (B) ALL PERSONNEL RECORDS OF CITY OFFICERS AND EMPLOYEES, INCLUDING, WITHOUT LIMITATION, EMPLOYMENT APPLICATIONS, EXAMINATION MATERIALS, AND PERFORMANCE EVALUATIONS, RECORDS THAT REVEAL MEDICAL INFORMATION ABOUT ANY SPECIFIC INDIVIDUAL; RECORDS THAT REVEAL THE PERSONAL, INTIMATE, OR PRIVATE LIFE OF AN INDIVIDUAL; AND, IN ADDITION, ANY RECORD THE DISCLOSURE OF WHICH WOULD CONSTITUTE AN UNWARRANTED INVASION OF PRIVACY; BUT THIS SUBJECTION DOES NOT PROTECT FROM DISCLOSURE THE FOLLOWING:
  - (1) EMPLOYMENT APPLICATIONS OF CITY OFFICIALS APPOINTED BY THE CITY COUNCIL,
  - (2) EMPLOYMENT APPLICATIONS OF THE DIRECTOR OF EACH DEPARTMENT OF THE CITY,
  - (3) PERFORMANCE EVALUATIONS OF CITY OFFICIALS APPOINTED BY THE CITY COUNCIL TO THE EXTENT THE PERFORMANCE EVALUATIONS RELATE TO THE INDIVIDUAL'S JOB PERFORMANCE AND DO NOT IMPUGN AN INDIVIDUAL'S HONESTY, INTEGRITY, OR MORALITY OUTSIDE OF PROFESSIONAL LIFE,
  - (4) THE NAMES AND POSITION TITLES OF ALL CITY EMPLOYEES,
  - (5) THE CURRENT AND PRIOR POSITIONS HELD BY A CITY EMPLOYEE,
  - (6) THE DATES OF APPOINTMENT AND SEPARATION OF A CITY EMPLOYEE, AND
  - (7) THE RECORDS DESCRIBED IN SECTION 10.40.030(D).

IN THE EVENT OF A REQUEST FOR DISCLOSURE OF ITEMS DESCRIBED IN SUBPARTS 1, 2, AND 3 OF THIS SUBSECTION, THE CITY MANAGER, CITY OFFICIALS AND DIRECTORS WILL BE NOTIFIED AT LEAST TWO (2) DAYS PRIOR TO RELEASE OF SUCH RECORDS AND MAY APPEAL THE DECISION UNDER KMC 10.40.060.

- (C) RECORDS OR INFORMATION COMPILED FOR LAW ENFORCEMENT PURPOSES, BUT ONLY TO THE EXTENT THE PRODUCTION OF THE LAW ENFORCEMENT RECORDS OR INFORMATION:
  - (1) COULD REASONABLY BE EXPECTED TO INTERFERE WITH ENFORCEMENT PROCEEDINGS,
  - (2) WOULD DEPRIVE A PERSON OF A RIGHT TO A FAIR TRIAL OR AN IMPARTIAL ADJUDICATION,
  - (3) COULD REASONABLY BE EXPECTED TO CONSTITUTE AN UNWARRANTED INVASION OF THE PERSONAL PRIVACY OF SUSPECT, DEFENDANT, VICTIM, OR WITNESS,
  - (4) COULD REASONABLY BE EXPECTED TO DISCLOSE THE IDENTITY OF A CONFIDENTIAL SOURCE,
  - (5) WOULD DISCLOSE CONFIDENTIAL TECHNIQUES AND PROCEDURES FOR LAW ENFORCEMENT INVESTIGATIONS OR PROSECUTIONS,
  - (6) WOULD DISCLOSE GUIDELINES FOR LAW ENFORCEMENT INVESTIGATIONS OR PROSECUTIONS IF THE DISCLOSURE COULD REASONABLY BE EXPECTED TO RISK CIRCUMVENTION OF THE LAW, OR
  - (7) COULD REASONABLY BE EXPECTED TO ENDANGER THE LIFE OR PHYSICAL SAFETY OF AN INDIVIDUAL;
- (D) INFORMATION SUCH AS NAME, ADDRESS, ETC., THAT WOULD IDENTIFY COMPLAINANTS IN ACTIONS TO ENFORCE ANY CITY REGULATION OR ORDINANCE, EXCEPT AS SUCH DISCLOSURE MAY BECOME NECESSARY TO A FAIR AND JUST DISPOSITION OF THE ENFORCEMENT PROCEEDING;

- (E) RECORDS HELD BY THE CITY CONCERNING ANY CUSTOMER USING MUNICIPAL SERVICES, RELEASE OF WHICH WOULD BE UNWARRANTED INVASION OF PRIVACY;
- (F) ENGINEERING OR OTHER TECHNICAL SPECIFICATIONS OR DATA WHICH MIGHT PROVIDE A COMPETITIVE ADVANTAGE TO ANY PERSON, FIRM, OR CORPORATION ENGAGED OR POTENTIALLY TO BE ENGAGED IN MUNICIPAL BUSINESS;
- (G) INFORMATION OBTAINED BY AND IN THE CUSTODY OF INSURANCE CARRIERS INSURING THE MUNICIPALITY AND THEIR ATTORNEYS AND AGENTS REGARDING POSSIBLE AND PENDING CLAIMS AGAINST THE MUNICIPALITY;
- (H) MEDICAL AND RELATED PUBLIC HEALTH RECORDS;
- (I) RECORDS PERTAINING TO JUVENILES UNLESS DISCLOSURE IS AUTHORIZED BY LAW;
- (J) RECORDS REQUIRED TO BE KEPT CONFIDENTIAL BY LAW;
- (K) ANY RECORD, NONDISCLOSURE OF WHICH IS AUTHORIZED BY A VALID ALASKA OR FEDERAL STATUTE OR REGULATION, OR BY A PRIVILEGE, EXEMPTION, OR PRINCIPLE RECOGNIZED BY THE COURTS, OR BY A PROTECTIVE ORDER AUTHORIZED BY LAW; AND
- (L) SALES TAX INFORMATION EXCLUDED FROM DISCLOSURE BY KP.B 5.18.040 AS AMENDED.

**10.40.050 REGULATION OF TIME, PLACE AND MANNER OF INSPECTION OF PUBLIC RECORDS.**

THE CITY COUNCIL SHALL ADOPT REGULATIONS AS TO THE TIME, PLACE, AND MANNER OF INSPECTION OF PUBLIC RECORDS HELD BY THE MUNICIPALITY. SUCH REGULATIONS MAY ALSO PROVIDE:

- (A) THAT A FEE MAY BE REQUIRED. THE FEE SHALL NOT EXCEED THE ACTUAL COST TO PRODUCE THE INFORMATION REQUESTED. IN THE EVENT THE PERSON IS UNABLE TO PAY ANY REQUESTED FEE, AND SIGNS AN AFFIDAVIT TO THE EFFECT THAT HE OR SHE IS INDIGENT, THERE WILL BE NO COST TO THE ABOVE-DESCRIBED PERSON. SEE APPENDIX, PUBLIC RECORD INSPECTIONS REGULATIONS, SECTION 1.06.
- (B) THE FORM IN WHICH THE SPECIFIC DOCUMENTS SHALL BE MADE AVAILABLE. DOCUMENTS NEED NOT BE REPRODUCED IN THE EXACT FORM OR MEDIUM IN WHICH THEY ARE STORED. HOWEVER, ANY ALTERATION OF THE FORM OR MEDIUM OF PUBLIC RECORD SHALL NOT CHANGE THE SUBSTANTIVE CONTENT OF THE INFORMATION CONTAINED IN THE PUBLIC RECORD. WHEN THE ACTUAL CONTENT IS CHANGED, THE NATURE OF THE CHANGE AND WHY IT WAS NECESSARY SHALL BE COMMUNICATED TO THE REQUESTOR.

REGULATIONS ADOPTED PURSUANT TO THIS SECTION SHALL BE POSTED IN A CONSPICUOUS MANNER AT CITY HALL.

**10.40.060 RESPONSE TO REQUESTS FOR PUBLIC RECORDS.**

ALL REQUESTS FOR PUBLIC INFORMATION OR RECORDS SHALL BE APPROVED BY THE CITY CLERK. THE CITY CLERK, OR DESIGNEE SHALL, CONSISTENT WITH THE ORDERLY CONDUCT OF MUNICIPAL BUSINESS, MAKE A GOOD FAITH AND DILIGENT EFFORT TO PROVIDE A RAPID AND INTELLIGIBLE RESPONSE TO REQUESTS FOR INSPECTION OF RECORDS MADE PURSUANT TO THIS CHAPTER. TO EFFECT THIS POLICY, THE FOLLOWING GUIDELINES ARE ADOPTED:

- (A) INFORMATION PURSUANT TO THIS CHAPTER SHALL BE FURNISHED PROMPTLY TO THE REQUESTING PARTY UNLESS THE INFORMATION REQUESTED IS DECLARED PRIVILEGED OR CONFIDENTIAL PURSUANT TO APPLICABLE FEDERAL, STATE OR MUNICIPAL LAW. IF THE CITY CLERK OR DESIGNEE CONSIDERS THE INFORMATION TO BE PRIVILEGED, AFTER CONSULTATION WITH THE CITY ATTORNEY, HE OR SHE SHALL PREPARE A SLIP SETTING FORTH THE DATE, THE ITEM OF INFORMATION REQUESTED, THE SPECIFIC PROVISION OF APPLICABLE STATE, FEDERAL OR MUNICIPAL LAW EXEMPTING THE REQUESTED INFORMATION FROM DISCLOSURE. A COPY OF THIS SLIP SHALL BE PROVIDED TO THE PARTY REQUESTING THE INFORMATION.

- (B) A DECISION REGARDING A REQUEST FOR INFORMATION OR INSPECTION OF PUBLIC RECORDS MAY BE APPEALED TO THE CITY COUNCIL AND A WRITTEN REPLY WILL BE GIVEN WITHIN SEVEN (7) WORKING DAYS FROM THE COUNCIL'S CONSIDERATION THEREOF EITHER GRANTING OR DENYING THE APPEAL. AN APPEAL FROM THE DECISION OF THE COUNCIL SHALL BE TO THE SUPERIOR COURT.
- (C) ALL REQUESTS FOR RECORDS AND INFORMATION MADE PURSUANT TO THIS CHAPTER SHALL BE RESPONDED TO WITHIN A REASONABLE TIME PERIOD. IF THE RECORDS AND INFORMATION CANNOT BE LOCATED IN TIME TO MAKE A RESPONSE WITHIN FIVE (5) WORKING DAYS OF THE REQUEST, THE REQUESTING PARTY SHALL BE PROMPTLY ADVISED, AND, IF THE REQUESTING PARTY STILL DESIRES THE INFORMATION OR RECORDS, A REASONABLE AND DILIGENT SEARCH SHALL CONTINUE.
- (D) IF A REQUEST IS DEEMED NON-ROUTINE OR LARGE, WRITTEN NOTIFICATION WILL BE MADE TO THE REQUESTOR WITHIN FIVE (5) WORKING DAYS WITH AN ESTIMATE OF PRODUCTION COSTS PURSUANT TO KMC 10.40.060(c) AND APPENDIX, PUBLIC RECORD INSPECTIONS REGULATIONS, REGULATION 1, FEES.]

**Section 3.** Enactment of Section of Kenai Municipal Code: That Kenai Municipal Code, Chapter 10.40 - Access to Public Records is hereby re-enacted as follows:

### **Chapter 10.40 - Access to Public Records**

#### **10.40.010 Purpose and Intent.**

The purpose of this chapter is to establish uniform procedures to ensure that requests for public records are handled in a timely, reasonable and responsive manner. It is the intention of the City that all disclosable public records will be made available upon request and in compliance with the requirements of Alaska Statutes and this chapter, subject to exceptions, exemptions and upon payment of applicable fees provided in this chapter or otherwise provided by law.

#### **10.40.020 Definitions.**

For the purpose of this chapter:

- (a) "Business Day" means every day except Saturday, Sunday or a holiday recognized by the City, and is calculated by excluding the first day and including the last day, unless the last day is a Saturday, Sunday or holiday.
- (b) "Certified Copy" means a copy of a document certified as correct by the City Clerk.
- (c) "City" means any department, division, board, or commission which has custody of a public record as defined in this chapter.
- (d) "Emergency Services Department Records" means records related to the unique functions of the Fire or Police Department, which include but are not limited to fire incidents, emergency medical services, public safety, investigations, and law enforcement.
- (e) "Harassment Request" means a request not made in good faith, and is made for the purpose of harassment of the City or City officials, or to purposely interfere with the orderly conduct of City business.
- (f) "Non-Routine Request" means but is not limited to a request for records that are or might be exempt from disclosure, requests that will or might be denied for any reason, requests that will take substantial staff time to respond, and requests from a person involved in litigation with the City.
- (g) "Proprietary Information" means information regarding techniques, methods, strategies or other unique data in which a valuable property interest may be established or which may be used by person or entity for a competitive advantage.

- (h) "Public Record" means items, regardless of format or physical characteristics that are developed or received by the City that are preserved for their informational value or as evidence of the organization or operation of the City; "public records" or "records" does not include proprietary software programs.
- (i) "Routine Request" means a request for records that are clearly to be made available to the public, and which can be responded to quickly without a substantial amount of effort or time by the City staff.

**10.40.030 Records Available to the Public and Format.**

- (a) Unless provided otherwise by law or regulation, public records of the City are open to inspection by the public subject to any applicable fees and regulations regarding the time, place and manner of inspection as provided in 10.40.060.
- (b) The City is not required to manipulate data to create new records in response to a request for public records, nor is the City required to compile or summarize records in response to a request for information.
- (c) Except as otherwise provided by law, if the request is for a public record that contains confidential information or non-disclosable information, the confidential or non-disclosable information will be redacted before the record is provided.
- (d) Records will normally be made available in the format in which the City maintains or disseminates records. Exact reproduction will not be required, but any alteration of the form or medium of the record must not change the substantive content of the information, and if the content is changed, the nature of the change and the reason for the change will be communicated to the requestor.
- (e) When providing records by electronic services or products, the City will ensure that access to confidential information and proprietary software is protected.

**10.40.040 Form of Request.**

- (a) This section applies to all requests, except for requests processed under 10.40.050.
- (b) Requests for the inspection or copying of records will be made in writing on a form provided by the City Clerk. The City Clerk will maintain a log of all requests for the disclosure of public records, the log will include the date and time of the request and fee charged, if any. If a requester is unable to complete the form due to a physical or mental disability, the City Clerk or designee will either assist the requester in completing the written form or treat the requester's oral request as a written request.
- (c) Description of Record: A requestor must describe the records sought in sufficient detail to enable the City to locate and identify the records sought. If the records are described by the requestor in general terms, the city staff will attempt to communicate with the requestor to identify the records requested and lessen the administrative burden of processing an overly broad request. If the city staff is unable to communicate with the requestor and the request is not sufficient to allow the staff the ability to identify the requested records, the requestor will be notified within 10 business days after receipt of the request by the City Clerk, that the request cannot be approved or processed until a sufficient description of the record is received.
- (d) Aggregation of Certain Requests: If the City Clerk, based on reliable information, after consultation with the City Attorney, determines one or more individuals have made one or more requests for public records on behalf of another person or group for the purpose of dividing a request into smaller parts to avoid payment of production fee (for production of records requiring more than five hours of staff time per month), the City Clerk will aggregate all such requests and treat them as one request.
- (e) Harassment Requests: If the City Clerk, in good faith, after consultation with the City Attorney, reasonably determines the request is a harassment request as defined by this chapter, the City Clerk will deny the request. Such a determination will be made only after notice and an opportunity for the requestor to be heard by the City Clerk.

**10.40.050 Response by Department.**

- (a) Requests for Emergency Services Department records as defined by this chapter may be processed by the director of the department or director's designee. Nothing in this chapter will prevent the director or designee from consulting with the City Attorney and/or the City Manager prior to making a determination.
- (b) Routine requests for records as defined by this chapter may be processed by the director of the department or director's designee in which the records are located and may be submitted orally or in writing.
  - (1) Routine requests do not include requests for records that might be exempt from disclosure, requests that will or might be denied for any reason, requests that will take substantial staff time to respond to, or requests from a person involved in litigation with the City. If it is determined that a request being processed under this section is not a routine request, the request will be transferred to the City Clerk for processing.

**10.40.060 Regulation of Time, Place and Manner of Inspection.**

- (a) *Routine Requests.* Will be responded to promptly at the office where the records are kept, or another City office if more convenient to the City, during business hours at a time that does not interfere with the orderly conduct of City business.
- (b) *Non-Routine Requests.* Records in response to an approved non-routine request will be made available for inspection or copying at City Hall, under the direction of the City Clerk or designee. For the convenience of the City, the City Clerk may designate an inspection location elsewhere in the City. The time for inspection will be during business hours. The City Clerk will advise the requestor of the specific times and dates on which the inspection may occur. If, and to the extent necessary to maintain the orderly conduct of city business, the City Clerk may limit the days and hours when inspection and copying of public records may occur.
- (c) *Large Requests.* If a request is made for inspection or copying of a large volume of public records, the City Clerk, after consultation with the City Attorney, may require the requestor to make a written designation of the order in which the requestor wants the records produced. When such order is designated by the requestor, the City will attempt to produce the records in that order. Requests for inspection or copying of a large volume of public records, or requests that will require the City to search or review a large volume of public records, will be responded as City staff time permits. The City Clerk will advise the requestor of the estimated time in which the response will be made.

**10.40.070 Litigation Disclosure.**

If a person requesting inspection of city records is involved in litigation, or an appeal involving the City or a City agency in any judicial or administrative forum, the disclosure of records used for, included in, or relevant to that litigation, proceeding or appeal is governed by the rules or orders of that forum, and not by this chapter. In this section, "involved in litigation" means being a party to litigation, or appeal, or representing a party, including any person obtaining records on behalf of the party.

**10.40.080 Response to Request for Public Records.**

- (a) Non-routine requests for public records will be approved or denied by the City Clerk or designee. Nothing in this chapter will prevent the City Clerk or designee from consulting with the City Attorney and/or the City Manager prior to making a determination.
- (b) Non-routine requests will be referred to the division or department head responsible for those records. The department head or designee will, consistent with the orderly conduct of City business, make a good faith and reasonable effort to locate records that are adequately identified in the request, and return the located records to the City Clerk.

- (1) If the record is subject to inspection under this chapter and is readily available, the City Clerk or designee will permit the requester to inspect the record or, within ten business days of receipt of the request, provide the requester with a copy of the City record upon receipt of any applicable fees.
  - (2) If a record is not subject to inspection, within ten business days of receipt of the request the City Clerk will state in writing that the records is not subject to inspection, providing an explanation and/or the City, State or Federal law that authorizes or requires the withholding of the City record from inspection.
  - (3) If the request is deemed non-routine, large and is not immediately available or staff resources of the City are not sufficient to respond to the request, within ten business days of the receipt of the request, the City Clerk will furnish a written acknowledgment of the receipt of such request and a statement of the approximate date the records will be available and an estimate of any applicable fees, which will be reasonable under the circumstances of the request.
- (d) Original records will not leave the custody of the City.

**10.40.090 Fees for copying search and production.**

- (a) Copying fee. The fee for copying public records including paper documents, audio/video recordings, and digital records will be a per copy fee as set forth in the City's schedule of fees adopted by the City Council. The first ten copies of paper documents are free.
- (b) Certified copy fee. The fee for a certified copy of a document will be as set forth in the City's schedule of fees adopted by the City Council, plus any applicable copying, searching and production fees.
- (c) Search and production fee. Except as otherwise provided, if the search and production of a record for one requestor in a calendar month exceeds five-person hours, the requestor must pay all costs associated with the search and production of the record, for the time required over five hours. The search and production fee will be the equivalent of the actual salary plus benefits for the time spent by the City staff to search and produce the records. The search and production fee will be in addition to the copying fee.
- (d) Electronic services and products. The fee for electronic services and products will be based on recovery of the actual incremental costs of providing the electronic services and products, and a reasonable portion of the costs associated with building and maintaining the information system of the City.
- (e) Payment of applicable fees.
  - (1) The requester will pay all fees before the records are disclosed, except the City Clerk may waive this requirement in accordance with KMC 10.40.100.
  - (2) Payments may be required in advance of the search and production of records when it is reasonably believed that the search and production will require more than five hours to complete and will generate a fee under this section that is not waivable under KMC 10.40.100.

**10.40.100 Waiver and Reductions in Fees.**

- (a) The fees required by this chapter may be waived by the City Clerk:
  - (1) In the case of indigency; or
  - (2) If the City Clerk finds the records or electronic services and products are to be used for a public purpose.
- (b) Fee reductions and waivers will be uniformly applied among persons who are similarly situated.

(c) Fee reduction in the case of indigency. If a person is unable to pay a fee and signs an affidavit on a form provided by the City Clerk to that effect, the City Clerk will waive all or part of the applicable fees in accordance with the table below. No waiver or reduction will be granted if the City Clerk after consultation with the City Attorney finds, based upon reliable information that the affidavit of indigency was made fraudulently or in bad faith.

<u>Annual Income as a Percent of Current Health and Human Services (HHS) Poverty Guidelines of Alaska</u>	<u>Percent of Fee Reduced</u>
<u>1 - 100%</u>	<u>100% Waiver</u>
<u>101 - 149%</u>	<u>75%</u>
<u>150 - 174%</u>	<u>50%</u>
<u>175 - 199%</u>	<u>25%</u>
<u>200% plus</u>	<u>No Waiver</u>

**10.40.110 Denial.**

- (a) A request for public records may be denied if any one of the following provisions are applicable:
- (1) The record is not known to exist after a diligent search is made for it;
  - (2) The record is not in the City’s possession and remains unknown or outside of the City’s control;
  - (3) The record has been destroyed in accordance with an applicable records-retention schedule; or,
  - (4) Nondisclosure of the record is authorized by Federal or State Law or regulation.
- (b) A denial under this section is the final administrative order for purpose of appeal. The denial must be in writing, must state the basis and reason for the denial. A denial must further state that the requester may obtain judicial review by appealing the denial to the Superior Court.

**10.40.120 Appeal**

The final administrative order may be appealed to the Superior Court. Such an appeal must be made under the court rules of procedure governing appeals to the Superior Court.

**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 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 20<sup>TH</sup> DAY OF DECEMBER, 2023.

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



ATTEST:

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Michelle M. Saner, MMC, City Clerk

Introduced:	November 15, 2023
Enacted:	December 20, 2023
Effective:	January 19, 2024

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Vice Mayor Baisden  
**FROM:** Shellie Saner, City Clerk  
**DATE:** August 17, 2023  
**SUBJECT:** **Ordinance No. 3381-2023** - Repealing Municipal Code Appendices - Public Records Inspection Regulations, Repealing Kenai Municipal Code Chapter 10.40 - Release of Public Records and Enacting Kenai Municipal Code 10.40 - Access to Public Records.

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The Ordinance as proposed would delete the public records inspection regulations from the appendices of Kenai Municipal Code (KMC), repeal Chapter 10.40 - Release of Public Records and Enact a new Chapter 10.40 - Access to Public Records. This would place rules and regulations related to accessing City of Kenai public records into one location within municipal code.

Attached to this Ordinance are copies of the current KMC Chapter 10.40 and the current Appendices, both of which include comments identifying where or how each section was or was not included in the proposed new chapter.

The following information further explains the changes within the new chapter.

- ❖ **10.40.010 Purpose and Intent.** Previously this section was titled “Intent” the proposed amendment includes a sentence identifying the purpose for the chapter and the intent section was rewritten.
- ❖ **10.40.020 Definitions.** The definition section was expanded to include definitions for Business Day, Certified Copy, Emergency Services Department Records, Harassment Request, Non-Routine Request, Proprietary Information, and Routine Requests. The definition for Municipal Agency was changed to City and the definition for Public Record was modified and no longer lists the different forms of records, instead states “information regardless of format or physical characteristics”.

There are three sections in the current appendices which are now included in the definitions: Routine Requests, Non-Routine Requests and Harassment Request. Having these three types of requests included in the definitions, allowed the proposed new chapter to address each type in different sections, for example the regulations for time, place and manner of inspection differs between a Routine and Non-Routine request and the regulations for response to a request will vary when it's a non-routine request versus a routine request.

- ❖ **10.40.030 Records Available to the Public and Format.** Previously titled Information Available to the Public. The previous section listed six specific record types that were available, which did not identify all records that are available. The six listed were not records that would have been exempt from disclosure and listing them out was not necessary.

This new chapter was also modified to include the following sections from the appendices: 4.01 Form of Record; 4.02 Summarization of manipulations of records; 4.03 Partially disclosable records

- ❖ **[10.40.040 RECORDS EXEMPTED.]** The previous section 10.40.040 Records Exempted was listed out specific records that were exempt from disclosure. This information was left out of the new chapter. In multiple sections of the new chapter, there are references that records will be disclosed unless otherwise provided by law. If a request for a record were denied the new section 10.40.110 requires that a denial must be in writing and must state the basis and reason for the denial, the basis would include the reference to the local, federal or state law that exempts the record.
- ❖ **10.40.040 Form of Request.** The new section 10.40.040 incorporates and modifies the following sections that were previously in the Appendices: 2.03 Non-Routine Requests; 2.04 Aggregation of Certain Requests; 2.06 Harassment Requests; and 2.07 Description of Records Requested.
- ❖ **10.40.050 Response by Department.** This is a new section of code which addresses the following:
 

The previous code and appendices did not capture how requests for Emergency Services Department records are currently processed by the City; and, due to the unique functions of law enforcement and emergency services these requests are processed by the department. Paragraph (a) of this new section codifies the current practices.

Routine Requests were previously included in the Appendices section 2.02. Paragraph's (b) and (b)(1) of the new section incorporates and modifies the previous version.
- ❖ **10.40.060 Regulation of Time, Place and Manner of Inspection of Public Records.** This section was previously 10.40.050 and established that the council shall adopt regulations as to the time, place and manner of inspection; that fees may be required; and the rules related to the format of the record produced. The regulations as required in the previous chapter were adopted in the appendices as: 3.01 Routine Requests; 3.02 Non-Routine Requests; 3.03 Large Request. These three sections of the appendices were included in the new chapter 10.40.060. Fee requirements were included in the new section 10.40.100; and the regulations regarding the format of the records produced was included in the new section 10.40.030(d)
- ❖ **10.40.070 Litigation Disclosure.** This section is new and was included based on the Alaska Administrative Code 2 AAC 96.220 and Alaska Statutes 40.25.122.
 

This new section was included to address the State of Alaska regulations requiring when a person is involved in litigation, the records sought shall be disclosed in accordance with the rules of procedure applicable in a court or an administrative adjudication.
- ❖ **10.40.080 Response to a Request for Public Records.** This section was previously 10.40.060 and has been modified substantially, the following identifies the more substantial changes:
  1. Previously applied to all requests for public records, which conflicted with the appendices with regards to Routine Requests. The new section only applies to Non-Routine Requests. Responses to Routine Requests are established in the section 10.40.050.
  2. Previously allowed appeals to the City Council regarding the approval or denial of the release of a record and the City Council's decision was appealable to the Superior Court. Provisions allowing appeals to the City Council were omitted and provisions allowing appeal to the Superior Court were included in the new section 10.40.110 (b).
 

Removal of the provisions allowing appeals to the City Council was based on the specific State and Federal Laws and rules which regulate records which are open to the public and records that are protected. If a record is withheld, the decision to withhold the record would be based on a provision of law protecting that record and the release of such a record could present a liability to the City.
  3. Previously required a response within five working days. The required days for response was increased to 10 days, and provisions were included in the definitions to establish how days are calculated.

The number of days required for response were increased to address several issues, such as the increased volume of records being requested as well as the increased number of staff hours being utilized to address public records request. 2 AAC 96.325 establishes that no later than 10 working days the agency will provide the records, or advise the requestor the record is non-disclosable, or extend the 10-day response time by providing notice to the requester stating the reason and the date when the records will be disclosed.

- ❖ **10.40.090 Fees for Copying, Search and Production.** This section incorporated the following sections of the Appendices: 1.01 Copies; 1.02 Certified Copies; 1.03 Production Fee; and 1.04 Estimate and Advance Payment. Production fee was expanded to include search fees as well. This is intended to clarify that when responding to a request for public records the search time and production time are both accounted for when establishing the staff time spent on requests for records.
- ❖ **10.40.100 Waiver and Reductions in Fees.** This section incorporates 1.06 Indigency from the appendices and includes new language which aligns with AS 40.25.110 (d) and allows the fees to be waived if the records are to be used for a public purpose. This section also incorporates Appendices 2.05 Bad Faith of Affidavit of Indigency.
- ❖ **10.40.110 Denial.** This section was expanded to include reasons why a request may be denied and incorporates in part the previous Appendices section 5.01 Written Response.
- ❖ **10.40.120 Appeal.** As explained earlier in the memo appeals to the City Council were removed, this new section establishes that the decision may be appealed to the Superior Court.
- ❖ **Appendices 1.05 Inspection Only.** This section was left out entirely, a request for a record regardless if it were for inspection or copies would be handled in the same manner and incur the same search and possibly production fees.
- ❖ **Appendices 5.02 Response to Oral Requests.** This section was left out, only routine requests may be made orally. If the department were not able to fill an oral request, the requestor would be referred to the Clerk's Office and the request would then become a Non-Routine written request.
- ❖ **Appendices 5.03 When no Response is Deemed Denial.** This section was left out, denial procedures in the new section 1.40.110 require a written denial from the Clerk.

*The following information is the current section of Kenai Municipal Code, Chapter 10.40 - Release of Public Records. The notes to the right indicate where or how these sections were or were not incorporated into the proposed new code.*

## Chapter 10.40

### 10.40.010 Intent.

It is the intention of the City to provide access of the public to municipal records and information consistent with the Alaska Public Records Act, so that the people of the City may be well informed at all times as to municipal business. With the exception of the specific exemptions set forth under Section [10.40.040](#), all information and records in the control of the municipality shall be made available to the public upon request.

**Commented [SS1]:** This section was substantially rewritten as 10.40.010 in the proposed new code.

### 10.40.020 Definitions.

For the purposes of this chapter:

- (a) "Municipal agency" means any department, division, board, commission or private contractor, of the City, which has custody of public records as defined in this chapter.
- (b) "Public records" mean books, papers, files, accounts, writings, including drafts and memorializations of conversations, and other items, regardless of format or physical characteristics, that are developed or received by the City or a municipal agency and that are preserved for their informational value or as evidence of the organization or operation of the City; "public records" does not include proprietary software programs.

**Commented [SS2]:** This section was expanded to include additional definitions as 10.40.020 in the proposed new code.

**Commented [SS3]:** Changed to "City"

**Commented [SS4]:** Modified to exclude the list of record types, replaced with "means items, regardless of format or physical characteristics"

### 10.40.030 Information available to the public.

Except as provided by Section [10.40.040](#), or by other provisions of municipal, State or Federal law, all public records shall be open to inspection by any person subject to regulations regarding the time, place and manner of inspection which may be adopted by the City Council pursuant to Section [10.40.050](#). Documents are not required to be created in order to comply with an information request, but will be provided from documents/information that already exists. The types of records and information open to public inspection pursuant to this chapter shall include, but shall not be limited to, the following:

- (a) Financial and operational cost information, including information as to revenues, expenditures, indebtedness, formal departmental recommendations in regard to project priority, and after budget finalization, department budget requests;
- (b) Information relating to contracts to which the municipality is a party, including payment provisions, information relating to bids and requests for proposals received or solicited by

**Commented [SS5]:** This section was not included. The new section intended to replace it is 10.40.030 and does not include an itemized list of records.

the municipality, and information relating to the status of goods or services furnished pursuant to contract;

(c) Regulatory, financial assessment and tax information concerning real property located within the municipality;

(d) Compensation levels and fringe benefits accorded municipal officers and employees by law, including information in regard to the pay range and step grade of an employee or officer and statistical analyses or compilations relating to municipal practices and policies concerning compensation for various occupational groups, departments and divisions;

(e) Statistical information and analyses concerning case loads, numbers and categories of persons for whom services were performed or treatment provided, results achieved and per patient and per unit cost; and

(f) Feasibility, management, cost effectiveness and similar reports prepared by the municipality with municipal moneys.

The foregoing enumeration of information available for public inspection is not designed to limit the categories of records and information that shall be made available to the public pursuant to this chapter. The policy of providing public access to public information shall be broadly and liberally construed.

#### **10.40.040 Records exempted.**

The City shall not be required to release or disclose the following documents or records:

(a) Communications of any kind between the municipal attorney and officers or employees of the City, or any other individual, firm or corporation containing a legal opinion, memorandum or other disclosure or information pertaining to any matter then in litigation or where litigation may be reasonably anticipated. This exemption does not extend, however, to any documents, records or other written communication that may have been made public prior to the commencement of litigation and public records which must otherwise be disclosed cannot be withheld on the grounds that they have been submitted to the municipal attorney;

(b) All personnel records of City officers and employees, including, without limitation, employment applications, examination materials, and performance evaluations, records that reveal medical information about any specific individual; records that reveal the personal, intimate, or private life of an individual; and, in addition, any record the disclosure of which would constitute an unwarranted invasion of privacy; but this subsection does not protect from disclosure the following:

- (1) Employment applications of City officials appointed by the City Council,
- (2) Employment applications of the director of each department of the City,

**Commented [SS6]:** This section was omitted. Instead of listing certain types of records exempted, in the Denial Section 10.40.110, it states a request may be denied if nondisclosure of the record is authorized by a Federal or State Law or regulation.

- (3) Performance evaluations of City officials appointed by the City Council to the extent the performance evaluations relate to the individual's job performance and do not impugn an individual's honesty, integrity, or morality outside of professional life,
- (4) The names and position titles of all City employees,
- (5) The current and prior positions held by a City employee,
- (6) The dates of appointment and separation of a City employee, and
- (7) The records described in Section [10.40.030\(d\)](#).

In the event of a request for disclosure of items described in subparts 1, 2, and 3 of this subsection, the City Manager, City officials and directors will be notified at least two (2) days prior to release of such records and may appeal the decision under KMC [10.40.060](#).

(c) Records or information compiled for law enforcement purposes, but only to the extent the production of the law enforcement records or information:

- (1) Could reasonably be expected to interfere with enforcement proceedings,
- (2) Would deprive a person of a right to a fair trial or an impartial adjudication,
- (3) Could reasonably be expected to constitute an unwarranted invasion of the personal privacy of suspect, defendant, victim, or witness,
- (4) Could reasonably be expected to disclose the identity of a confidential source,
- (5) Would disclose confidential techniques and procedures for law enforcement investigations or prosecutions,
- (6) Would disclose guidelines for law enforcement investigations or prosecutions if the disclosure could reasonably be expected to risk circumvention of the law, or
- (7) Could reasonably be expected to endanger the life or physical safety of an individual;

(d) Information such as name, address, etc., that would identify complainants in actions to enforce any City regulation or ordinance, except as such disclosure may become necessary to a fair and just disposition of the enforcement proceeding;

- (e) Records held by the City concerning any customer using municipal services, release of which would be unwarranted invasion of privacy;
- (f) Engineering or other technical specifications or data which might provide a competitive advantage to any person, firm, or corporation engaged or potentially to be engaged in municipal business;
- (g) Information obtained by and in the custody of insurance carriers insuring the municipality and their attorneys and agents regarding possible and pending claims against the municipality;
- (h) Medical and related public health records;
- (i) Records pertaining to juveniles unless disclosure is authorized by law;
- (j) Records required to be kept confidential by law;
- (k) Any record, nondisclosure of which is authorized by a valid Alaska or Federal statute or regulation, or by a privilege, exemption, or principle recognized by the courts, or by a protective order authorized by law; and
- (l) Sales tax information excluded from disclosure by KP.B 5.18.040 as amended.

(Ord. 2396-2009)

**10.40.050 Regulation of time, place and manner of inspection of public records.**

The City Council shall adopt regulations as to the time, place, and manner of inspection of public records held by the municipality. Such regulations may also provide:

- (a) That a fee may be required. The fee shall not exceed the actual cost to produce the information requested. In the event the person is unable to pay any requested fee, and signs an affidavit to the effect that he or she is indigent, there will be no cost to the above-described person. See Appendix, Public Record Inspections Regulations, Section 1.06.
- (b) The form in which the specific documents shall be made available. Documents need not be reproduced in the exact form or medium in which they are stored. However, any alteration of the form or medium of public record shall not change the substantive content of the information contained in the public record. When the actual content is changed, the nature of the change and why it was necessary shall be communicated to the requestor.

**Commented [SS7]:** Substantially modified in proposed 10.40.060 to include the regulations which were adopted by council and included in the Appendices.

**Commented [SS8]:** Fees are established in proposed 10.40.090 and indigency was included in 10.40.100

**Commented [SS9]:** This information was incorporated into the proposed 10.40.030



Regulations adopted pursuant to this section shall be posted in a conspicuous manner at City Hall.

(Ord. 2396-2009)

#### **10.40.060 Response to requests for public records.**

**Commented [SS10]:** Rewritten as proposed 10.40.080

All requests for public information or records shall be approved by the City Clerk. The City Clerk, or designee shall, consistent with the orderly conduct of municipal business, make a good faith and diligent effort to provide a rapid and intelligible response to requests for inspection of records made pursuant to this chapter. To effect this policy, the following guidelines are adopted:

(a) Information pursuant to this chapter shall be furnished promptly to the requesting party unless the information requested is declared privileged or confidential pursuant to applicable Federal, State or municipal law. If the City Clerk or designee considers the information to be privileged, after consultation with the City Attorney, he or she shall prepare a slip setting forth the date, the item of information requested, the specific provision of applicable State, Federal or municipal law exempting the requested information from disclosure. A copy of this slip shall be provided to the party requesting the information.

(b) A decision regarding a request for information or inspection of public records may be appealed to the City Council and a written reply will be given within seven (7) working days from the Council's consideration thereof either granting or denying the appeal. An appeal from the decision of the Council shall be to the Superior Court.

(c) All requests for records and information made pursuant to this chapter shall be responded to within a reasonable time period. If the records and information cannot be located in time to make a response within five (5) working days of the request, the requesting party shall be promptly advised, and, if the requesting party still desires the information or records, a reasonable and diligent search shall continue.

(d) If a request is deemed non-routine or large, written notification will be made to the requestor within five (5) working days with an estimate of production costs pursuant to KMC [10.40.060\(c\)](#) and Appendix, Public Record Inspections Regulations, Regulation 1, Fees.

(Ord. 2396-2009)

*The following information is the current section of the Kenai Municipal Code, Appendices on Public Records Inspections. The notes to the right indicate where or how these sections were or were not incorporated into the proposed new code:*

## PUBLIC RECORD INSPECTIONS REGULATIONS

### 1. FEES.

#### 1.01 Copies.

The fee for copying public records including paper documents, audio recordings, cassettes, and compact discs shall be a per copy fee as set forth in the City's schedule of fees adopted by the City Council. The first ten (10) copies of paper documents are free. (Ord. 2396-2009; Res. 2011-12)

**Commented [SS1]:** Modified version included in 10.40.090(a)

#### 1.02 Certified copies.

The fee for a certified copy of a document will be the City's standard certification fee, plus the standard copying fee, both as set forth in the City's schedule of fees adopted by the City Council. Only the City Clerk or Deputy City Clerk will certify documents. (Ord. 2396-2009; Res. 2011-12)

**Commented [SS2]:** Modified version included in 10.40.090(b)

#### 1.03 Production fee.

If the production of records for one requestor in a calendar month exceeds five (5) person hours, the requestor must pay a production fee. The production fee will be the City employee's actual salary, plus benefit costs, for the time required over five (5) hours during the month to search, review, and copy the records. If multiple City employees compile the requested records, a composite hourly rate for all employees involved will be determined and a credit for five (5) hours at that rate will be applied. The production fee will be in addition to the standard copying fee.

**Commented [SS3]:** Modified to include search fees and included in 10.40.090(c)

The composite rate calculation table was omitted.

Example of composite rate calculation is:

Employee A	15 hours	@ \$50/hour	=	\$750.00
Employee B	4 hours	@ \$75/hour	=	\$ 300.00
Employee C	2 hours	@ \$35/hour	=	\$ 70.00
<b>Totals</b>	21 hours			\$1,120.00

\$1,120 ÷ 21 (total hours) = \$53.33 (composite rate)

\$1,120 - (\$53.33 x 5 free hours) = \$ 853.35 to be paid by FOIA Requestor (Ord. 2396-2009)

**1.04 Estimate and advance payment.**

**Commented [SS4]:** Modified in proposed 10.40.090 (e)

If a production fee is required or anticipated under Section 1.03, the City staff will prepare an estimate of the production fee and copying fee that are expected to result from producing the requested records. The requestor must deposit the estimated production and copying fees in advance of the search. If the actual production and copying fees are less than the estimate, the requestor will be given a refund of the difference. If the actual production and copying fees are greater than the estimate, the records will not be released to the requestor until the requestor pays the difference. (Ord. 2396-2009)

**1.05 Inspection only.**

**Commented [SS5]:** Inspection only was omitted. The new proposed code does not identify the difference between request to inspect vs requested copies, all fees are applied equally related search and production.

There will be no fee for simple inspection of records, except when the production of the records for inspection by one requestor in a calendar month exceeds five (5) person-hours. In that case, the requestor will be required to pay the production fee as described in Section 1.03. (Ord. 2396-2009)

**1.06 Indigency.**

**Commented [SS6]:** Modified and included in proposed 10.40.100 (c)

If a person is unable to pay a fee, and signs an affidavit to the effect that he or she is indigent, then the City Clerk will waive the copying fee and production fee, except when the City Clerk,

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based upon reliable information, determines the affidavit of indigency is made in bad faith or fraudulently.

<b>Annual Income as a Percent of Current Health and Human Services (HHS) Poverty Guidelines for Alaska</b>	<b>Percent of Fee Reduced</b>
1—100%	100% Waiver
101—149%	75% Waiver
150—174%	50% Waiver
175—199%	25% Waiver
200% plus	No Waiver

An application for indigency may be filed with the City Clerk for waiving or partially waiving the costs of record reproduction. The City Clerk may allow an applicant, who qualifies as an indigent, a reduced record reproduction fee, a payment plan or a waiver of the filing fee where the City Clerk is able to make a written finding, based on information provided by the applicant that payment of the record reproduction fee would be a financial hardship. Based upon the information provided, the fee may be reduced or waived in accordance with the above scale. As required by AS [40.25.110](#), any fee waiver or reduction must be uniformly applied to persons who are similarly situated. (Ord. 2396-2009)

## 2. REQUIREMENTS FOR PUBLIC RECORD REQUESTS—APPROVALS AND DENIALS.

### 2.01 City Clerk approval.

According to Kenai Municipal Code, Chapter [10.40](#), all requests for public information or records are to be approved by the City Clerk, after consultation with the City Manager and City Attorney. (See Regulation 5.01.) The City Clerk, or designee, will, consistent with the orderly conduct of City business, make a good faith and diligent effort to provide a rapid and intelligible response to requests for inspection of records. (Ord. 2396-2009)

**Commented [SS7]:** Modified as proposed 10.40.080(a)

### 2.02 Routine requests.

Routine requests for inspection or copying of records may be approved (but not denied) and responded to by the City Clerk, Deputy City Clerk, or the Department Head of the department in which the records are located. They may act as the City Clerk's designee for the approval of routine requests. For purposes of these regulations, a routine request is a request for records that are clearly to be made available to the public, and which can be responded to quickly without a substantial amount of effort or time by the City staff. Routine requests may be submitted orally or in writing. (Ord. 2396-2009)

**Commented [SS8]:** Routine request was included in the definitions and modified in proposed 10.40.050

### 2.03 Non-routine requests.

Non-routine requests for inspection or copying of records must be made in writing and referred to the City Clerk for approval or disapproval. Non-routine requests include, but are not limited to, requests for records that are or might be exempt from disclosure, requests that will or might be denied for any reason, requests that will take more than one (1) person-hour of staff time to respond, and requests from a person involved in litigation with the City. (Ord. 2396-2009)

**Commented [SS9]:** Non-Routine Request was included in definitions, there is no longer a specific section dedicated to it, instead it has been included where applicable in multiple sections:

10.40.060(b)  
10.40.080 (a), (b), (b)(3),

### 2.04 Aggregation of certain requests.

If the City Clerk, based on reliable information, after consultation with the City Attorney, determines one (1) or more individuals have made one (1) or more requests for public records on behalf of another person or group for the purpose of dividing a request into smaller parts to avoid the payment of a production fee (for production of records requiring more than five (5)

**Commented [SS10]:** Included as proposed 10.40.040(d)

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person-hours of staff time per month), the City Clerk will aggregate all such requests and treat them as one (1) request made by person. (Ord. 2396-2009)

### **2.05 Bad faith affidavit of indigency.**

If the City Clerk, based on reliable information, after consultation with the City Attorney, determines a person has made an affidavit of indigency in bad faith or fraudulently for the purpose of avoiding payment of production, copying, or other fees, the City Clerk will deny the waiver of the fees. (Ord. 2396-2009)

**Commented [SS11]:** Modified and included in proposed 10.40.100 (c) *last sentence*.

### **2.06 Harassment request.**

If the City Clerk, in good faith, after consultation with the City Attorney, reasonably determines a request for copies or inspection of records is not made in good faith, and is made for the purpose of harassment of the City or City officials, or to purposely interfere with the orderly conduct of City business, the City Clerk will deny the request. Such a determination will be made only after notice and an opportunity for the requestor to be heard by the City Clerk. (Ord. 2396-2009)

**Commented [SS12]:** Included in proposed 10.40.040 (e)

### **2.07 Description of records requested.**

A requestor must describe the records sought in sufficient detail to enable the City to locate and identify the records sought. If the records are described by the requestor in general terms, the city staff shall attempt to communicate with the requestor to identify the records requested and lessen the administrative burden of processing an overly broad request. If the request is not sufficient to allow the staff to identify the requested records, the requestor shall be notified promptly by the City Clerk, the request cannot be approved or processed until a sufficient description of the record is received. (Ord. 2396-2009)

**Commented [SS13]:** Included in proposed 10.40.040(c)

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### 3. TIME AND PLACE OF INSPECTION.

#### 3.01 Routine requests.

A routine request for records will be responded to promptly at the office where the records are kept, or another City office if more convenient to the City, during business hours at a time that does not interfere with the orderly conduct of City business. If the records cannot be produced within five (5) working days, the requestor will be advised. (Ord. 2396-2009)

**Commented [SS14]:** Modified and included in proposed 10.40.050

#### 3.02 Non-routine requests.

Records in response to an approved non-routine request will be made available for inspection or copying at City Hall, under the direction of the City Clerk or the City Clerk's designee. For the convenience of the City, the City Clerk may designate an inspection location elsewhere in the City. The time for inspection will be during business hours. The City Clerk will advise the requestor of the specific time and date on which the inspection may occur. If, and to the extent necessary to maintain the orderly conduct of city business, the City Clerk may limit the days and hours when inspection and copying of public records may occur. (Ord. 2396-2009)

**Commented [SS15]:** Substantially modified in proposed 10.40.080 b 1-3

#### 3.03 Large requests.

If a request is made for inspection or copying of a large volume of public records, the City Clerk, after consultation with the City Attorney, may require the requestor to make a written designation of the order in which the requestor wants the records produced. When such order is designated by the requestor, the City will attempt to produce the records in that order. Requests for inspection or copying of a large volume of public records, or requests that will require the City to search or review a large volume of public records, will be responded as City staff time permits. The orderly conduct of City business will not be interrupted to make fast response to such a request. It is reasonable the maker of such a large request should expect an extended time for response. The City Clerk will advise the requestor of the estimated time in which the response will be made. (Ord. 2396-2009)

**Commented [SS16]:** Modified in 10.40.060 (c)

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## 4. FORM OF RECORDS PRODUCED.

### 4.01 Form of records.

**Commented [SS17]:** Modified, included in proposed 10.40.030

The records of the City will normally be made available for inspection or copying in the format in which the City maintains or disseminates the records. Exact reproduction is not required, but any alteration of the form or medium of public records must not change the substantive content of the information, and if the actual content is changed, the nature of the change and the reason for the change will be communicated to the requestor. (Ord. 2396-2009)

### 4.02 Summarization or manipulation of records.

**Commented [SS18]:** Incorporated into proposed 10.40.030 (b)

The City is not required to compile or summarize its records in response to a request for information. The City is not required to manipulate its data to create new records in response to a request for information. (Ord. 2396-2009)

### 4.03 Partially disclosable records.

**Commented [SS19]:** Modified and included in 10.40.030 (c)

If public records contain information that is disclosable in part and non-disclosable in part, the non-disclosable information shall be removed prior to disclosure. (Ord. 2396-2009)

## 5. WRITTEN DETERMINATIONS AND APPEALS.

### 5.01 Written response.

**Commented [SS20]:** Modified and incorporated in proposed 10.40.110 b

If the City Clerk, after consultation with the City Attorney and City Manager, makes an adverse determination, in whole or in part, to a written public records request, the City Clerk will provide a written response setting forth the adverse determination. It will include a description of the records requested, a description of the records that will not be provided, and the reasons for the adverse determination, including reference to provisions of law or regulations, facts, and other information relied upon. The City Clerk's written response will also include a notice the requestor has a right to appeal to the City Council. (Ord. 2396-2009)



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## 5.02 Response to oral requests.

Oral requests may be accepted for a routine request. Oral requests for records will not be accepted for a non-routine request or receive a written response from the City Clerk unless the requestor is unable to make a written request because of inability to write or because of mental or physical disability. In that case, the City staff will assist the requestor in making a request that will be responded to and treated as a written request for all purposes under these regulations. (Ord. 2396-2009)

Commented [SS21]: Included in proposed 10.40.040 (b)

## 5.03 When no response is deemed denial.

If the requestor receives no response to a written request for records within five (5) working days of making that request, the requestor may file with the City Clerk a written demand for a written response. If the City Clerk does not give a written response to that demand within three (3) working days of the City Clerk's receipt of the demand, the request for records will be deemed denied. (Ord. 2396-2009)

Commented [SS22]: Not included

## 5.04 Appeal to City Council.

A denial, in whole or in part, a deemed denial, or any adverse written determination by the City Clerk in response to a written request for public records may be appealed by the requestor to the City Council. An appeal must be filed in writing at the Office of the City Clerk within thirty (30) days of the date the decision was mailed to the requestor. The City Council will hear the appeal and issue a written decision within thirty (30) days of the date the appeal was filed at the Office of the City Clerk. There shall be no filing fee for the appeal to the City Council. (Ord. 2396-2009)

Commented [SS23]: Omitted

## 5.05 Appeal to Superior Court.

A final decision of the City Council on an appeal from a decision of the City Clerk may be further appealed to the Superior Court. Such an appeal must be made under the court rules of procedure governing appeals to the Superior Court. (Ord. 2396-2009)

Commented [SS24]: Included in proposed 10.40.120

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**The Kenai Municipal Code is current through Ordinance 3338-2023, passed March 15, 2023.**

Disclaimer: The City Clerk has the official version of the Kenai Municipal Code. Users should contact the City Clerk for ordinances passed subsequent to the ordinance cited above.

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

[City Telephone: \(907\) 283-7535](tel:(907)283-7535)

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**CITY OF KENAI  
ORDINANCE NO. 3382-2023**

AN ORDINANCE AMENDING KENAI MUNICIPAL CODE CHAPTER 7.05 TAXATION OF REAL AND PERSONAL PROPERTY TO PROVIDE AN EXEMPTION ON THE FIRST \$100,000 OF ASSESSED VALUATION OTHER THAN MOTOR VEHICLES AND WATERCRAFT OWNED BY EACH TAXPAYER AND MAKING HOUSEKEEPING CHANGES.

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WHEREAS, Kenai Municipal Code (KMC) 7.05 defines the City's taxation, as well as any exemptions to the taxation of real and personal property; and,

WHEREAS, Kenai Municipal Code currently requires all personal property, (except residential personal property) including aircraft, motor vehicles, and watercraft, be subject to taxation; and,

WHEREAS, motor vehicles are taxed by the State of Alaska through the vehicle registration process, and funds are remitted to the Kenai Peninsula Borough, which distributes the City's proportional share; and,

WHEREAS, a house keeping amendment to KMC Chapter 7.05 to clarify motor vehicle taxation is in the best interest of the City and its residents; and,

WHEREAS, the current business personal property tax is burdensome to many business owners within the City and is not consistent with neighboring communities; and,

WHEREAS, the Kenai Peninsula Borough and the City of Soldotna have a \$100,000 exemption for business personal property, excluding aircraft and watercraft, for each taxpayer; and,

WHEREAS, implementation of a \$100,000 exemption consistent with that of the Kenai Peninsula Borough and City of Soldotna will remove the reporting burden to many Kenai business, and the tax savings represent an investment by the City and its residents in the City's businesses; and,

WHEREAS, based on the current certified main role, it is estimated that exempting the first \$100,000 of business personal property, other than motor vehicles and watercraft, from property taxes would result in a maximum tax reduction of \$435 per business and an approximate \$35,000 loss in annual tax revenue to the City; and,

WHEREAS, the exemption of the first \$100,000 of business personal property other than aircraft, motor vehicles, and watercraft is in the best interests of the City of Kenai and its residents.

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

**Section 1.** Amendment of Section 7.05 of Kenai Municipal Code: That Kenai Municipal Code, Section 7.05-Taxation of Real and Personal Property, is hereby amended as follows:

## Chapter 7.05 TAXATION OF REAL AND PERSONAL PROPERTY

### 7.05.010 Property subject to taxation.

(a) All real and personal property not expressly exempt by law shall be subject to annual taxation at its full and true value based upon the actual value of the property assessed. This shall not apply to property subject to a flat tax and/or exempted from the ad valorem tax in this chapter.

(b) The rate of levy of tax shall be fixed by resolution of the City Council, but the aggregate thereof shall not exceed three percent (3%) of the assessed value of the property assessed.

[(C) IN ADDITION TO EXEMPTIONS PRESENTLY AUTHORIZED BY THE KENAI PENINSULA BOROUGH, THE INVENTORY OF A BUSINESS HELD FOR RESALE IN THE NORMAL COURSE OF THAT BUSINESS IS HEREBY CLASSIFIED AS PERSONAL PROPERTY EXEMPT FROM TAXATION FOR THE CITY OF KENAI.]

### 7.05.020 Assessment—Collection by Kenai Peninsula Borough.

The Kenai Peninsula Borough shall assess and collect all property taxes levied for City purposes on property within the boundaries of the City of Kenai [AS PROVIDED IN AS 07.15.320]. The procedures for assessment and collection shall be as provided by statutes of the State of Alaska.

### 7.05.030 Senior citizen's tax exemption.

The provisions of [AS 29.45.030] Alaska Statutes that set out mandatory Senior Citizen tax exemptions are hereby incorporated herein by reference as though set forth verbatim herein.

### 7.05.035 Community purposes exemption.

Property of an organization not organized for business or profit-making purposes and used exclusively for community purposes is exempt from taxation under this chapter. Property or a part of the property from which rentals or income are derived is not exempt from taxation unless the income derived from the rentals does not exceed the actual cost of the owner of the use by the renter.

### 7.05.036 Personal Property Tax Exemptions.

(a) The inventory of a business held for resale in the normal course of that business is hereby classified as personal property exempt from taxation for the City.

(b) The first \$100,000 of assessed valuation of personal property, other than aircraft, motor vehicles, and watercraft owned by each taxpayer shall be exempt from the levy on personal property within the City. For taxpayers with more than one personal property tax account, the \$100,000 exemption will be distributed pro rata amongst all of the taxpayer's accounts to the total assessed value of the taxpayer's personal property.

**7.05.040 Procedure for applying for exemption.**

The procedure for applying for the exemptions provided for herein in KMC 7.05.030 shall be accomplished as provided in applicable Alaska Statutes [AS 29.45.030].

**7.05.050 Direction to apply for State subsidy.**

[PURSUANT TO AS 29.45.030, A] A recovery of revenues lost through tax exemptions is provided for, and the administration is hereby directed to make such applications or take such actions as may be required in order to secure the reimbursement for revenues which may be lost.[BY AS 29.45.030].

**7.05.060 Exemption of State augmented.**

If a person qualifying for a[N] mandatory exemption from real property tax [PURSUANT TO **AS 29.53.020(a)**] does not receive an exemption of a value of two hundred fifty dollars (\$250.00), then the City shall exempt such person for taxes up to the total sum of two hundred fifty dollars (\$250.00).

**7.05.070 Disabled persons' exemption.**

One (1) piece of residential property owned and occupied by a citizen disabled within the meaning of the provisions of the U.S. Social Security Act and found to be totally disabled by administrators thereof, who is a resident of the City of Kenai, Alaska, shall be exempt from so much of such property tax levy by the City up to and including the sum of two hundred fifty dollars (\$250.00), providing such citizen is head of the household and providing that not more than one (1) exemption shall be allowed on any one (1) piece of real property. This exemption is not automatic, but must be applied for prior to the fifteenth day of January during the year that such citizen is qualified. The first year for qualification pursuant to this enactment shall be the calendar year 1973 and the deadline for applying shall be not later than the fifteenth day of January, 1973. Application shall be made in the same fashion as provided for senior citizens of sixty-five (65) years of age or more.

**7.05.075 Property tax credit—Residential sprinklers.**

- (a) *Credit.* The owner(s) of a newly constructed one- or two-family dwelling who installs, and/or has certified, a compliant sprinkler system by a qualified installer may receive a credit against the City of Kenai property taxes.
- (b) *Amount of Credit.* The credit allowed under this section for a residential sprinkler system is the lower of the eligible cost to the owner of the property for the installation of the system or two dollars (\$2.00) per square foot of the dwelling (excluding attached garages). “Eligible cost” means the cost of the sprinkler system including labor and materials required to comply with the minimum standard established by code.
- (c) *Carry Over.* The amount of credit in any tax year must not exceed the amount of the City of Kenai property tax imposed on the property benefitted by the credit in that tax year. Any amount of a credit not taken in the tax year in which an application is approved may be carried over in subsequent years until the full credit is granted.
- (d) *Application.*
  - (1) A property owner must submit an application for the tax credit to the Finance Department on or before the date that the Finance Department sets which date shall be no later than April 30 of each year. Applications filed after April 30, or applications that are incomplete as of the date set for filing by the Finance Department, will be retained and, once complete, evaluated for a tax credit for the next succeeding year.
  - (2) An application must:
    - (A) Be on the form that the City requires;
    - (B) Demonstrate that the taxpayer is entitled to the credit; and,
    - (C) Include a certificate of occupancy from the City of Kenai’s building official indicating that the system for which the credit is sought meets the requirements of the 2009 International Residential Building Code (or subsequent edition adopted by the City).
- (e) *Appeal.* If the tax credit is denied, or if less costs for the installation of the system are allowed than the applicant believes appropriate, the applicant may appeal that decision to the City Manager on a form provided by the City. Appeals shall be filed with the City Manager within fifteen (15) days of the date of any decision under this section. In reviewing an appeal, the City Manager shall consider whether the sprinkler system meets the requirements of this section; the costs were necessarily incurred to install the system in accordance with this section and applicable codes; and the application for the tax credit was timely filed.
- (f) The credit authorized by this section applies to any tax year beginning January 1, 2012.

**7.05.080 Personal property tax—Assessments—Aircraft.**

- (a) Purposes of taxation, aircraft that have been issued an N number by the Federal Aviation Administration (“FAA”) by January 1st of the tax year shall be totally exempted from ad valorem taxes and shall be taxed in accordance with the schedule at the end of this section.
- (b) The owner of record of an aircraft that has been dismantled, destroyed or crashed and the FAA N number has been retained by the aircraft’s owner of record may submit to the assessor on an approved form “Aircraft Statement of Condition” that would allow for ad valorem taxation of that aircraft if approved. Aircraft for which such registration or licensing has lapsed or that has not passed the annual inspection required by the FAA shall not qualify on this basis alone for ad valorem taxation unless it has been dismantled, destroyed or crashed.
- (c) Commercial aircraft operated under a regular schedule by a scheduled airline shall be exempt from the flat tax and shall be taxed on an ad valorem basis in accordance with the KPB landing schedule formula. The KPB landing schedule formula provides for the prorated calculation of scheduled aircraft by dividing the total hours per year into the total time aircraft operated by a scheduled carrier are in the KPB, and multiplying the result by the assessed value of each aircraft.
- (d) *Definitions.*
  - (1) “Aircraft” means any engine powered contrivance invented, used, or designed to navigate, or fly in, the air and that is capable of being manned and is required by the FAA to be registered and certified in order to be manned.
  - (2) “Aircraft engine” means an engine used, or intended to be used, to propel an aircraft, except the tail rotor of a helicopter.
  - (3) “Commercial aircraft” means any aircraft transporting passengers and/or cargo for some payment or other consideration, including money or services rendered.
  - (4) “Crashed” means aircraft for which only parts remain that, due to their condition, can no longer be assembled to create any contrivable aircraft. This shall be evidenced by a FAA accident report and/or copy of an insurance claim that determines the aircraft to be a total loss.
  - (5) “Destroyed” means aircraft that have been damaged by age, weather, neglect and/or external influences outside the owner’s control, and only unusable parts remain that, due to their condition can no longer be assembled to create any contrivable aircraft. This shall be evidenced by photographs and a physical inspection by the KPB Assessing staff appraiser if deemed necessary by the borough assessor.
  - (6) “Dismantled” means aircraft that have been voluntarily disassembled and only parts remain that can no longer be assembled to create any contrivable aircraft. Evidence such as

photographs and a physical inspection by the KPB Assessing staff appraiser shall be provided or allowed if deemed necessary by the borough assessor.

(7) “Scheduled airline.” A “scheduled airline” means any individual, partnership, corporation or association:

- (a) Engaged in air transportation under regular schedules to, over, away from, or within the U.S.; and
- (b) Holding a Foreign Air Carrier Permit or a Certificate of Public Convenience and Necessity, issued by the Department of Transportation pursuant to 14 CFR Parts 201 and 213.

(e) An aircraft owner may appeal the determination of the borough assessor under this section using the procedures set out in KPB 5.12.050—060.

<b>AIRCRAFT FLAT TAX SCHEDULE BASED ON (MGWIL)</b>					
<b>Manufacturer’s Gross Weight with an Internal Load</b>					
<b>Fixed Wing</b>			<b>Rotorcraft/Rotary Wing</b>		
<b>Class</b>	<b>Weight</b>	<b>Annual Tax</b>	<b>Class</b>	<b>Weight</b>	<b>Annual Tax</b>
1	Less than 2,000 lbs	\$0	1	Less than 1,500 lbs	\$0
2	2,000 to less than 4,000 lbs	\$0	2	1,500 to less than 3,500 lbs	\$0
3	4,000 to less than 6,000 lbs	\$0	3	3,500 lbs or more in weight	\$0
4	6,000 to less than 12,500 lbs	\$0			
5	12,500 lbs or more in weight	\$0			



**7.05.090 Personal property tax—Assessments—Watercraft.**

(a) For purposes of taxation, watercraft for which the United States Coast Guard certificate of number, or U.S. or foreign documentation, or State of Alaska Department of Motor Vehicles boat registration, or a State of Alaska Department of Fish and Game number has been issued, or other form of maritime licensing have been issued by January 1st of the tax year shall be subject to ad valorem taxes of the City. This shall not apply to any class of watercraft exempted from the ad valorem tax in this chapter.

(b) For purposes of taxation, the City adopts the following classification schedule for watercraft based upon the overall length of the watercraft:

<b>Class</b>	<b>Overall Length</b>
1	Less than 15 feet
2	15 to less than 20 feet
3	20 to less than 25 feet
4	25 to less than 36 feet
5	36 to less than 60 feet
6	60 to less than 100 feet
7	100 or more feet in length

(c) For purposes of taxation Class 1 and 2 watercraft are hereby classified as personal property exempt from taxation for the City of Kenai.

**7.05.100 Motor Vehicle Taxation.**

Motor vehicles subject to the motor vehicle tax under Kenai Peninsula Borough Code are not subject to an ad valorem tax on personal property.

**Section 2.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder

of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 20<sup>TH</sup> DAY OF DECEMBER, 2023.

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

ATTEST:

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

Introduced: November 15, 2023  
Enacted: December 20, 2023  
Effective: January 19, 2024



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**FROM:** Terry Eubank, City Manager  
**DATE:** November 7, 2023  
**SUBJECT:** **Ordinance 3382-2023 – Personal Property Tax Exemption**

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This memo provides information in support of amendments to the Kenai Municipal Code to provide an exemption on the first \$100,000 of assessed personal property other than motor vehicles and watercraft and make other housekeeping changes.

In February, a Kenai business owner contacted the Administration with the suggestion that the City consider this exemption which is similar to exemptions provided by the Kenai Peninsula Borough, City of Soldotna, and City of Homer. Since then, the Administration and the City Attorney reviewed KMC 7.05, which defines the City’s taxation policy, and determined that an amendment to the section related to motor vehicles taxation required an amendment to accurately reflect the practice used by the Kenai Peninsula Borough to distribute the City’s proportional share of this tax. The Administration also reviewed the current certified tax role to determine the effect of a \$100,000 personal property tax exemption. Based on the current certified main role, it is estimated that exempting the first \$100,000 of personal property, other than motor vehicles and watercraft, from business property taxes would result in a maximum tax reduction of \$435 for a City of Kenai business and an approximate \$35,000 loss in annual tax revenue to the City.

Although the exemption will result in a loss of revenue, it is important to note that the current personal property tax is burdensome to many business owners within the City and is not consistent with neighboring communities that offer the exemption. The City has recently made strides in promoting economic growth through its partnership with the Kenai Chamber in promoting the City as open for business, creating development incentives and favorable lease provisions on City-owned lands, and implementing a program to assist Kenai businesses in improving Kenai storefronts. Enacting a \$100,000 exemption will remove the reporting burden on many Kenai businesses and is consistent with the City’s mission to serve the citizens of Kenai through listening and leading; to promote growth, and continually improve services by balancing the wishes of the community with responsible management.

Thank you for your consideration.



*Connecting Businesses since 1954*

12/04/2023

I am writing on behalf of the Kenai Chamber of Commerce & Visitor Center to express our full support for the proposed City of Kenai Ordinance No. 3382-2023. This ordinance, aimed at amending the Kenai Municipal Code regarding the taxation of real and personal property to provide an exemption on the first \$100,000 of assessed valuation, marks a significant and positive step for our local businesses and the community at large.

The proposed amendment to exempt the initial \$100,000 of assessed valuation for personal property stands as a commendable effort to alleviate the financial burden currently faced by many business owners within the city. This proposed exemption, in line with neighboring communities such as the Kenai Peninsula Borough and the City of Soldotna, not only simplifies taxation processes but also fosters an environment conducive to business growth and development.

We firmly believe that by implementing this exemption, the City of Kenai will not only provide relief to local businesses but also stimulate economic activity and foster a more competitive business environment. Moreover, the estimated maximum tax reduction of \$435 per business, though resulting in an approximate annual loss of \$35,000 in tax revenue to the City, represents a strategic investment in our local economy and the prosperity of our businesses.

The Kenai Chamber of Commerce & Visitor Center urges the City Council to strongly consider and support Ordinance No. 3382-2023. This initiative aligns with our mission to support a thriving business community, encourage economic vitality, and ensure the prosperity of our city and its residents.

Thank you for your time and consideration in this matter. We are confident that this ordinance will contribute significantly to the continued growth and success of the City of Kenai.

Sincerely,

A handwritten signature in black ink, appearing to read "Samantha Springer", written in a cursive style.

Samantha Springer  
Executive Director  
Kenai Chamber of Commerce and Visitor Center



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-66**

A RESOLUTION ADOPTING AN ALTERNATIVE ALLOCATION METHOD FOR THE FY24 SHARED FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING THAT THIS ALLOCATION METHOD FAIRLY REPRESENTS THE DISTRIBUTION OF SIGNIFICANT EFFECTS OF FISHERIES BUSINESS ACTIVITY IN FISHERIES MANAGEMENT AREA 14: COOK INLET AREA.

WHEREAS, Alaska Statute 29.60.450 requires that for a municipality to participate in the FY24 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Community and Economic Development that the municipality suffered significant effects during calendar year 2022 from fisheries business activities; and,

WHEREAS, regulation 3 AAC 134.060 provides the allocation method for available program funding to eligible municipalities located within fisheries management areas; and,

WHEREAS, regulation 3 AAC 134.070 provides for the use, at the discretion of the Department of Community and Economic Development, of alternative allocation methods which may be used within fisheries management areas if all eligible municipalities within the area agree to use the method, and the method incorporates some measure of the relative significant effect of fisheries business activity on the respective municipalities in the area; and,

WHEREAS, utilization of the alternative allocation method under 3 AAC 134.070 is in the best interest of the City.

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

**Section 1.** City Council of the City of Kenai proposes to use an alternative allocation method for allocation of FY24 funding available within FMA 14: Cook Inlet Area in agreement with all other municipalities in this area participating in the FY24 Shared Fisheries Business Tax Program.

**Section 2.** That the Kenai City Council by this Resolution certifies that the following alternative allocation method fairly represents the distribution of significant effects during 2022 of fisheries business activity in FMA 14: Cook Inlet Area:

- That all municipalities share equally 50% of the allocation; all municipalities share the remaining 50% on a per capita basis.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 20<sup>TH</sup> DAY OF DECEMBER 2023.

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

ATTEST:

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

New Text Underlined; [DELETED TEXT BRACKETED]



## PMEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** David Swarner, Finance Director

**DATE:** December 13, 2023

**SUBJECT:** **Resolution No. 2023-66 Adopting an Alternate Allocation Method for FY24 Shared Fisheries Business Tax**

The City receives revenue from the State of Alaska for fish tax collected by the State in two different methods. The Department of Revenue (DOR) distributes “Raw Fish Tax,” fisheries business taxes, fishery resource landing taxes, salmon marketing tax, and other seafood taxes from licensed seafood processors, floating processors, and seafood exporters, to eligible municipalities as prescribed in AS 43.77.060.

The second method by which the City receives fish tax revenue is through the Alaska Department of Commerce Community and Economic Development (ADCCED) Shared Fisheries Business Tax Program. ADCCED receives 50% of the undistributed Raw Fish Tax from the DOR to distribute to impacted communities. For the Cook Inlet Fisheries Management Area, which the City is a part of, the amount to be distributed in FY24 is \$6,498.49. Eleven communities will receive a portion of that amount with the City of Kenai estimated to receive \$389.33.

There are two methods of allocation for the Shared Fisheries Business Tax. The first method involves a lengthy application process in which the applicants must show the impact to their local community of the fishing industry. Once impact is shown, half of the total amount to be distributed (\$3,249.24 for FY2024) is divided equally amongst the communities, and the remaining half (\$3,249.24 for FY2024) is distributed based upon the impact shown in their application.

The second method permits all communities in Fisheries Management Area to elect an alternate method of allocation. This alternate method eliminates the lengthy community application process. Since inception of the Share Fisheries Business Tax Program in fiscal year 1992, the communities of the Cook Inlet Fisheries Management Area have selected the alternate allocation method. A resolution like 2023-66 has been adopted every year since fiscal year 1992 and is a required step to elect the alternate allocation method.

The alternate method elected by the Cook Inlet Fisheries Management Area for FY24 will again include an equal distribution of one-half the total and the remaining half is distributed based upon population of the community. The eleven communities in the Cook Inlet Fisheries Management Area are Anchorage, Homer, Kachemak, Kenai, Kenai Peninsula Borough, Seldovia, Seward,

Soldotna, Houston, and Palmer. Allocations to each community under the alternative allocation method will be the following:

Anchorage	\$2,811.17	Kenai Peninsula Borough	\$839.80
Homer	372.24	Seward	346.22
Kachemak	330.55	Soldotna	363.69
Kenai	389.33	Houston	342.48
Seldovia	327.16	Palmer	375.85

Thank you for your consideration.





Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-67**

A RESOLUTION AUTHORIZING A CONTRACT AWARD AND CORRESPONDING PURCHASE ORDER FOR THE 2023 COMMUNITY WILDFIRE PROTECTION PLAN MITIGATION PHASE TWO PROJECT.

WHEREAS, The Public Works Department in coordination with the Fire Department released the 2023 Community Wildfire Protection Plan Mitigation Phase Two Project on November 1, 2023 with bids due on November 29, 2023; and,

WHEREAS, this project provides for the removal of beetle kill trees in the drainage area known as Cemetery Creek which extends from behind the float plane basin at the airport down through the cemetery across the highway ending near the Lee Shore Center; and,

WHEREAS, the project was separated into three area maps encompassing a total area of 118.5 acres with approximately 84.75 acres identified for mitigation; and,

WHEREAS, the following three bids were received on bid day:

<b>Bidders</b>	<b>Base Bid Total</b>
<b><i>Doug Koch Professional Tree Service</i></b>	<b><i>\$177,700</i></b>
Bond Brothers LLC	\$220,350
Stumpy's Tree Service	\$293,567

; and,

WHEREAS, Doug Koch Professional Tree Service was found to be the lowest responsive responsible bidder and the Administration recommends award to Doug Koch Professional Tree Service in the best interest of the City; and,

WHEREAS, funding for this project is provided by grant funds from the Department of Natural Resources, Division of Forestry and Fire Protection and the USDA, Forest Service Fire, Fuels & Aviation Management, State and Private Forestry Alaska Region.

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 award and corresponding purchase order to Doug Koch Professional Tree Service in the amount of \$177,700 and issue a corresponding purchase order in that same amount.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 20<sup>TH</sup> DAY OF DECEMBER, 2023.

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

ATTEST:

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



Approved by Finance: DS



# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

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

**DATE:** December 13, 2023

**SUBJECT:** Resolution – Community Wildfire Protection Plan (CWPP) Phase Two

This Resolution provides for a contract award for the 2023 Community Wildfire Protection Plan Mitigation Phase Two Project, which seeks to address significant beetle kill trees within the Cemetery Creek drainage area. The project was well viewed, with three bids received. Doug Koch Professional Tree Services, a local contractor currently contracted for the Phase One work, was the successful bidder at a total proposed cost of \$177,700.

The Maps below highlight the areas to be addressed. The terrain varies with some areas requiring hand felling due to lack of accessibility for larger equipment. The slash site recently established adjacent to the soccer fields will be a staging area for the project.

Fire Chief Prior successfully applied for and received grant funding from the Department of Natural Resources Division of Forestry and Fire Protection to sufficiently cover the costs associated with this Work. This project will be a large step in mitigating approximately 84.75 acres of additional City property. Council’s support is respectfully requested.





Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-68**

A RESOLUTION DECLARING A PORTION OF OUTSIDE WAY AS DEDICATED ON TOWNSITE OF KENAI (US SURVEY 2970) IS NO LONGER NEEDED FOR A PUBLIC PURPOSE AND CONSENTING TO VACATION OF THE RIGHT-OF-WAY.

WHEREAS, the City received a preliminary plat from Edge Survey and Design, LLC on behalf of the property owner, Peninsula Oilers Baseball Club, Inc., for a parcel merger of Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition with a right-of-way (ROW) vacation of Outside Way between Cook Avenue and Riverview Drive, a utility easement vacation along Outside Way, and a 60-foot ROW dedication; and,

WHEREAS, on November 29, 2023, the Planning and Zoning Commission passed Resolution PZ2023-21 recommending that Kenai Peninsula Borough Planning Commission approve the preliminary plat for Kenai Townsite Oiler's 2024 Addition with vacation of a portion of Outside Way; and,

WHEREAS, the total area of the ROW vacation is approximately 0.085-acre; and,

WHEREAS, Kenai Municipal Code Section 22.05.110, *Determination as to need for public purpose*, provides the City Council will determine whether a right-of way is needed for a public purpose by resolution; and,

WHEREAS, the Peninsula Oilers Baseball Club, Inc. has stated the request for the ROW vacation is to allow them to have one contiguous property and an additional access easement, which will become a dedicated ROW on the subject preliminary plat; and,

WHEREAS, the ROW vacation of a portion of Outside Way will not negatively affect public access; and,

WHEREAS, it is determined that Outside Way between Cook Avenue and Riverview Drive is no longer needed for a public purpose.

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

**Section 1.** That Outside Way between Cook Avenue and Riverview Drive as dedicated on Townsite of Kenai (US Survey 2970) is no longer needed for a public purpose and consenting to vacation of the right-of-way as shown in the preliminary plat for Kenai Townsite Oiler's 2024 Addition.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 20<sup>TH</sup> DAY OF DECEMBER, 2023.

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

ATTEST:

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



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Linda Mitchell, Planning Director

**DATE:** December 12, 2023

**SUBJECT:** **Resolution No. 2023-68 – Declaring a Portion of Outside Way as Dedicated on Townsite of Kenai (US Survey 2970) is No Longer Needed for a Public Purpose and Consenting to Vacation of the Right-of-Way**

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The City received a preliminary plat from Edge Survey and Design, LLC on behalf of the property owner, Peninsula Oilers Baseball Club, Inc. for a parcel merger of Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition with a right-of-way (ROW) vacation of Outside Way between Cook Avenue and Riverview Drive, a utility easement vacation along Outside Way, and a 60-foot ROW dedication.

On November 29, 2023, the Planning and Zoning Commission passed Resolution PZ2023-21 recommending that Kenai Peninsula Borough Planning Commission approve the preliminary plat for Kenai Townsite Oiler's 2024 Addition with vacation of a portion of Outside Way subject to the following condition: 4. Kenai City Council must consent to the ROW vacation of Outside Way between Cook Avenue and Riverview Drive is not needed for a public purpose and approve the ROW vacation.

Peninsula Oilers Baseball Club, Inc. requested this ROW vacation in 1994 but never completed the final plat process. They are requesting the same ROW vacation for the same reason, that it would allow them to have one (1) contiguous property and there is an additional access easement, which will become a dedicated ROW on the subject preliminary plat. The vacation of Outside Way between Cook Avenue and Riverview Drive would not adversely impact public access since the 60-foot ROW dedication is approximately 120 feet from the portion of Outside Way that would be vacated.

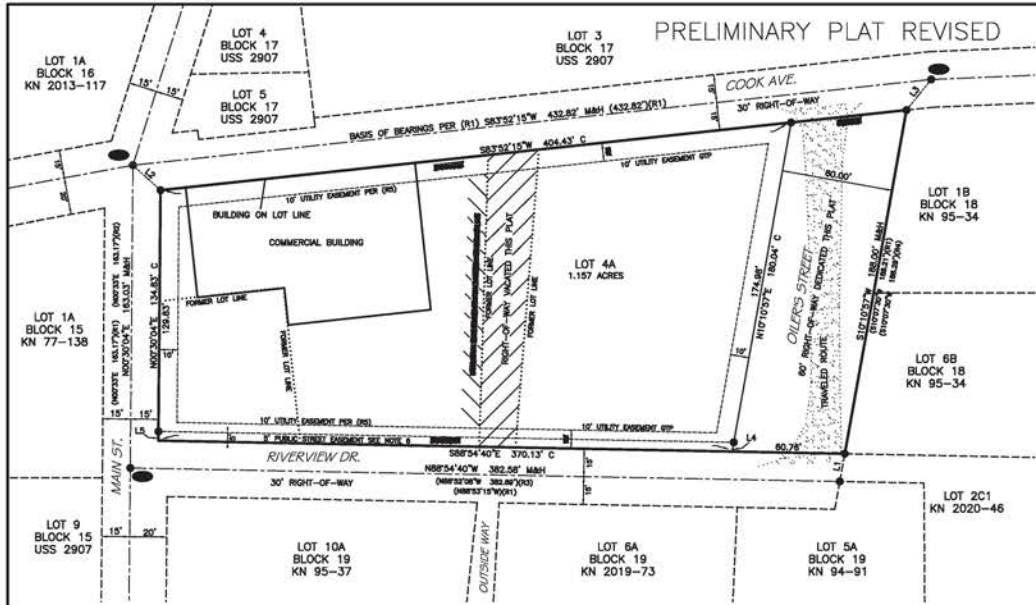
In accordance with Alaska Statutes § 29.40.140(b), no vacation of a City right-of-way and/or easement may be made without consent of the City Council. Furthermore, Kenai Municipal Code Section 22.05.110 states City Council will determine the reason of the land to include but not limited to right-of way or easement is no longer needed for a public purpose by resolution. This resolution will consent to the right-of-way vacation of Outside Way between Cook Avenue and Riverview Drive.

Thank you for your consideration.

**Attachments**

Revised Preliminary Plat – Kenai Townsite Oiler's 2024 Addition  
P&Z Resolution PZ2023-21  
Staff Report PZ2023-21





- NOTES**
- FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA AND LOCAL REGULATIONS.
  - DEVELOPMENT OF THIS PARCEL, SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
  - A 10' UTILITY EASEMENT IS BEING GRANTED THIS PLAT ALONG FORMER LOT 4, A 10' UTILITY EASEMENT WAS GRANTED PER (R5) ALONG FORMER LOT 5A. THE FRONT 10 FEET ADJACENT TO RIGHT OF WAY IS AN UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH COULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
  - THE KENAI CITY COUNCIL CONSENTED TO THE VACATIONS OF RIGHT-OF-WAY AT THE MEETING OF DECEMBER 20, 2023.
  - RIGHT-OF-WAY VACATION WAS APPROVED BY KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JANUARY 8, 2024.
  - THESE PARCELS SUBJECT TO UTILITY EASEMENT WITH NO DEFINED LOCATION, GRANTED TO KENAI POWER CORPORATION, RECORDED DECEMBER 31, 1983, MISC. VOLUME 11, PAGE 179. KR0.
  - THESE PARCELS SUBJECT TO PUBLIC STREET EASEMENT ALONG RIVERVIEW DRIVE, RECORDED AUGUST 30, 1967, MISC. VOLUME 28, PAGE 81 AND PAGE 82. KR0.
  - WASTEWATER DISPOSAL: CITY WATER AND SEWER ARE AVAILABLE TO SERVE THIS PARCEL. PLANS FOR WASTEWATER TREATMENT AND DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.



**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I HEREBY CERTIFY THAT PENINSULA OILERS BASEBALL CLUB INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HERE AND THAT ON BEHALF OF PENINSULA OILERS BASEBALL CLUB INC. I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

**NOTARY ACKNOWLEDGEMENT**

FOR ME TO BE ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024



PUBLIC NOTARY SIGNATURE

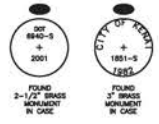
MIKE TICE - PRESIDENT  
PENINSULA OILERS BASEBALL CLUB INC.  
PO BOX 318  
KENAI, ALASKA 99611

- LEGEND**
- FOUND PRIMARY MONUMENT AS REFERENCED
  - FOUND PROPERTY CORNER 1-1/2" ALUMINUM CAP STAMPED LS 5152 1994
  - FOUND PROPERTY CORNER - 5/8" REBAR
  - SET PROPERTY CORNER 5/8" x 30" REBAR WITH 2" ALUMINUM CAP STAMPED EDGE SURVEY LS-13022 2024
  - MONUMENT REFERENCE NUMBER
  - (R1) RECORD DATA, SEE REFERENCE
  - ▨ RIGHT-OF-WAY BEING VACATED
  - ▨ UTILITY EASEMENT BEING VACATED
  - SUBDIVISION BOUNDARY
  - INTERIOR LOT LINE
  - - - ADJACENT PROPERTY LINE
  - - - EASEMENT
  - - - FORMER LOT LINE
  - MONUMENT TIE LINE
  - M&H MEASURED AND HELD
  - C COMPUTED
  - GTP GRANTED THIS PLAT



- REFERENCES**
- (R1) ORIGINAL TOWNSITE OF KENAI, PLAT USS 2970, KENAI RECORDING DISTRICT
  - (R2) MILLER HOUSE SUBDIVISION, PLAT KN 95-37, KENAI RECORDING DISTRICT
  - (R3) KENAI TOWNSITE 2018 ADDITION, PLAT KN 2019-73, KENAI RECORDING DISTRICT
  - (R4) ORIGINAL TOWNSITE OF KENAI LADDVILLE REPLAT NO. 2, PLAT KN 95-34, KENAI RECORDING DISTRICT
  - (R5) KENAI TOWNSITE OILER ADDITION, PLAT KN 93-11, KENAI RECORDING DISTRICT
  - (R6) ORIGINAL TOWNSITE OF KENAI BLUFF REPLAT, PLAT KN 2020-46, KENAI RECORDING DISTRICT

**MONUMENT SUMMARY**



**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N10°10'57"E	15.19
L1(R6)	N02°31'52"E	15.30
L2	S47°48'51"E	20.00
L3	N26°25'42"E	21.24
L4	N10°10'57"E	5.00
L5	S02°30'04"W	5.00

**PLAT APPROVAL**  
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JANUARY 8, 2024.  
KENAI PENINSULA BOROUGH

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

**CERTIFICATE OF ACCEPTANCE AND DEDICATION BY CITY OF KENAI**

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THE PLAT IDENTIFIED AS FOLLOWS:

DEDICATION OF RIGHT OF WAY - OILERS AVENUE, AS SHOWN.  
THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: TERRY ELBANK - CITY MANAGER  
CITY OF KENAI  
210 FIDALGO AVE.  
KENAI, ALASKA 99611

DATE \_\_\_\_\_

**CERTIFICATE OF SURVEYOR**

I, MARK ANTHONETTI 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



KPB FILE No. 2023-000

**KENAI TOWNSITE OILER'S 2024 ADDITION AND RIGHT-OF-WAY VACATION**

A SUBDIVISION OF LOT 5A AND 5B, KENAI TOWNSITE OILERS ADDITION, PLAT 93-11 AND LOT 4, TOWNSITE OF KENAI, US SURVEY 2970 LOCATED WITHIN SW 1/4 SECTION 5, T.5N., R.11W., S.4M. STATE OF ALASKA KENAI PENINSULA BOROUGH KENAI RECORDING DISTRICT CITY OF KENAI

OWNERS:  
PENINSULA OILERS BASEBALL CLUB INC.  
PO BOX 318  
KENAI, ALASKA 99611  
CONTAINING 1.410 ACRES

**EDGE**  
KENAI AND REGION, LLC  
8000 KING STREET ANCHORAGE, AL 99512  
Phone (907) 344-5990 Fax (907) 344-7794  
MED 1392

DRAWN BY: DATE: 11/30/2023 PROJECT: 23-567  
JY  
CHECKED BY: SCALE: 1" = 30' SHEET: 1 OF 1  
MA

DATE PLOTTED: 11/30/2023 8:16:42 PM



**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ2023-21**

A RESOLUTION **RECOMMENDING** THAT KENAI TOWNSITE OILER'S 2024 ADDITION PRELIMINARY PLAT ATTACHED HERETO BE APPROVED.

PROPERTY ADDRESSES: 817 Cook Avenue, 601 Main Street, and 814 Riverview Drive

LEGAL DESCRIPTIONS: Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition

KPB PARCEL NUMBERS: 04710204, -11, and -12

WHEREAS, the City of Kenai received a preliminary plat from Edge Survey and Design, LLC on behalf of the property owner, Peninsula Oilers Baseball Club, Inc. for a parcel merger of Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition with a right-of-way (ROW) vacation of Outside Way between Cook Avenue and Riverview Drive, a utility easement vacation along Outside Way, and a 60-foot ROW dedication; and,

WHEREAS, the preliminary plat, subject to the listed conditions, generally meets Kenai Municipal Code (KMC) preliminary plat requirements and development requirements for the Central Commercial (CC) zoning district; and

WHEREAS, the existing street names are referenced correctly; and,

WHEREAS, the applicant has proposed the 60-foot ROW dedication to bear the street name, Oilers Avenue, however, the street suffix needs to change from "Avenue" to "Street" for consistency with KMC 14.15.010 *Uniform numbering system*; and,

WHEREAS, KMC 14.15.140 authorizes the Kenai City Council to name and rename streets within the City limits upon recommendation from the Planning and Zoning Commission and after consultation with the Kenai Peninsula Borough or any other affected municipality; and,

WHEREAS, the Kenai Peninsula Borough has no objection to naming the street to Oilers Street; and,

WHEREAS, the merged parcel will have access from Main Street, Riverview Drive, Cook Avenue, and the proposed 60-foot ROW to be named Oilers Street, which are all City-maintained roads; and

WHEREAS, City water and sewer lines are available to the parcel; and,

WHEREAS, an installation agreement is not required; and,

---

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat, subject to the listed conditions, conforms to the minimum street widths, provides utilities/access easements, provides satisfactory and desirable building sites, and the on-site water and sewer systems will be subject to the regulatory requirements of the Public Works Department.
2. Pursuant to KMC 14.10.070(b)(2), the Commission may lessen the minimum width for minor streets to 50 feet. The required minimum width for minor streets is 60 feet but the street widths in the surrounding area are typically 30 feet. The existing public street easement is 40 feet and a 50-foot right-of-way dedication is substantial for the area and greater than the existing public street easement.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the subject zoning district.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.
5. The merged parcels will result in the existing structure to decrease in nonconformity with the current setback requirements and double frontage lots.

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

**Section 1.** That the preliminary plat of Kenai Townsite Oiler's 2024 Addition for a parcel merger of Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition with a right-of-way (ROW) vacation of a portion of Outside Way, a utility easement vacation along Outside Way, and a 50-foot ROW dedication be approved subject to the following conditions.

1. The proposed 60-foot ROW dedication may be reduced to 50 feet, subject to the applicant providing acceptable evidence that a 50-foot ROW covers the existing road.
2. Correct the note reference from Note 8 to Note 6 for the indicated *5' Public Street Easement Note 8*.
3. Revise the street suffix of the proposed street name, Oilers "Avenue" to "Street".
4. Kenai City Council must consent to the ROW vacation of Outside Way between Cook Avenue and Riverview Drive is not needed for a public purpose and approve the ROW vacation.

**Section 2.** That the official street name for the 50-foot dedicated right-of-way be assigned to Oilers Street, subject to Kenai City Council adopting a resolution for the naming of a street within City limits.



Resolution No. PZ2023-21  
Page 3 of 3

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,  
THIS 29<sup>TH</sup> DAY OF NOVEMBER, 2023.



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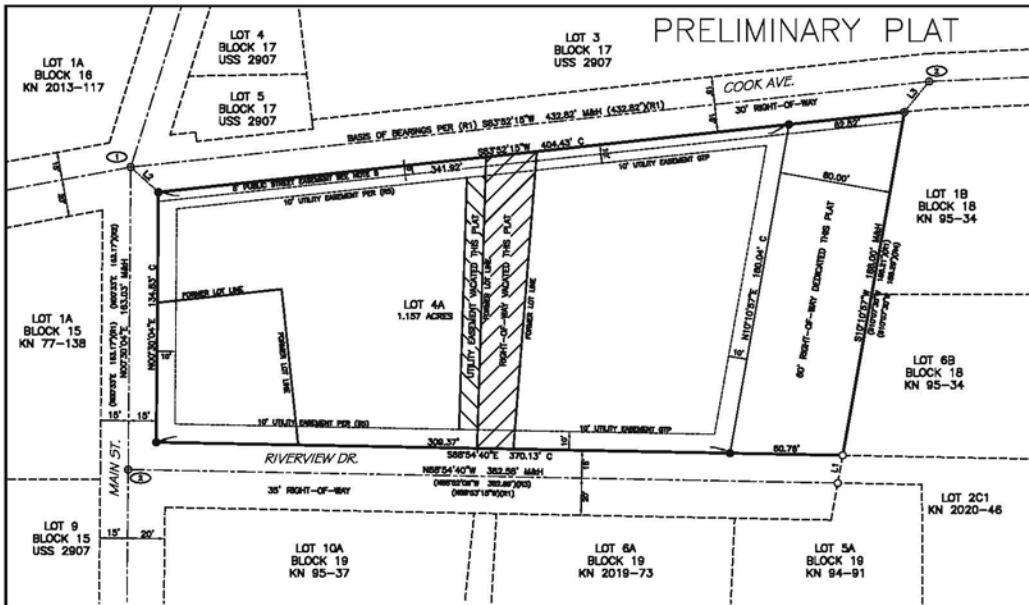
Jeff Twait, Chairperson

ATTEST:



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Meghan Thibodeau, Deputy City Clerk



PRELIMINARY PLAT

NOTES

- 1. FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA AND LOCAL REGULATIONS.
2. DEVELOPMENT OF THIS PARCEL, SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
3. A 10' UTILITY EASEMENT IS BEING GRANTED THIS PLAT ALONG FORMER LOT 4, A 10' UTILITY EASEMENT HAS GRANTER PER (R2) ALONG FORMER LOT 5A, THE FRONT 10 FEET ADJACENT TO RIGHT OF WAY IS AN UTILITY EASEMENT, NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH COULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
4. THE KENAI CITY COUNCIL CONSENTED TO THE VACATIONS OF RIGHT-OF-WAY AT THE MEETING OF NOVEMBER 08, 2023.
5. RIGHT-OF-WAY VACATION WAS APPROVED BY KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF DECEMBER 11, 2023.
6. THESE PARCELS SUBJECT TO UTILITY EASEMENT WITH NO DEFINED LOCATION, GRANTED TO KENAI POWER CORPORATION, RECORDED DECEMBER 31, 1983, MISC. VOLUME 11, PAGE 179, 180.
7. THESE PARCELS SUBJECT TO PUBLIC STREET EASEMENT, RECORDED AUGUST 30, 1967, MISC. VOLUME 28, PAGE 81 AND PAGE 82, 83.
8. WASTEWATER DISPOSAL: CITY WATER AND SEWER ARE AVAILABLE TO SERVE THIS PARCEL. PLANS FOR WASTEWATER TREATMENT AND DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.



CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT PENINSULA OILERS BASEBALL CLUB INC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HERE AND THAT ON BEHALF OF PENINSULA OILERS BASEBALL CLUB INC, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

NOTARY ACKNOWLEDGEMENT

FOR ME TO BE ACKNOWLEDGED BEFORE ME THIS \_\_\_ Day of \_\_\_, 2023



PUBLIC NOTARY SIGNATURE

MIKE TICE - PRESIDENT PENINSULA OILERS BASEBALL CLUB INC. PO BOX 318 KENAI, ALASKA 99811

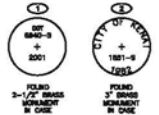
LEGEND

- Symbol: Found primary monument as referenced
Symbol: Found property corner 1-1/2" aluminum cap stamped LS 0182 1994
Symbol: Found property corner - 5/8" rebar
Symbol: Set property corner 5/8" x 30" rebar with 1" aluminum cap stamped edge survey LS-13022 2024
Symbol: Monument reference number
Symbol: Record data, see reference
Symbol: Right-of-way being vacated
Symbol: Utility easement being vacated
Symbol: Subdivision boundary
Symbol: Interior lot line
Symbol: Adjacent property line
Symbol: Easement
Symbol: Former lot line
Symbol: Monument tie line
Symbol: Measured and held
Symbol: Computed
Symbol: Granted this plat

REFERENCES

- (R1) ORIGINAL TOWNSITE OF KENAI, PLAT USS 2970, KENAI RECORDING DISTRICT
(R2) MILLER HOUSE SUBDIVISION, PLAT KN 95-37, KENAI RECORDING DISTRICT
(R3) KENAI TOWNSITE 2018 ADDITION, PLAT KN 2019-73, KENAI RECORDING DISTRICT
(R4) ORIGINAL TOWNSITE OF KENAI LAGOVILLE REPLAT NO. 2, PLAT KN 95-34, KENAI RECORDING DISTRICT
(R5) KENAI TOWNSITE OILER ADDITION, PLAT KN 93-11, KENAI RECORDING DISTRICT
(R6) ORIGINAL TOWNSITE OF KENAI BILLY REPLAT, PLAT KN 2020-46, KENAI RECORDING DISTRICT

MONUMENT SUMMARY



LINE TABLE

Table with columns: LINE, BEARING, DISTANCE. Contains data for lines 1 through 13.



PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF DECEMBER 11, 2023. KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF ACCEPTANCE AND DEDICATION BY CITY OF KENAI

THE UNDERSIGNED OFFICIAL, IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THE PLAT IDENTIFIED AS FOLLOWS:

DEDICATION OF RIGHT OF WAY - OILERS' AVENUE, AS SHOWN.

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: TERRY ELBANK - CITY MANAGER CITY OF KENAI 210 PENALD AVE. KENAI, ALASKA 99811 DATE

CERTIFICATE OF SURVEYOR

I, MARK AMONETTI 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



KPB FILE No. 2023-000

KENAI TOWNSITE OILER'S 2024 ADDITION

A SUBDIVISION OF LOT 5A AND SEE LOT 4 TOWNSITE OF KENAI, U.S. SURVEY 2970 LOCATED WITHIN SW 1/4 SECTION 5, T.5N., R.11E., S.4M. STATE OF ALASKA KENAI PENINSULA BOROUGH KENAI RECORDING DISTRICT CITY OF KENAI

OWNERS: PENINSULA OILERS BASEBALL CLUB INC. PO BOX 318 KENAI, ALASKA 99811 CONTAINING 1.410 ACRES



8000 KING STREET ANCHORAGE, AL 99518 Phone (907) 344-5990 Fax (907) 344-7794

DRAWN BY: JY DATE: 10/01/2023 PROJECT: 23-567 CHECKED BY: SA SCALE: 1" = 30' SHEET: 1 OF 1



# STAFF REPORT

PLANNING & ZONING DEPARTMENT

**TO:** Planning and Zoning Commission  
**FROM:** Linda Mitchell, Planning Director  
**DATE:** November 28, 2023  
**SUBJECT:** Resolution No. PZ2023-21 – Preliminary Plat – Kenai Townsite Oiler’s 2024 Addition

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**Request** The applicant is proposing a preliminary plat to merge three (3) parcels, vacate a right-of-way (ROW), vacate a utility easement, and dedicate a ROW.

**Staff Recommendation** Adopt Resolution No. PZ2023-21 recommending approval of Preliminary Plat – Kenai Townsite Oiler’s 2024 Addition for a parcel merger of Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition with a ROW vacation of Outside Way between Cook Avenue and Riverview Drive, a 10-foot utility easement vacation along Outside Way, and a 60-foot ROW dedication.

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**Applicant:** Edge Survey and Design, LLC  
Attn: Jason Young  
PO Box 208  
Kasilof, AK 99610

**Property Owner:** Peninsula Oilers Baseball Club, Inc.

**Legal Descriptions:** Lot 4, Block 18 Original Townsite of Kenai  
Lots 5A and 5B, Kenai Townsite Oilers Addition

**Property Addresses:** 817 Cook Avenue, 601 Main Street, and 814 Riverview Drive

**KPB Parcel Nos.:** 04710204, -11, and -12

**Combined Area:** 1.157 acres

**ROW Vacated Area:** 0.085 acre

**Zoning District:** Central Commercial (CC)

**Surrounding Uses:** North – Kenai Art Center, Kenai Historic Cabin Park, and Old Town Kenai Park; South – Vacant Lot, Cabins, and Single-Family

Residence; West – Apartments; East – Vacant Lot and Single-Family Residence

## SUMMARY

The City received a preliminary plat from Edge Survey and Design, LLC on behalf of the property owner, Peninsula Oilers Baseball Club, Inc. (“Oilers”) for a parcel merger of Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition with a right-of-way (ROW) vacation of Outside Way between Cook Avenue and Riverview Drive, a utility easement vacation along Outside Way, and a 60-foot ROW dedication.

In 1994, a preliminary plat to vacate Outside Way between Cook Avenue and Riverview Drive was approved by Kenai Planning and Zoning Commission, Kenai City Council, and Kenai Peninsula Borough Planning Commission (see attached Minutes and Related Documents). Unfortunately, a final plat was not recorded. Therefore, the applicant has submitted a preliminary plat for the same ROW vacation of Outside Way with the addition of a 60-foot ROW dedication as required by KMC 14.10.070(b)(2). The representatives of Oilers indicated the same reasons as requested in 1994 for the ROW vacation of Outside Way since an additional access (i.e., Public Street Easement) was developed and maintained by the City and the elimination of Outside Way would allow the Oilers to have one (1) contiguous property. The total area of the ROW vacation is approximately 0.085 acre. The combined parcel area with the vacated ROW and dedicated ROW will be approximately 1.157 acres.

Kenai Municipal Code (KMC) Chapter 14.10 *Subdivision Regulations* states preliminary plats or replats must first be submitted to the City for review and provide recommendation to the Kenai Peninsula Borough Planning Commission. Furthermore, KMC Section 22.05.110 states City Council will determine the reason of the land to include but not limited to rights-of way or easement is no longer needed for a public purpose by resolution.

## ANALYSIS

The proposed parcel merger with the ROW vacation and ROW dedication meets the preliminary plat requirements and development requirements for the Central Commercial (CC) zoning district. In reviewing the surrounding plats, there appears to be a recorded 40-foot Public Street Easement under Book 28, Page 49 in Kenai Recording District (see attached Plat Nos. KN 94-91 and KN 95-34), where the proposed 60-foot ROW dedication would overlap it. The City currently maintains the 40-foot public street easement. Unfortunately, the subject easement is not referenced on the Certificate of Plat, however, staff requested a copy from the Archival Unit at the State’s Recorder’s Office but they are still searching for the document. The proposed ROW dedication would formalize the public street easement into a ROW with an official street name. The merged parcel will have access from Main Street, Riverview Drive, Cook Avenue, and the proposed ROW dedication. An installation agreement is not required since all the roads are City-maintained and City water and sewer lines are available to the proposed parcel. The Public Works Director reviewed the proposed preliminary plat and had no comments.

The applicant has proposed the 60-foot ROW dedication to bear the street name, Oilers Avenue, however, the street suffix needs to change from “Avenue” to “Street” for consistency with KMC 14.15.010 *Uniform numbering* system. KMC 14.15.140 authorizes the Kenai City Council to name and rename streets within the City limits upon recommendation from the Planning and Zoning Commission and after consultation with the Kenai Peninsula Borough or any other affected municipality. The Kenai Peninsula Borough has no objection to naming the street to Oilers Street.

Staff finds that the proposed preliminary plat meets the following Title 14 of Kenai Municipal Code (KMC) sections and aligns with the intent of the Kenai Zoning Code.

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat, subject to the listed conditions, conforms to the minimum street widths, provides utilities/access easements, provides satisfactory and desirable building sites, and the on-site water and sewer systems will be subject to the regulatory requirements of the Public Works Department.
2. Pursuant to KMC 14.10.070(b)(2), the Commission may lessen the minimum width for minor streets to 50 feet. The required minimum width for minor streets is 60 feet but the street widths in the surrounding area are typically 30 feet. The existing public street easement is 40 feet and a 50-foot right-of-way dedication is substantial for the area and greater than the existing public street easement.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the subject zoning district.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.
5. The merged parcels will result in the existing structure to decrease in nonconformity with the current setback requirements and double frontage lots.

## **STAFF RECOMMENDATION**

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Staff finds that the proposed preliminary plat for Kenai Townsite Oiler's 2024 Addition to merge Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition, vacate Outside Way between Cook Avenue and Riverview Drive, vacate a utility easement along the west side of Outside Way, and dedicate a 50-foot right-of-way (ROW) meets the general standards of Kenai Municipal Code, Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table*, and hereby recommends that the Planning and Zoning Commission recommends approval of Resolution No. PZ2023-21 to Kenai Peninsula Borough, subject to the following conditions.

1. Reduce the proposed 60-foot ROW dedication to 50 feet.
2. Correct the note reference from Note 8 to Note 6 for the indicated 5' Public Street Easement Note 8.
3. Revise the street suffix of the proposed street name, Oilers "Avenue" to "Street".
4. Kenai City Council must consent to the ROW vacation of Outside Way between Cook Avenue and Riverview Drive is not needed for a public purpose and approve the ROW vacation.
5. Kenai City Council adopt a resolution for the naming of the 50-foot dedicated ROW to Oilers Street.

## ATTACHMENTS

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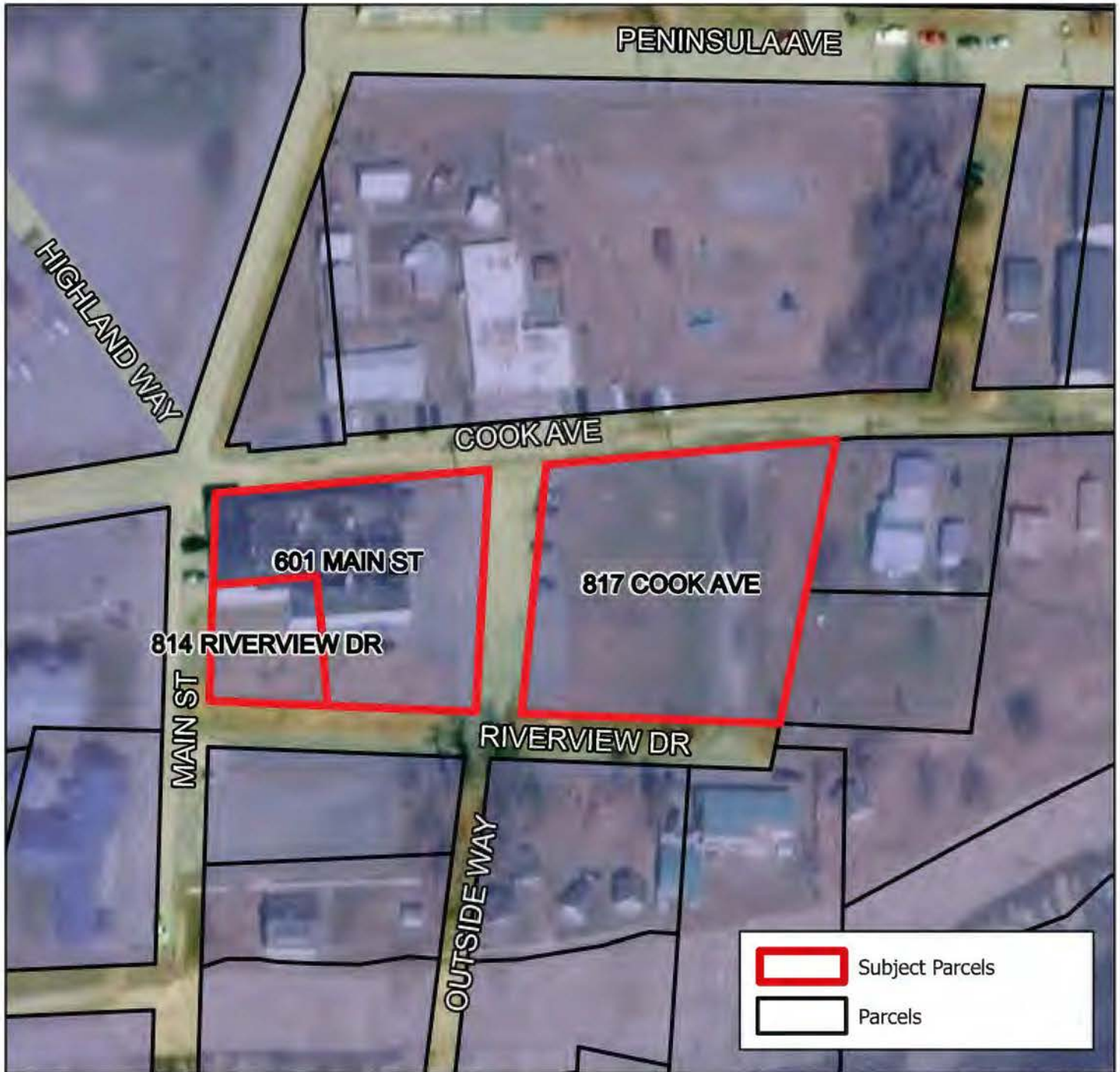
Aerial Map  
Preliminary Plat, Kenai Townsite Oiler's 2024 Addition  
Application with Certificate of Plat  
Original Townsite of Kenai (Plat No. KT)  
Kenai Townsite Oilers Addition (Plat No. KN 93-11)  
Original Townsite of Kenai Laddville Replat (Plat No. KN 94-91)  
Original Townsite of Kenai Laddville Replat No. 2 (Plat No. KN 95-34)  
KPB Planning Commission Minutes and Related Documents – January 10, 1994  
Planning and Zoning Commission Minutes – January 12, 1994  
City Council Minutes - January 19, 1994



Preliminary Plat

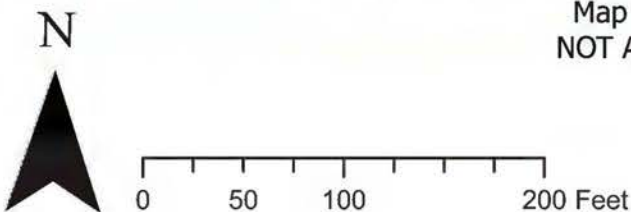
Kenai Townsite Oiler's Addition

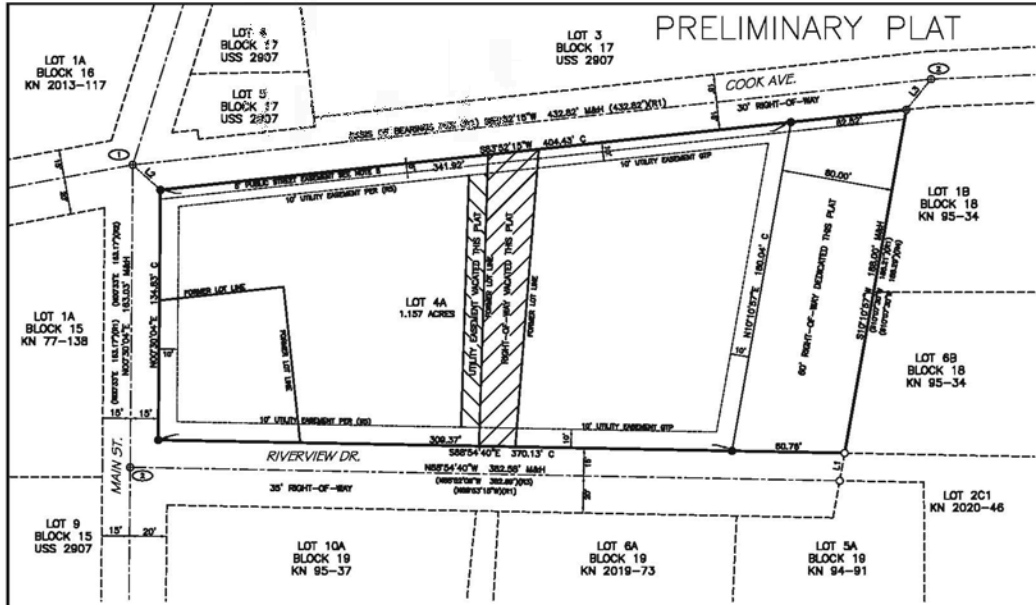
817 Cook Avenue, 601 Main Street, and  
814 Riverview Drive



Date Printed: 11/28/2023

Map for Reference Only  
NOT A LEGAL DOCUMENT





- NOTES**
- FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA AND LOCAL REGULATIONS.
  - DEVELOPMENT OF THIS PARCEL SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
  - A 10' UTILITY EASEMENT IS BEING GRANTED THIS PLAT ALONG FORMER LOT 4, A 10' UTILITY EASEMENT HAS GRANTER PER (R2) ALONG FORMER LOT 6A, THE FRONT 10 FEET ADJACENT TO RIGHT OF WAY IS AN UTILITY EASEMENT, NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH COULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
  - THE KENAI CITY COUNCIL CONSENTED TO THE VACATIONS OF RIGHT-OF-WAY AT THE MEETING OF NOVEMBER 08, 2023.
  - RIGHT-OF-WAY VACATION WAS APPROVED BY KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF DECEMBER 11, 2023.
  - THESE PARCELS SUBJECT TO UTILITY EASEMENT WITH NO DEFINED LOCATION, GRANTED TO KENAI POWER CORPORATION, RECORDED DECEMBER 21, 2003, MISC. VOLUME 11, PAGE 179, KR2.
  - THESE PARCELS SUBJECT TO PUBLIC STREET EASEMENT, RECORDED AUGUST 30, 1967, MISC. VOLUME 28, PAGE 81 AND PAGE 82, KR2.
  - WASTEWATER DISPOSAL: CITY WATER AND SEWER ARE AVAILABLE TO SERVE THIS PARCEL. PLANS FOR WASTEWATER TREATMENT AND DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.



**NOTARY ACKNOWLEDGEMENT**

FOR MIKE TICE  
 ACKNOWLEDGED BEFORE ME: \_\_\_\_\_  
 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023

\_\_\_\_\_

PUBLIC NOTARY SIGNATURE

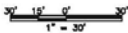


**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I HEREBY CERTIFY THAT PENINSULA OILERS BASEBALL CLUB INC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HERE AND THAT ON BEHALF OF PENINSULA OILERS BASEBALL CLUB INC, I HEREBY ADOPT THIS PLAN OF SUBMISSION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

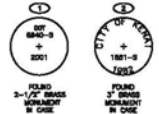
MIKE TICE - PRESIDENT  
 PENINSULA OILERS BASEBALL CLUB INC.  
 PO BOX 318  
 KENAI, ALASKA 99611

- LEGEND**
- FOUND PRIMARY MONUMENT AS REFERENCED
  - FOUND PROPERTY CORNER 1-1/2" ALUMINUM CAP STAMPED LS 0132 1994
  - FOUND PROPERTY CORNER - 5/8" REBAR
  - SET PROPERTY CORNER 5/8" X 30" REBAR WITH 1" ALUMINUM CAP STAMPED EDGE SURVEY LS-13022 2024
  - ⊕ MONUMENT REFERENCE NUMBER
  - (R1) RECORD DATA, SEE REFERENCE
  - ▨ RIGHT-OF-WAY BEING VACATED
  - ▨ UTILITY EASEMENT BEING VACATED
  - SUBDIVISION BOUNDARY
  - INTERIOR LOT LINE
  - - - ADJACENT PROPERTY LINE
  - - - EASEMENT
  - - - FORMER LOT LINE
  - - - MONUMENT TIE LINE
  - MAH MEASURED AND HELD
  - C COMPUTED
  - GTP GRANTED THIS PLAT



- REFERENCES**
- (R1) ORIGINAL TOWNSITE OF KENAI, PLAT USS 2970, KENAI RECORDING DISTRICT
  - (R2) MILLER HOUSE SUBDIVISION, PLAT KN 95-37, KENAI RECORDING DISTRICT
  - (R3) KENAI TOWNSITE 2018 ADDITION, PLAT KN 2019-73, KENAI RECORDING DISTRICT
  - (R4) ORIGINAL TOWNSITE OF KENAI LADDOVILLE REPLAT NO. 2, PLAT KN 95-34, KENAI RECORDING DISTRICT
  - (R5) KENAI TOWNSITE OILER ADDITION, PLAT KN 93-11, KENAI RECORDING DISTRICT
  - (R6) ORIGINAL TOWNSITE OF KENAI BILLY REPLAT, PLAT KN 2020-46, KENAI RECORDING DISTRICT

**MONUMENT SUMMARY**



**LINE TABLE**

LINE	BEARING	DISTANCE
L1	R17°10'57"	15.19
L1(RB)	R02°31'52"	15.30
L4	S47°48'51"	20.50
L5	N42°02'41"	21.47

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF DECEMBER 11, 2023.

KENAI PENINSULA BOROUGH

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

**CERTIFICATE OF ACCEPTANCE AND DEDICATION BY CITY OF KENAI**

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THE PLAT IDENTIFIED AS FOLLOWS:

DEDICATION OF RIGHT OF WAY - OILERS AVENUE, AS SHOWN.

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: TERRY ELSBANK - CITY MANAGER DATE: \_\_\_\_\_  
 CITY OF KENAI  
 210 PENINSULA AVE.  
 KENAI, ALASKA 99611

**CERTIFICATE OF SURVEYOR**

I, MARK ANICHETTI 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



KPB FILE No. 2023-000

**KENAI TOWNSITE OILERS' 2024 ADDITION**

A SUBDIVISION OF LOT 5A AND SB, KENAI TOWNSITE OILERS' ADDITION, PLAT 93-11 AND LOT 4 TOWNSITE OF KENAI, US SURVEY 2970

LOCATED WITHIN SW 1/4 SECTION 5, T.5N., R.11W., S.4M. STATE OF ALASKA KENAI PENINSULA BOROUGH KENAI RECORDING DISTRICT CITY OF KENAI

OWNERS: PENINSULA OILERS BASEBALL CLUB INC. PO BOX 318 KENAI, ALASKA 99611

CONTAINING 1.410 ACRES

**ESBERRY**  
 ESBERY AND BISHOP, LLC  
 6000 KING STREET ANCHORAGE, AL 99518  
 Phone (907) 344-5590 Fax (907) 344-7794  
 AED # 1382

DRAWN BY: JY DATE: 10/01/2023 PROJECT: 23-567  
 CHECKED BY: SEAL DATE: 11-1-2023 SHEET: 1 OF 1



OCT 19 2023



Planning & Zoning  
By: *lu*  
Preliminary Plat  
Submittal Form

City of Kenai  
Planning and Zoning Department  
210 Fidalgo Avenue  
Kenai, AK 99611  
(907) 283-8200  
planning@kenai.city  
www.kenai.city/planning

APPLICANT (SURVEYOR)

Name: *Edge Survey and Design LLC.*  
 Mailing Address: PO Box 208 City: Kasilof State: AK Zip Code: 99610  
 Phone Number(s): 907-283-9047  
 Email: jason@edgesurvey.net

PROPERTY OWNER

Name: Peninsula Oilers Baseball Club Inc. - Mike Tice  
 Mailing Address: PO Box 318 City: Kenai State: AK Zip Code: 99611  
 Phone Number(s): Mike Tice 907-830-8149  
 Email: mtice@oilersbaseball.com

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #: 04710211, 04710212, 04710204  
 Current City Zoning: Central Commercial  
 Use:  Residential  Recreational  Commercial  
 Other: \_\_\_\_\_  
 Water:  On Site  City  Community  
 Sewer:  On Site  City  Community

PLAT INFORMATION

Preliminary Plat Name: Kenai Townsite Oilers 2023 Replat  
 Revised Preliminary Plat Name: \_\_\_\_\_  
 Vacation of Public Right-of-Way:  Yes  No  
 Street Name (if vacating ROW): Outside Way and Public Street Easement

Exceptions Required and Requested:

None

Comments:

\_\_\_\_\_

REQUIRED ATTACHMENTS

Certificate to Plat  (1) 24" x 36" Plat  (2) 11" x 17" Plats

SIGNATURE

Signature: *Michael Tice* Date: 10-8-2023  
 Print Name: Michael Tice Title/Business: President

1

## *Stewart Title of the Kenai Peninsula, Inc.*

35681 Kenai Spur Hwy., Unit B  
Soldotna, AK 99669  
Tel: (907) 260-8031 Fax: (907) 260-8036

### CERTIFICATE TO PLAT

Edge Survey and Design, LLC.  
PO Box 208  
Kasilof, AK 99610  
Attention: Jason Young

File Number: 23336  
Premium: \$350.00  
Tax:

Gentlemen:

This is a certificate as of August 25, 2023 at 8:00 A.M. for a plat out of the following property:

Lots Five "A" (5A) and Five "B" (5B), Block Eighteen (18), KENAI TOWNSITE OILERS ADDITION, according to Plat No. 93-11, Kenai Recording District, Third Judicial District, State of Alaska.

and

Lot Four (4), Block Eighteen (18), ORIGINAL TOWNSITE OF KENAI, U.S. Survey No. 2970 A & B, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

The Peninsula Oilers Baseball Club, Inc., an Alaska corporation  
an estate in fee simple, free from all liens, encumbrances, and objections except for as follows:

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
2. **TAXES AND ASSESSMENTS**, if any due the taxing authority indicated:  
Taxing Authority: City of Kenai
3. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:  
Taxing Authority: KENAI PENINSULA BOROUGH
4. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:  
Recorded: December 31, 1963  
Volume/Page: Misc. 11/179  
Granted To: Kenai Power Corporation  
Affects: General Easement, no definite location disclosed (Lot 4)
5. **PUBLIC STREET EASEMENT** affecting the portion of said premises and for the purposes stated herein, and incidental purposes thereto:  
Recorded: August 30, 1967  
Volume/Page: Misc. 28/81  
Affects: Portion of Lot 5
6. **PUBLIC STREET EASEMENT** affecting the portion of said premises and for the purposes stated herein, and incidental purposes thereto:  
Recorded: August 30, 1967  
Volume/Page: Misc. 28/82  
Affects: Portion of Lot 4

7. **AN OIL AND GAS LEASE** affecting the above interest under the terms, covenants and conditions therein provided:  
 Lessor: Edward R. and Esther A. McElligott  
 Lessee: Union Oil Company of California  
 Recorded: October 5, 1978  
 Volume/Page: 133/380  
 (Portion of Lot 5)  
**FURTHER**, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.
8. **AN OIL AND GAS LEASE** affecting the above interest under the terms, covenants and conditions therein provided:  
 Lessor: Edward R. and Esther A. McElligott  
 Lessee: Union Oil Company of California  
 Recorded: October 10, 1978  
 Volume/Page: 133/681  
 (Affects Lot 4)  
**FURTHER**, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.
9. **AN OIL AND GAS LEASE** affecting the above interest under the terms, covenants and conditions therein provided:  
 Lessor: Clarence B. Ladd  
 Lessee: Union Oil Company of California  
 Recorded: November 3, 1978  
 Volume/Page: 135/33  
 (Portion of Lot 5)  
**FURTHER**, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.
10. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:  
 Recorded: June 18, 1974  
 Volume/Page: 238/771  
 (Affects Lot 4 and a Portion of Lot 5)  
**FURTHER**, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.
11. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat USS 2970.
12. **EFFECT** of the notes on said Plat USS 2970.
13. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. 93-11.
14. **EFFECT** of the notes on said Plat No. 93-11.
15. **DEED OF TRUST**, including terms and provisions thereof, to secure an indebtedness of the amount herein stated and for any other amounts payable under the terms thereof:  
 Amount: \$205,000.00  
 Dated: December 27, 2013  
 Recorded: December 30, 2013  
 Serial No.: 2013-012068-0  
 Trustor: Peninsula Oilers Baseball Club, Inc., an Alaska non-profit corporation  
 Trustee: First American Title Insurance Company  
 Beneficiary: First National Bank Alaska  
 (Affects Lots 5A, 5B and Lot 4)

16. **DEED OF TRUST**, including terms and provisions thereof, to secure an indebtedness of the amount herein stated and for any other amounts payable under the terms thereof:

Amount: \$50,000.00  
 Dated: May 16, 2018  
 Recorded: May 21, 2018  
 Serial No.: 2018-004305-0  
 Trustor: Peninsula Oilers Baseball Club, Inc., an Alaska corporation  
 Trustee: First American Title Insurance Company  
 Beneficiary: First National Bank Alaska  
 (Affects Lot 5A)

**Stewart Title of the Kenai Peninsula, Inc.**

By



Authorized Coconsignature

Terri Cotterell  
Authorized Signator

NOTE: We will update this certificate to comply with Kenai Peninsula Borough Ordinance 90-38 upon notification from surveyor.

**PENINSULA OILERS BASEBALL CLUB, INC.**  
**BYLAWS**

**ARTICLE I – OFFICE**

The principal office of business of Peninsula Oilers Baseball Club, Inc., shall be at the discretion of the Board of Directors.

**ARTICLE II – MEMBERS**

- Section 1. Annual Meeting:** The annual meeting of the Board of Directors shall be held on the first full week in October, each year, for the purpose of electing Directors and transacting such other business as may come before the meeting. If the election of Directors shall not be held on the day designated herein, or at any annual meeting of the Board of Directors or at any adjournment thereof, the Board of Directors shall cause the election to be held at a special meeting as soon thereafter as may be convenient.
- Section 2. Special Meeting:** Unless otherwise prescribed by State Statute, special meetings of the Board of Directors, for any purpose, may be called by the President, the Board of Directors, or by the President at the request of three (3) members of the Board of Directors entitled to vote.
- Section 3. Place of Meeting:** The place of the annual meeting and any other meetings held will be designated by the Board of Directors or the President.
- Section 4. Notice of Meeting:** Written, or printed notice stating the place, day and time of the meeting, and in case of a special meeting, the purpose for which the meeting is called, shall be delivered no less than ten (10) days and no more than thirty (30) days before the date of the meeting either personally, electronically, or by mail. This will be at the direction of the President or the Secretary, or the person calling the meeting, to each member of record entitled to vote at such meeting. If mailed, such notice shall be deemed delivered when deposited in the United States mail and addressed to the member at his address as it appears on the books of the Board of Directors, with postage thereon paid.
- Section 5. Quorum:** Shall constitute one third (1/3) of the number of voting Board of Directors then fixed by the By-Laws, excluding vacancies. Not less than thirty (30) minutes after the time fixed for the beginning of any meeting where a quorum is not present, the presiding officer will call for the roll and then adjourn the meeting
- Section 6. Voting:** Each voting member of the Board of Directors shall have one vote, either in person, or electronically. A member may vote by proxy with the proxy being in writing addressing the issues to be voted on, and in the possession of the person voting the proxy. A voting member of the Board of Directors may only vote a proxy. To be considered a voting member, a Board of Director must be a member in good standing as defined in section 7 of this article.

**Section 7. Member in good Standing:** A member who has demonstrated participation in a minimum of half of the scheduled meetings in the previous year or half of the scheduled meetings since becoming a member.

### **ARTICLE III – BOARD OF DIRECTORS**

**Section 1. Management/ Powers:**

- a. The Board of Directors shall manage the affairs of the Peninsula Oilers Baseball Club, Inc.
- b. The Board shall specifically have, but not limited to, the power to:
  1. Establish and amend, by the majority vote of the Directors, all Articles of Incorporation and By-Laws of the Association.
  2. Procure and maintain (stocks, bonds, notes, certificates of deposits or other securities), if desired, in the name of the Peninsula Oilers Baseball Club, Inc.
  3. Procure and maintain liability, hazard, workmen's compensation, accident or any other insurance as needed or required.
  4. Authorize disbursements of funds and conduct fundraisers.
  5. Ratify or disavow any action of the Executive Committee.

**Section 2. Number:** The number of members of the Board of Directors shall be fixed from time to time by the By-Laws, but at no time shall the board be less than twenty-five (25) members. Members will be elected to fill a one, two or three year term, by a majority of the Board of Directors.

**Section 3. Regular Meeting:** Regular meetings of the Board of Directors may be held on a weekly, monthly or other basis without any notice other than as provided for in this section. The Board of directors has the power to provide day, time and place for these regularly scheduled meetings and any meeting of the Board of Directors.

**Section 4. Special Meetings:** Special Meetings of the Board of Directors may be called by or at the request of the President, or by the President at the request of three (3) members of the Board of Directors entitled to vote.

**Section 5. Notice:** Notice of any special meeting shall be given, in person, or electronically, at least twenty-four (24) hours prior to the meeting. Any director may waive notice of any meeting. The attendance of any Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not legally called or convened.

**Section 6. Manner of Acting:** The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors.

**Section 7. Vacancies:** Any vacancy occurring on the board of Directors may be filled by the affirmative vote of the majority of the remaining Directors, though less

than a quorum. A Director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office. Any Director position to be filled by reason of an increase in the number of Directors shall be filled by election at an annual meeting or a special meeting called for that purpose.

**Section 8. Payment of Expense:** Expenses incurred while on official Board business may be paid upon approval of the Board of Directors who will determine what is "official board business".

**Section 9. Compensation:** No earnings of the Peninsula Oilers Baseball Club, Inc., shall inure to the benefit of, or be distributed to Directors or Officers of the Corporation except as provided for in this Article and Section as follows:

- a. Appropriate compensation is authorized when a member of the Board of Directors is holding one of the paid staff position.
- b. All Board members shall receive 2 box seat tickets to each home game; 10 % discount off merchandise purchased at the Team Store at the Oilers Office and other special compensation from time to time as the Board of Directors deems proper.

**Section 10. Restrictions:** Income of the Peninsula Oilers Baseball Club, INC., shall be distributed in such a manner as not to be subject to tax under Section 4942 of the IRS code. The Board will not retain business holdings or make any investments as to subject Peninsula Oilers Baseball Club, INC., to any tax under the IRS code.

**Section 11. Presumption of Assent:** Any Director who is present at a meeting of the Board of Directors at which action of any corporate matter is taken shall be presumed to have assented to the action taken, however his/her dissent may be entered in the minutes of the meeting on request or he/she may file his written dissent to such action with the Secretary of the meeting before the adjournment thereof.

**Section 12. Indemnification of Directors:** Each Director and Officer, whether or not then in office, shall be indemnified by the Corporation against all costs and expenses reasonably incurred or imposed upon said Director after adoption of these By-Laws in connection with any action, suit or proceedings to which he/she may be made a party by reason of his/her being or having been a Director or Officer of Peninsula Oilers Baseball Club, INC., except in relation to matters as to which a recovery shall be against him/her by reason of his/her finally having been adjusted in such action, suit or proceedings to have been derelict in the performance of his/her duties as such Director or Officer. The foregoing right to indemnify shall include reimbursement of the amounts and expenses paid in settling any such action suit or proceeding when settlement seems to be in the best interest of Peninsula Oilers Baseball Club, INC.

**Section 13. Honorary Board of Directors:** There may be an Honorary Board of Directors composed of those persons selected for such honor by a majority vote of the Board of Directors and as such:

- a. will be ex-officio members of the Board of Directors, with no voting,

- or decision making powers; and,
- b. will be provided passes for admission to home baseball games, and receive the same discounts as the Board of Directors.

**Section 14. Removals:** board Members may be removed from the Board of Directors by a two thirds (2/3rds) vote of the Board of Directors for any action deemed not appropriate for a Board of Director member, providing that notice of this intent to call for such a vote, naming the Director, is given in writing, to all Board members at least thirty (30) days prior to a vote by the board.

**Section 15. Term of Office:** A term of office shall normally be for three (3) years as designated from time to time except for the initial board whose terms will be equally divided among one (1), two (2), and three (3) year terms.

a. Terms of office after the expiration, resignation or removal of a board member shall begin at the close of the meeting at which a vacancy shall be filled and shall run through the term designated for that particular director. The objective being, insofar as practical, to have no more than one-third (1/3) of the Directors replaced at any time.

#### **ARTICLE IV – OFFICERS**

**Section 1. Number:** The officers of the Peninsula Oilers Baseball Club, Inc., shall be President, one or more Vice-Presidents, a Secretary, and a Treasurer, each of whom shall be elected by a majority of the Board of Directors and subject to the control of the Board of Directors. Such other Officers as may be deemed to be necessary may be elected by the Board of Directors.

**Section 2. Election and Term of Office:** The Officers of the Peninsula Oilers Baseball Club, Inc., shall be elected annually, by a majority vote of the Board of Directors at the annual meeting. Each officer shall hold office until his successor shall have been duly elected or until his death, or until he/she shall resign or shall have been removed in the manner hereinafter provided.

**Section 3. Removal:** The Board of Directors may remove Any Officer elected by the Board of Directors by a two thirds (2/3rds) vote, whenever in its judgment the best interests of the Peninsula Oilers Baseball Club, Inc., would be served thereby.

**Section 4. Vacancies:** A vacancy in any office for any reason may be filled by the Board of Directors, providing those rules for Election of Officers in Section 2., of this Article are followed.

**Section 5. Duties of the President:**

- a. Act as the presiding officer and be the principal Officer of the Peninsula Oilers Baseball Club, Inc;
- b. Preside over all meetings of the Board of Directors and the Executive Committee and serve as a member of the Executive Committee;
- c. Be an eligible signer on any official bank accounts;
- d. Create and appoint committees as the need arises;
- e. Delegate responsibility to members of the Board as deemed necessary;
- f. Serve on all committees;



- g. Act as the employer for all persons hired by the board;
- h. May sign any promissory notes, contracts, mortgages, and deeds, not expressly delegated to another Officer or Director; and,
- i. Perform all duties incidental to the office of President and such other duties as may be, from time to time, prescribed by the Board of Directors.

**Section 6. Duties of the First Vice-President:**

- a. Perform the duties of the President in his/her absence;
- b. Be the chairperson of committees upon the appointment by the President;
- c. May sign any promissory notes, contracts, and mortgages with the President and other Officers on behalf of Peninsula Oilers Baseball Club;
- d. Serve as a member of the Executive Committee; and,
- e. The President or the Board of Directors may assign any other duties as necessary.

**Section 7. Duties of Other Vice-Presidents:**

- a. Perform the duties of the President or First Vice-President in their absence;
- b. Be the chairman at special committees upon the appointment of the President;
- a. May sign any promissory notes, contracts, mortgages and deeds with other Officers on behalf of Peninsula Oilers Baseball Club, Inc.;
- b. Serve as a member of the Executive Committee; and,
- c. Any other duties as from time to time may be assigned to him/her by the President or Board of Directors.

**Section 8. Duties of the Secretary:**

- a. Record the proceedings of all meetings of the Board of Directors and Executive Committees;
- b. Take care of all correspondence as directed by the President or Board of Directors;
- a. Certify election results, amendments to these By-Laws and the Articles of Incorporation and keep a roll of Directors attendance at meetings;
- b. May sign any promissory notes, contracts, mortgages, or deed with other Officers on behalf of Peninsula Oilers Baseball Club, Inc.; and,
- c. Serve as a member of the Executive Committee.

**Section 9. Duties of the Treasurer:**

- a. Present a monthly financial report, provided regular monthly meetings are held, and review expenditures and payment of bills if requested by the President;
- b. Present a complete, detailed annual financial report at the annual meeting;
- c. Serve as committee chairperson of the finance and budget committees;
- d. Responsible for overseeing the filing of any Federal or State information and reports pertaining to the finances of the Board of Directors, not assigned to another Officer, agent, or employee;
- e. Sign any promissory note, contracts, and mortgages on behalf of Peninsula Oilers Baseball Club, Inc.; and,

- f. Be a member of the Executive Committee.

**Section 10. Compensation:** Except as specified in Article 9, Section 9, no Officer shall receive compensation for any services performed for the Board. Officers may receive bona fide expenses as voted and approved on an individual basis by the Board of Directors.

#### **ARTICLE V – Executive Committee**

**Section 1. Make up/powers:** Officers of the Board of Directors will serve as the Executive Committee. The Executive Committee, in an emergency, has the powers of the Board between meetings and other specific duties as delegated by the Board of Directors. Any action taken by the Executive Committee shall either be ratified by a majority vote or rejected by a two-thirds (2/3rds) vote of the Board of Directors present at the next scheduled meeting.

#### **ARTICLE VI – [Standing Rules] Deleted: Board of Director's Meeting – 7/11/09**

#### **ARTICLE VII – Dissolution**

**Section 1.** Peninsula Oilers Baseball Club, Inc., may be dissolved upon the affirmative vote of two-thirds (2/3rds) of the members of the Board of Directors then in office, taken at a Board meeting called for that purpose or upon written consent of all the members entitled to vote at that time. Upon dissolution or other termination of the Peninsula Oilers Baseball Club, Inc., no part of the property, nor the proceeds thereof shall be distributed to or inure to the benefit of any Board member. "Coral Seymour Memorial Park, intact, shall revert back to the City of Kenai, as per terms of an agreement. All other property and obligations, be distributed to any fund or foundation as directed by the Board of directors as provided for and described in Section 501 © (3) of the Internal Revenue code.

#### **ARTICLE VIII – Contracts, Loans, Checks**

**Section 1. Contracts:** The Board of Directors may authorize any Officer or agent to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation.

**Section 2. Loans:** No loans shall be contracted on behalf of the corporation and no evidence of indebtedness shall be issued in its name unless authorized by the Board of Directors.

**Section 3. Checks, drafts:** All checks, drafts, or other orders for the payment of money, notes or other evidence of indebtedness issued in the name of Peninsula Oilers Baseball Club, Inc., shall be signed by such Officers as the Board of Directors may direct.

Section 4. Deposits: All funds of the Peninsula Oilers Baseball Club, Inc., not otherwise designated for maintenance and operation shall be deposited to the credit in such banks, trust companies, or other depositories as the board of Directors may select.

**ARTICLE IX - Seal**

Section 1. The seal of Peninsula Oilers Baseball Club, INC., shall be a circle formed by the words Peninsula Oilers Baseball Club, INC.

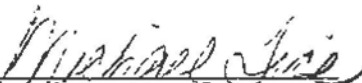
**ARTICLE X – Fiscal Year**

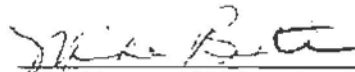
Section 1. The fiscal year of the corporation shall begin on the first day of October and end on the thirtieth day of September in each year.

**ARTICLE XI – Waiver of Notice**

Section 1. Whenever any notice is required to be given to any Director under the provisions of the By-Laws or the Article of Incorporation, a waiver thereof in writing signed by the person entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

These By-Laws signed this 9<sup>th</sup> day of May, 2015 by the following Officers and Directors of the Peninsula Oilers Baseball Club, Inc.:

  
Michael Tice, President

  
Mike Baxter, 1<sup>st</sup> Vice President

  
Ozzie Osborne, 2<sup>nd</sup> President

  
Charlie Pierce, Treasurer

  
Sharon Hale, Secretary

THE PENINSULA CLARION  
KENAI PENINSULA BOROUGH  
PLANNING COMMISSION



NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT A PETITION HAS BEEN RECEIVED TO VACATE A PORTION OF A PUBLIC RIGHT-OF-WAY. AREA UNDER CONSIDERATION IS DESCRIBED AS FOLLOWS:

- A. LOCATION AND REQUEST: VACATE A PORTION OF A PUBLIC RIGHT-OF-WAY KNOWN AS OUTSIDE WAY. VACATE THAT PORTION OF OUTSIDE WAY WHICH LIES BETWEEN COOK AVENUE AND RIVERVIEW AVENUE WITHIN THE CITY OF KENAI. ALSO BEING WITHIN SECTION 5, TOWNSHIP 5 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, ALASKA.
- B. PURPOSE AS STATED IN PETITION: OUTSIDE WAY WAS PLATTED TO PROVIDE ACCESS BETWEEN COOK STREET & RIVERVIEW DRIVE. SINCE PLATTING, ANOTHER ACCESS HAS BEEN DEVELOPED AND IS CURRENTLY MAINTAINED BY THE CITY OF KENAI. THERE APPEARS TO BE NO REASON FOR DEVELOPMENT OF OUTSIDE WAY. VACATION OF RIGHT-OF-WAY WOULD PROVIDE OWNER WITH ONE CONTIGUOUS PIECE OF PROPERTY.
- C. PETITIONER(S): PENINSULA OILERS BASEBALL CLUB, INC. BY STEVE HORN, EXECUTIVE DIRECTOR OF KENAI, ALASKA.

PUBLIC HEARING WILL BE HELD BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION ON MONDAY, JANUARY 10, 1993. COMMENCING AT 7:30 P.M., OR AS SOON THEREAFTER AS BUSINESS PERMITS. MEETING TO BE HELD IN THE BOROUGH ADMINISTRATION BUILDING, SOLDOTNA, ALASKA.

ANYONE WISHING TO TESTIFY MAY COME TO THE ABOVE MEETING TO GIVE TESTIMONY; OR MAY SUBMIT A WRITTEN STATEMENT TO THE ATTENTION OF RICHARD TROEGER, OR ROBBIE HARRIS, KENAI PENINSULA BOROUGH PLANNING DEPARTMENT - 144 N. BINKLEY STREET - SOLDOTNA, ALASKA 99669. WRITTEN TESTIMONY SHOULD BE RECEIVED BY THE PLANNING DEPARTMENT NO LATER THAN WEDNESDAY, JANUARY 5, 1994.

FOR ADDITIONAL INFORMATION CONTACT ROBBIE HARRIS OR RICHARD TROEGER, RESOURCE PLANNING DEPARTMENT, 262-4441 (1-800-478-4441 TOLL FREE WITHIN KENAI PENINSULA BOROUGH).

ROBBIE HARRIS  
PLATTING OFFICER

PUBLISH 2X (DEC 30, 1993 & JAN 5, 1994.)

MAIN STREET

N 0°33'00" E

59.60

LOT 5B

N 83°47'14" E

67.38

S 6°05'04" E

84.62

RIVERVIEW DRIVE

LOT

COOK AVENUE

N 83°52'19" E 404.09

FORMER LOT LINE

Vacated This Plat

FORMER LOT LINE

362.40

4-A

252.80

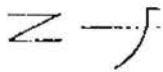
S 88°53'12" E 293.27

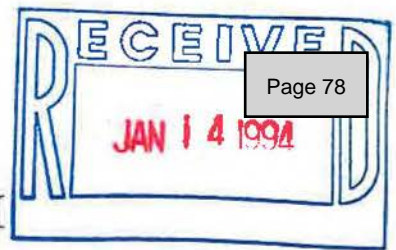
182.80

40' R/W RIVERVIEW DRIVE

Public Street Easement Bk.28 Page 49

N 10°09'11" E 188.23





**KENAI PENINSULA BOROUGH  
144 NORTH BINKLEY  
SOLDOTNA, ALASKA 99669-7599  
(907) 262-4441**

January 13, 1994

**NOTICE OF PLANNING COMMISSION ACTION**

**MEETING OF JANUARY 10, 1994**

**RE: Kenai Townsite Oilers 2nd Addn. Preliminary Plat**

The proposed preliminary plat was conditionally approved by the Kenai Peninsula Borough Planning Commission. The conditions of approval are stated in the attached unapproved minutes.

If you have any questions, please feel free to contact the Kenai Peninsula Borough Planning Department.

This notice and unapproved minutes were sent January 14, 1994 to:

City of: City of Kenai, 210 Fidalgo Street, Suite 200, Kenai, Alaska 99611.

Survey Firm: Swan Surveying, P.O. Box 987, Soldotna, Alaska 99669

Subdivider/Petitioner: Peninsula Oilers Baseball Club, P.O. Box 318, Kenai, Alaska 99611.

KPB File Number: 94-001



# CITY OF KENAI

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*" Oil Capital of Alaska "*

210 FIDALGO AVE., SUITE 200 KENAI, ALASKA 99611-7794  
TELEPHONE 907-283-7535  
FAX 907-283-3014



January 20, 1994

Mr. Richard P. Troeger  
Planning Director  
Kenai Peninsula Borough  
144 North Binkley Street  
Soldotna, AK 99669

RE: *Petition to Vacate a portion of a public right-of-way known as Outside Way. Vacate that portion of Outside Way lying between Cook Avenue and Riverview Avenue, Kenai, Alaska; also being within Section 5, Township 5 North, Range 11 West, Seward Meridian, Alaska. KPB File 94-001.*

At their regularly scheduled meeting of January 19, 1994, the Kenai City Council approved the above-referenced vacation of right-of-way known as Outside Way.

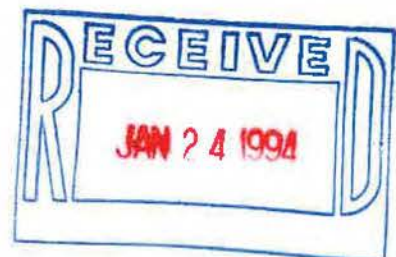
Thank you for your assistance in this matter.

CITY OF KENAI

*Carol L. Freas*  
Carol L. Freas  
City Clerk

clf

cc: Jack La Shot, City Engineer  
Robbie Harris, Platting Officer, KPB  
Steven Horn, Executive Director,  
Peninsula Oilers



**KENAI PENINSULA BOROUGH**

144 N. BINKLEY • SOLDOTNA, ALASKA • 99669-7599  
BUSINESS (907) 262-4441

DON GILMAN  
MAYOR

January 31, 1994

Kenai City Council  
210 Fidalgo, Suite 200  
Kenai, Alaska 99611

Dear City Council Members:

RE: Petition to Vacate Petition to vacate a portion of a public right-of-way known as Outside Way. Vacate that portion of Outside Way lying between Cook Avenue and Riverview Avenue, Kenai, Alaska within Section 5, Township 5 North, Range 11 West, Seward Meridian, Alaska; KPB File 94-001

Thank you for your letters advising that the Kenai Planning Commission and the Kenai City Council approved the above referenced vacation.

This vacation was approved by the Borough Planning Commission at their January 24, 1994 meeting. The motion to approve the vacation passed by unanimous consent. Attached are draft minutes and other related materials for your information.

Sincerely,

Richard P. Troeger  
Planning Director

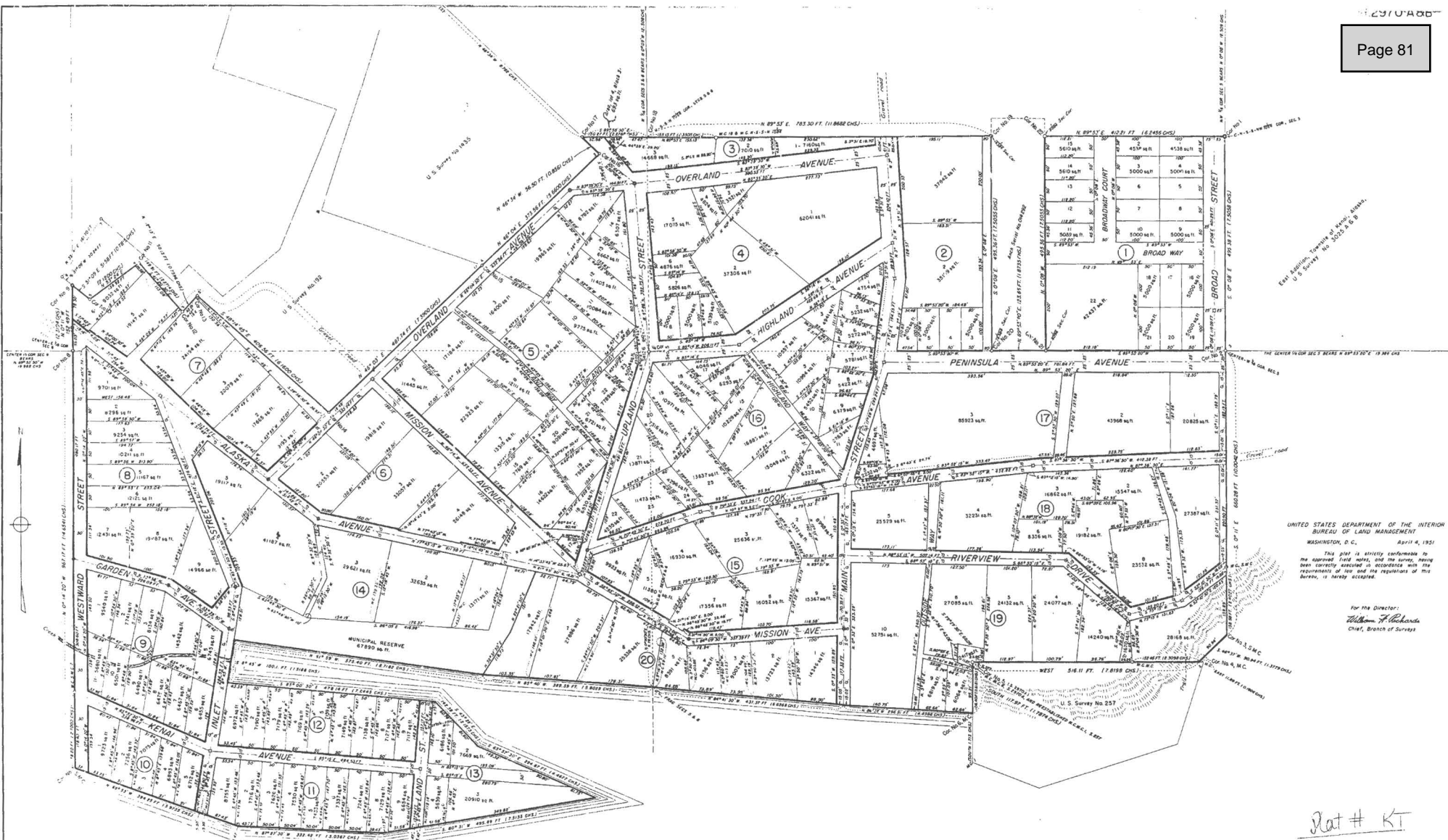
RPT:mes

Attachments

cc: Steve Horn







UNITED STATES DEPARTMENT OF THE INTERIOR  
 BUREAU OF LAND MANAGEMENT  
 WASHINGTON, D. C.  
 April 4, 1951  
 This plat is strictly conformable to the approved field notes, and the same, having been carefully examined in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director:  
 William F. Richards  
 Chief, Branch of Surveys

Plot # KT

TOWNSITE OF KENAI, ALASKA  
 U. S. SURVEY No. 2970 A - BOUNDARY  
 U. S. SURVEY No. 2970 B - SUBDIVISION  
 AREA: 70.397 ACRES  
 LATITUDE 60° 33' 05" N., LONGITUDE 151° 15' 31" W.,  
 AT CORNER No 1  
 MAGNETIC DECLINATION 25° 00' E  
 SCALE IN FEET  
 SURVEYED BY ELLIOTT PEARSON, CADASTRAL ENGINEER,  
 JUNE 16 TO JULY 15, 1950

LEGEND  
 1. 1/4" iron post, 3 feet long in concrete base and 16" x 16" x 1/2" diameter and 6 inches thick with brass cap 1/2" x 1/2" inches from surface of ground  
 2. 1/4" iron post, 3 feet long, in concrete column  
 3. 1/2" x 1/2" x 1/2" iron in diameter with brass cap 1/2" inches below surface of ground  
 4. Brass cap 6 to 8 inches below surface of ground in concrete column 1/2" inches in diameter and 3/4 inches long  
 Note: All blocks and lot corners were implemented with 2 x 2 x 18" (16" wooden stakes)  
 5. 1/2" x 1/2" x 1/2" iron in diameter with brass cap 1/2" inches below surface of ground

CERTIFICATE of OWNERSHIP and DEDICATION

I hereby certify that I am the owner of the real property shown and described hereon and that I hereby adopt this plan of subdivision and by my free consent dedicate all rights-of-way to public use and grant all easements to the use shown.

Clarence B. Ladd  
Clarence B. Ladd

Notary's Acknowledgement

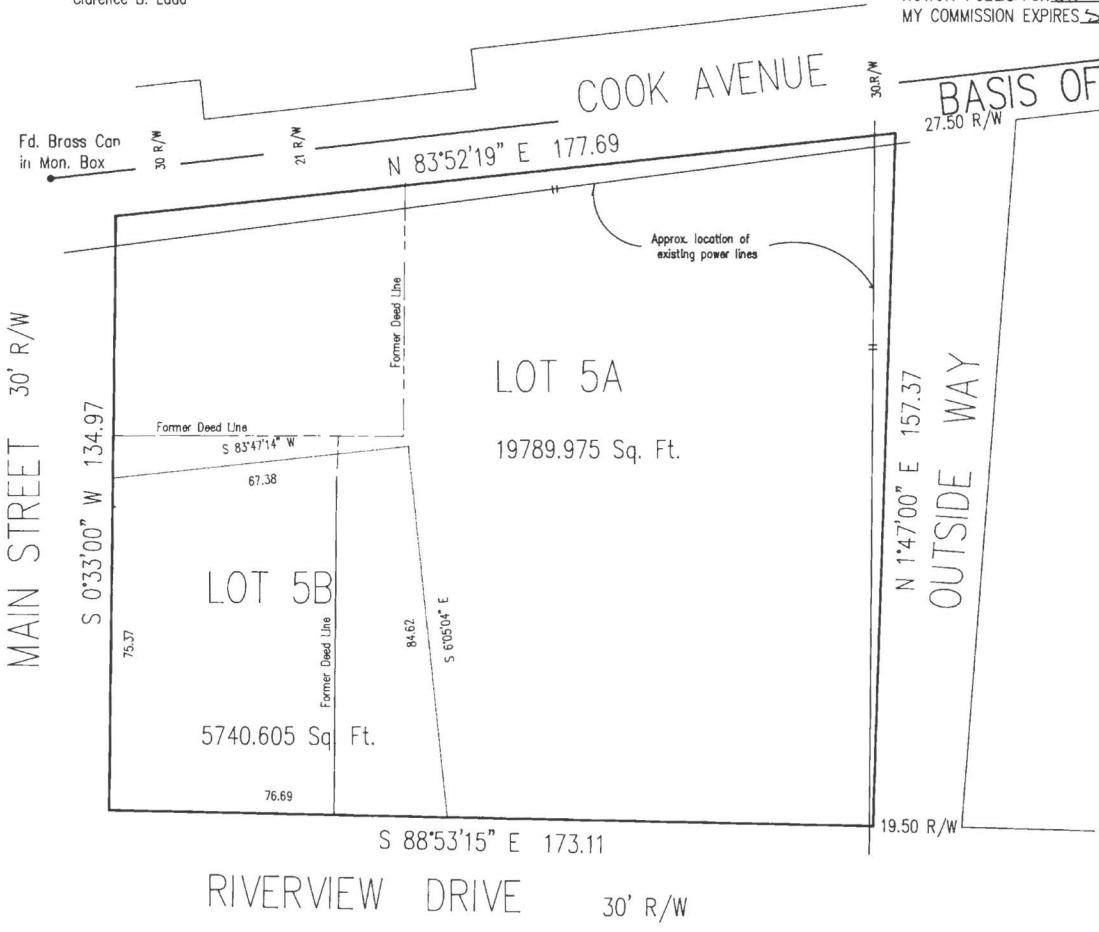
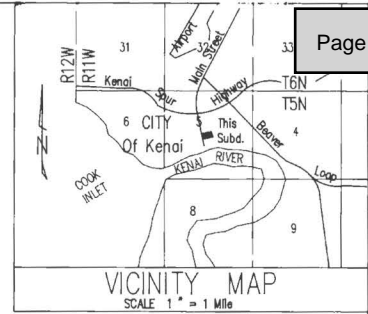
Subscribed and sworn before me on this 29th day of January 1993, for Clarence B. Ladd

Michael D. Williams  
NOTARY PUBLIC FOR Alaska  
MY COMMISSION EXPIRES 5/1/94

LEGEND

Set 5/8" rebar with plastic cap at each corner.

Fd. Brass Cap in Mon. Box



BASIS OF BEARING  
S 83-52-15 W 432.82  
TOWNSITE OF KENAI

93-11  
**RECORDED - FILED 20-**  
DATE Mar 17 1993  
TIME 9:46 A.M.  
Submitted to Swan

NOTES

1. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
2. Front 10 feet of building setback adjacent to rights-of-way is also a utility easement and the entire setback to within 5 feet of side lot lines for anchors.
3. Existing powerline is centerline of 20 foot utility easement unless covered by note 2.

WASTEWATER DISPOSAL :

The Alaska Department of Environmental Conservation has reviewed plans for this subdivision's wastewater disposal, and approves this subdivision for platting.

Dw E. Johnson EE 2-8-93  
Signature Title Date



MICHAEL A. SWAN  
REGISTRATION NO. LS-6940

SHEET 2 SIGNATURE SHEET of INTEREST ONLY  
SHEET 1 of 2

**KENAI TOWNSITE OILERS ADDITION**

A resubdivision of Lot 5, Block 18, Townsite of Kenai

Owner: Fox Enterprises  
Paul C. Wilson & Pamela J. Wilson  
8400 Hartzell Rd., Anchorage, Ak. 99507

Owner: Clarence B. Ladd

Located within SW1/4NW1/4 of section 5, T5N, R11W, S.M., Ak. the City of Kenai and the Kenai Peninsula Borough. Containing 25,529 sq. ft.

**SWAN SURVEYING**

P.O. Box 987  
SOLDOTNA, AK. 99669  
PHONE 907-262-1014

DATE SURVEYED Jan 1993	SCALE 1" = 20'	DRAFTED MAS
K.P.B. FILE NO. 93-004	BK. NO. Job No. 9218	KENAI RECORDING DISTRICT

CERTIFICATE of OWNERSHIP and DEDICATION

We hereby certify that we are the owners of the real property shown and described hereon and that we hereby adopt this plan of subdivision and by our free consent dedicate all rights-of-way to public use and grant all easements to the use shown.

Paul C. Wilson Pamela J. Wilson  
Paul C. Wilson Pamela J. Wilson

For FOX ENTERPRISES

Notary's Acknowledgement

Subscribed and sworn before me on this 30 day of Jan 1993, for Paul C. Wilson  
Pam Wilson

For FOX ENTERPRISES  
Linda Charles  
NOTARY PUBLIC FOR Alaska  
MY COMMISSION EXPIRES July 2, 1995

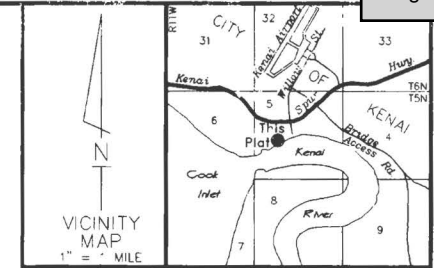
PLAT APPROVAL

This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of January 11, 1993

KENAI PENINSULA BOROUGH  
Paul C. Wilson  
Authorized Official

**LEGEND**

- ⊕ 3" Brass Capped Monument (found this survey)
- 5/8" Rebar (found this survey)
- ⊥ 5/8" Rebar Of Record
- 5/8" Rebar (set this survey)
- ( ) Record Datum - Original Townsite of Kenai Laddville Replat



**CERTIFICATE of OWNERSHIP and DEDICATION**

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

I FURTHER CERTIFY THAT DEED(S) OF TRUST AFFECTING THIS PROPERTY DO NOT CONTAIN RESTRICTIONS WHICH WOULD PROHIBIT THIS REPLAT; OR REQUIRE SIGNATURE AND APPROVAL OF BENEFICIARY(ES).

Clarence Ladd  
Clarence Ladd  
Also Known As  
Clarence B. Ladd  
807 Cook Avenue  
Kenai, Alaska 99611

**NOTARY'S ACKNOWLEDGEMENT**

SUBSCRIBED AND SWORN BEFORE ME THIS 6<sup>th</sup> DAY OF July 1995 FOR Clarence Ladd.

Anna M. Johnson  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES 9/23/97



**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF May 22, 1995

KENAI PENINSULA BOROUGH

[Signature]  
AUTHORIZED OFFICIAL

KPB FILE No. 95-064

**Original Townsite of Kenai Laddville Replat No. 2**

A replat of Lots 1A, 2A and 6A of the Original Townsite of Kenai Laddville Replat.

Located within the SW1/4 Section 5, T5N, R11W, S.M., City of Kenai, Kenai Recording District, Kenai Peninsula Borough, Alaska, Containing 1.91 Acs.

<b>INTEGRITY SURVEYS</b>	
605 SWIRES DRIVE KENAI, ALASKA 99611	
SURVEYORS 283-9047 PLANNERS	
JOB NO: 95048	DRAWN: REW 18 April, 1995
SURVEYED: 1 May, 1995	SCALE: 1" = 50'
FIELD BK: 95-2, pg. 73	PROJECT: 94035

No.	Bearing	Distance
(L1)	S83°51'44"W	4.91'
(L2)	S66°49'34"E	70.21'

**NOTES:**

- 1) Development of these lots is subject to the City of Kenai's zoning regulations.
- 2) No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a Utility to use the easement.
- 3) A blank electric easement exists across Lot 8, Block 18 of the Original Townsite of Kenai.
- 4) "WASTEWATER DISPOSAL: Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

Subject to any noted restrictions,

The Alaska Department of Environmental Conservation approves this subdivision for platting."

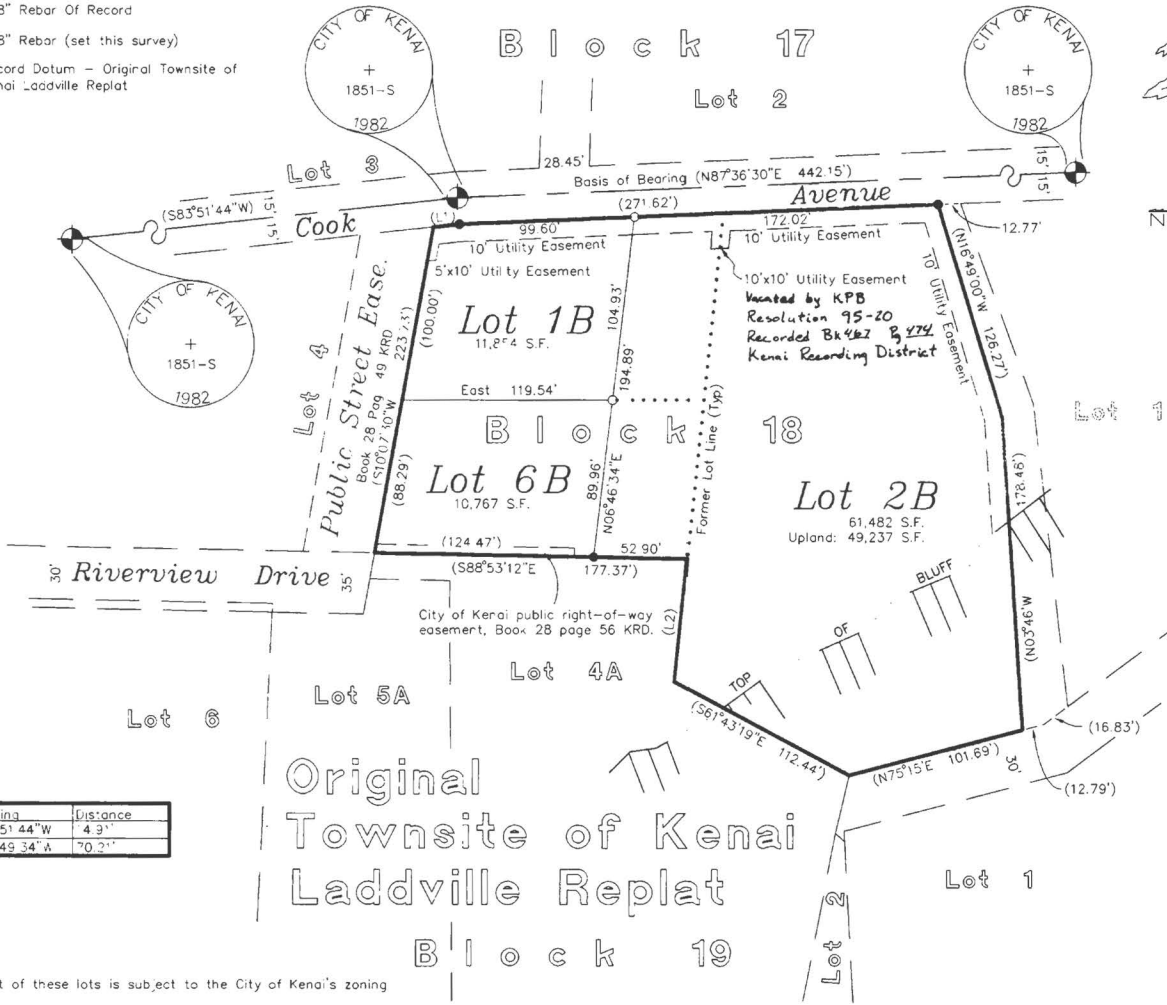
[Signature] Environmental Engineer  
title  
7-7-95  
date

**SURVEYOR'S CERTIFICATE**

I hereby certify that; I am properly registered and licensed to practice land surveying in the State of Alaska, this sketch represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.  
Date 4 July, 1995

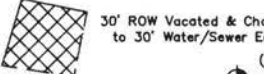


95-34  
RECORDED 20  
REC. DIST.  
DATE: 7-27 1995  
TIME: 2:33 PM  
REQUESTED BY:  
INTEGRITY SURVEYS  
605 SWIRES DRIVE  
KENAI, ALASKA 99611



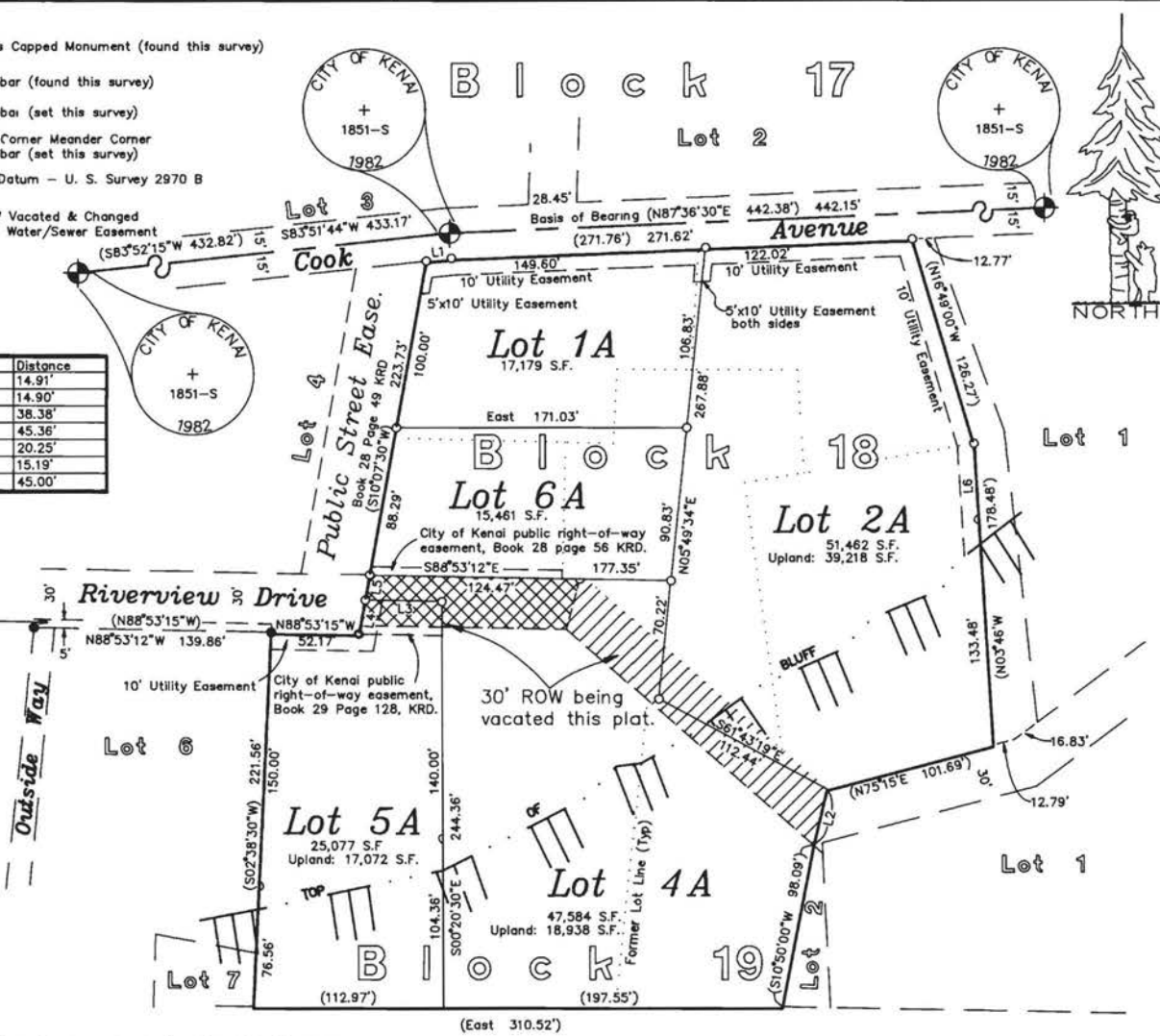
**LEGEND**

- ⊕ 3" Brass Capped Monument (found this survey)
- 5/8" Rebar (found this survey)
- 5/8" Rebar (set this survey)
- ⊥ Witness Corner Meander Corner 5/8" Rebar (set this survey)
- ( ) Record Datum - U. S. Survey 2970 B



No.	Bearing	Distance
L1	S83°51'44"W	14.91'
(L1)	S83°52'15"W	14.90'
L2	N13°43'32"E	38.38'
L3	N88°53'12"W	45.36'
L4	S10°07'30"W	20.25'
L5	S10°07'30"W	15.19'
L6	N03°46'00"W	45.00'

City of Kenai public right-of-way easement.



(East 310.52')

**US SURVEY 257**

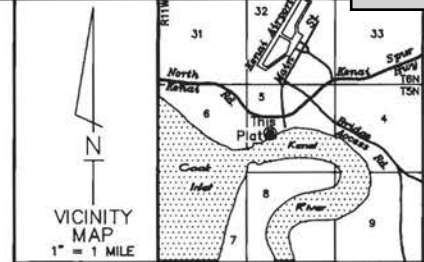
**SURVEYOR'S CERTIFICATE**

I hereby certify that; I am properly registered and licensed to practice land surveying in the State of Alaska, this sketch represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.

Date 13 Oct 94



94-91  
 RECORDED 20  
 KENAI REC. DIST.  
 DATE: 12-30-1994  
 TIME: 2:51 PM  
 REQUESTED BY:  
 INTEGRITY SURVEYS  
 605 SWIRES DRIVE  
 KENAI, ALASKA 99611



**CERTIFICATE of OWNERSHIP and DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

WE FURTHER CERTIFY THAT DEED(S) OF TRUST AFFECTING THIS PROPERTY DO NOT CONTAIN RESTRICTIONS WHICH WOULD PROHIBIT THIS REPLAT; OR REQUIRE SIGNATURE AND APPROVAL OF BENEFICIARY(IES).

*Clarence Ladd*  
 Clarence Ladd  
 Also Known As  
 Clarence B. Ladd  
 807 Cook Avenue  
 Kenai, Alaska 99611

*Gary Foster*  
 Gary Foster  
 P.O. Box 2505  
 Kenai, Alaska 99611

*Kathleen Foster*  
 Kathleen Foster

**NOTARY'S ACKNOWLEDGEMENT**

SUBSCRIBED AND SWORN BEFORE ME THIS 5<sup>th</sup> DAY OF Dec  
 1994 FOR Clarence Ladd, Gary Foster & Kathleen Foster

*Anna M. Johnson*  
 ANNA M. JOHNSON  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES 4-23-97



**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF May 23, 1994

KENAI PENINSULA BOROUGH  
*Richard M. Meyer*  
 AUTHORIZED OFFICIAL

KPB FILE No. 94-046

**Original Townsite of Kenai Laddville Replat**

A replat of Lots 2, 3, 6, 7 & 8 Block 18; Lots 3, 4, & 5, Block 19 of the Original Townsite of Kenai; & ROW vacation of a portion of Riverview Drive.  
 Located within the SW1/4 Section 5, T5N, R11W, S.M., City of Kenai, Kenai Recording District, Kenai Peninsula Borough, Alaska.  
 Containing 3,599 Ac.

INTEGRITY SURVEYS	
605 SWIRES DRIVE KENAI, ALASKA 99611	
SURVEYORS 283-9047 PLANNERS	
JOB NO: 94036	DRAWN: EEG 8 September, 1994
SURVEYED: April - June 1994	SCALE: 1" = 50'
FIELD BK: 94-4, Pg 1	DISK: Kenai T/S

- NOTES:
- Development of these lots is subject to the City of Kenai's zoning regulations.
  - No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a Utility to use the easement.
  - Blanket electric easements exist across Lot 8, Block 18 and Lot 4, Block 19 of the Original Townsite of Kenai.
  - WASTEWATER DISPOSAL:** Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.  
 Subject to any noted restrictions,  
 The Alaska Department of Environmental Conservation approves this subdivision for platting.  
*David E. ...* Environmental Engineer  
 title 12-15-94  
 date



# KENAI PENINSULA BOROUGH

144 N. BINKLEY : SOLDOTNA, ALASKA - 99669-7599  
BUSINESS (907) 262-4441

DON GILMAN  
MAYOR



January 11, 1994

City Council  
City of Kenai  
210 Fidalgo, Suite 200  
Kenai, Alaska 99611

Dear City Council Members:

RE: Petition to Vacate Petition to vacate a portion of a public right-of-way known as Outside Way. Vacate that portion of Outside Way lying between Cook Avenue and Riverview Avenue, Kenai, Alaska; also being within Section 5, Township 5 North, Range 11 West, Seward Meridian, Alaska. KPB File 94-001

The Planning Commission postponed consideration of the proposed vacation at their January 10, 1994 meeting.

This vacation is being sent to you for your review and action before Borough Planning Commission review.

Attached are draft minutes and other related materials for your information.

Sincerely,

Richard P. Troeger  
Planning Director

RPT:mes

Attachments

cc: Steve Horn, Executive Director  
Peninsula Oilers

AGENDA ITEM D. PUBLIC HEARINGS

2. Petition to vacate a portion of a public right-of-way known as Outside Way. Vacate that portion of Outside Way lying between Cook Avenue and Riverview Avenue, Kenai, Alaska; also being within Section 5, Township 5 North, Range 11 West, Seward Meridian, Alaska. KPB File 94-001

Staff report as read by Dick Troeger.

PC Meeting 1-10-94

Petitioners: Peninsula Oilers Baseball Club, Inc. of Kenai, Alaska.

Purpose as stated in the petition: Outside Way was platted to provide access between Cook Street and Riverview Drive. Since platting, another access has been developed and is currently maintained by the City of Kenai. There appears to be no reason for development of Outside Way. Vacation of the right-of-way would provide the owner with one contiguous piece of property.

Public notice appeared in the December 30, 1993 and January 5, 1994 issues of the Peninsula Clarion.

Twenty-five certified mailings were sent to owners of property within a 300 foot radius and to other interested parties. Twenty of the receipts have been returned. Two mailings were returned marked "*Forwarding Expired.*" One mailing was returned for an address correction and was re-mailed.

A statement of non-objection was received from Homer Electric Association.

No statements of objection were received.

Findings of Fact

1. Sufficient rights-of-way have been dedicated to surrounding properties.
2. The right-of-way proposed for vacation does not appear to be in use for access.
3. Per petition the right-of-way proposed for vacation is not used as public access and has not been constructed.

The preliminary plat showing the proposed vacation is scheduled for Commission review and action January 10, 1994.

**STAFF RECOMMENDATIONS:** Approve vacation of that portion of Outside Way lying between Cook Avenue and Riverview Avenue, subject to the following conditions:

1. Submittal of the final plat within one year of vacation approval.
2. The City Council of the City of Kenai, has thirty days in which they may veto Planning Commission approval of the vacation.

**NOTE: If the vacation is denied, the petitioner has eight calendar days in which to appeal the Planning Commission denial. Written appeal must be submitted to the Clerk of the City of Kenai.**

## END OF STAFF REPORT

Chairman Hammelman opened the public hearing for comment.

1. Clarence Ladd, 807 Cook, Kenai

Mr. Ladd stated that he's lived in the area for more than 30 years. Mr. Ladd said that the right-of-way has been used for access for several years -- dating back before statehood. He said he has a cabin in this area that he's been trying to restore. About six years ago it almost burned down, and the fire department used this right-of-way to get to the cabin.

Mr. Ladd stated that he's talked to the fire chief and the police chief. The Oilers Building (formerly the Trades Building) has no parking on Main Street or Cook Avenue. The building was built right to the edge of the street. Mr. Ladd said presently the area is barricaded with a garbage container. Also, cars are parking in this area. The back area has two vacant lots and plenty of parking space to accommodate the Oilers' activities.

Mr. Ladd said easements were established for public access for good reasons. He said for safety reasons, i.e. access for the fire department, and public travel he would like to see the right-of-way left intact.

Chairman Hammelman asked if the area proposed for vacation was blocked. Mr. Ladd replied that it has been blocked just behind the Oilers Building for the last year or two. This building was purchased last summer by Fox Oil Enterprise. Mr. Ladd stated that the Oilers building was on a five foot portion of his property for about 30 years. In March 1993 the Oilers approached Mr. Ladd because they wanted to buy the whole corner but couldn't complete this transaction until the building was moved. Mr. Ladd agreed to a land trade with the Oilers. Now the Oilers want to close the right-of-way to public access.

Vice Chairman Bryson inquired if Mr. Ladd talked with the fire department. Mr. Ladd replied that he spoke with the fire chief and the fire marshall. Vice Chairman Bryson asked if comments would be provided to the City Planning Commission. Mr. Ladd said he understood that the fire chief and police chief were going to forward a report to the Kenai city manager. Mr. Ladd said he talked with the City of Kenai engineer, Jack LaShot, today. Mr. LaShot said this matter would be reviewed by the City of Kenai Planning Commission Wednesday, January 12. Mr. Ladd said he would attend this meeting.

Commissioner Coleman asked if the right-of-way was currently being used. Mr. Ladd replied that it has been used practically every day.

Seeing and hearing no one else wishing to speak, Chairman Hammelman closed the public hearing and opened discussion among the Commissioners.

**MOTION:** Commissioner Clutts moved, seconded by Commissioner Painter, to approve vacation of that portion of Outside Way lying between Cook Avenue and Riverview Avenue, subject to staff

recommendations.

Commissioner Gannaway said that the Commissioners were again faced with addressing an action before it has been reviewed by the City. Commissioner Gannaway stated that he would prefer to have the City of Kenai's comments regarding this vacation before the Commissioners review it.

**WITHDRAWAL OF MOTION:** Commissioner Clutts withdrew his motion. Commissioner Painter withdrew the second.

**MOTION:** Commissioner Carpenter moved, seconded by Commissioner Mumma, to postpone the decision on the vacation until the City of Kenai Planning Commission reviews it.

**VOTE:** A roll call vote was taken with all Commissioners present voting yes. The motion passed.



THE PENINSULA CLARION  
 KENAI PENINSULA BOROUGH  
 PLANNING COMMISSION  
 NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT A PETITION HAS BEEN RECEIVED TO VACATE A PORTION OF A PUBLIC RIGHT-OF-WAY. AREA UNDER CONSIDERATION IS DESCRIBED AS FOLLOWS:

- A. LOCATION AND REQUEST: VACATE A PORTION OF A PUBLIC RIGHT-OF-WAY KNOWN AS OUTSIDE WAY. VACATE THAT PORTION OF OUTSIDE WAY WHICH LIES BETWEEN COOK AVENUE AND RIVERVIEW AVENUE WITHIN THE CITY OF KENAI. ALSO BEING WITHIN SECTION 5, TOWNSHIP 5 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, ALASKA.
- B. PURPOSE AS STATED IN PETITION: OUTSIDE WAY WAS PLATTED TO PROVIDE ACCESS BETWEEN COOK STREET & RIVERVIEW DRIVE. SINCE PLATTING, ANOTHER ACCESS HAS BEEN DEVELOPED AND IS CURRENTLY MAINTAINED BY THE CITY OF KENAI. THERE APPEARS TO BE NO REASON FOR DEVELOPMENT OF OUTSIDE WAY. VACATION OF RIGHT-OF-WAY WOULD PROVIDE OWNER WITH ONE CONTIGUOUS PIECE OF PROPERTY.
- C. PETITIONER(S): PENINSULA OILERS BASEBALL CLUB, INC. BY STEVE HORN, EXECUTIVE DIRECTOR OF KENAI, ALASKA.

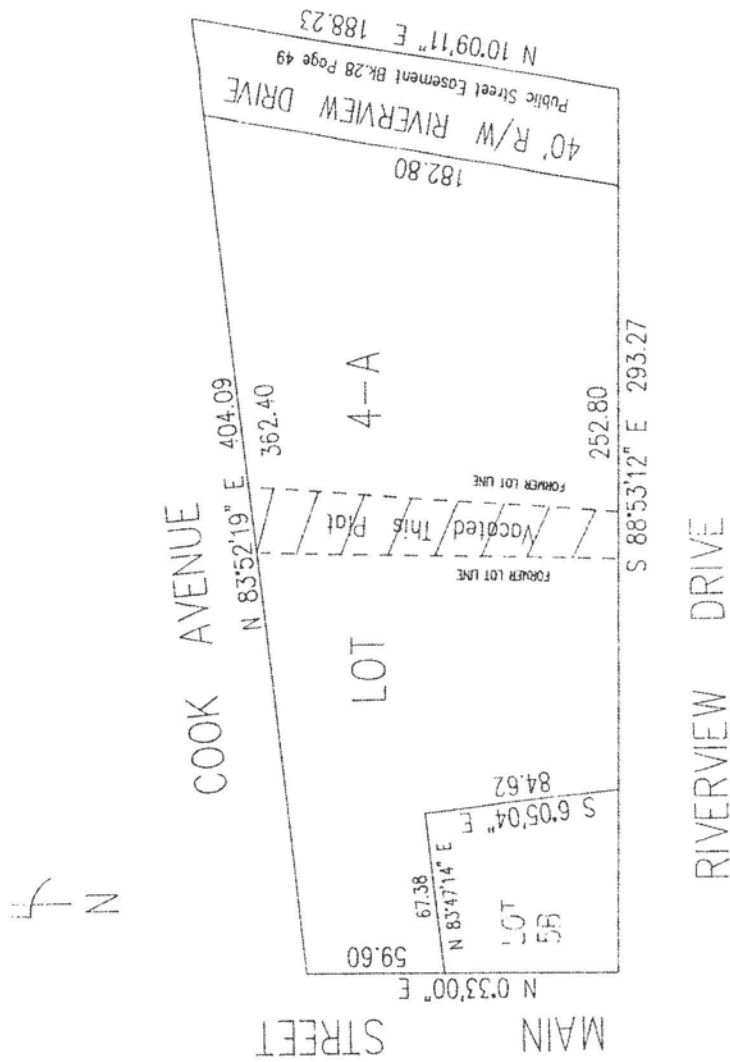
PUBLIC HEARING WILL BE HELD BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION ON MONDAY, JANUARY 10, 1993. COMMENCING AT 7:30 P.M., OR AS SOON THEREAFTER AS BUSINESS PERMITS. MEETING TO BE HELD IN THE BOROUGH ADMINISTRATION BUILDING, SOLDOTNA, ALASKA.

ANYONE WISHING TO TESTIFY MAY COME TO THE ABOVE MEETING TO GIVE TESTIMONY; OR MAY SUBMIT A WRITTEN STATEMENT TO THE ATTENTION OF RICHARD TROEGER, OR ROBBIE HARRIS, KENAI PENINSULA BOROUGH PLANNING DEPARTMENT - 144 N. BINKLEY STREET - SOLDOTNA, ALASKA 99669. WRITTEN TESTIMONY SHOULD BE RECEIVED BY THE PLANNING DEPARTMENT NO LATER THAN WEDNESDAY, JANUARY 5, 1994.

FOR ADDITIONAL INFORMATION CONTACT ROBBIE HARRIS OR RICHARD TROEGER, RESOURCE PLANNING DEPARTMENT, 262-4441 (1-800-478-4441 TOLL FREE WITHIN KENAI PENINSULA BOROUGH).

ROBBIE HARRIS  
 PLATTING OFFICER

PUBLISH 2X (DEC 30, 1993 & JAN 5, 1994.)

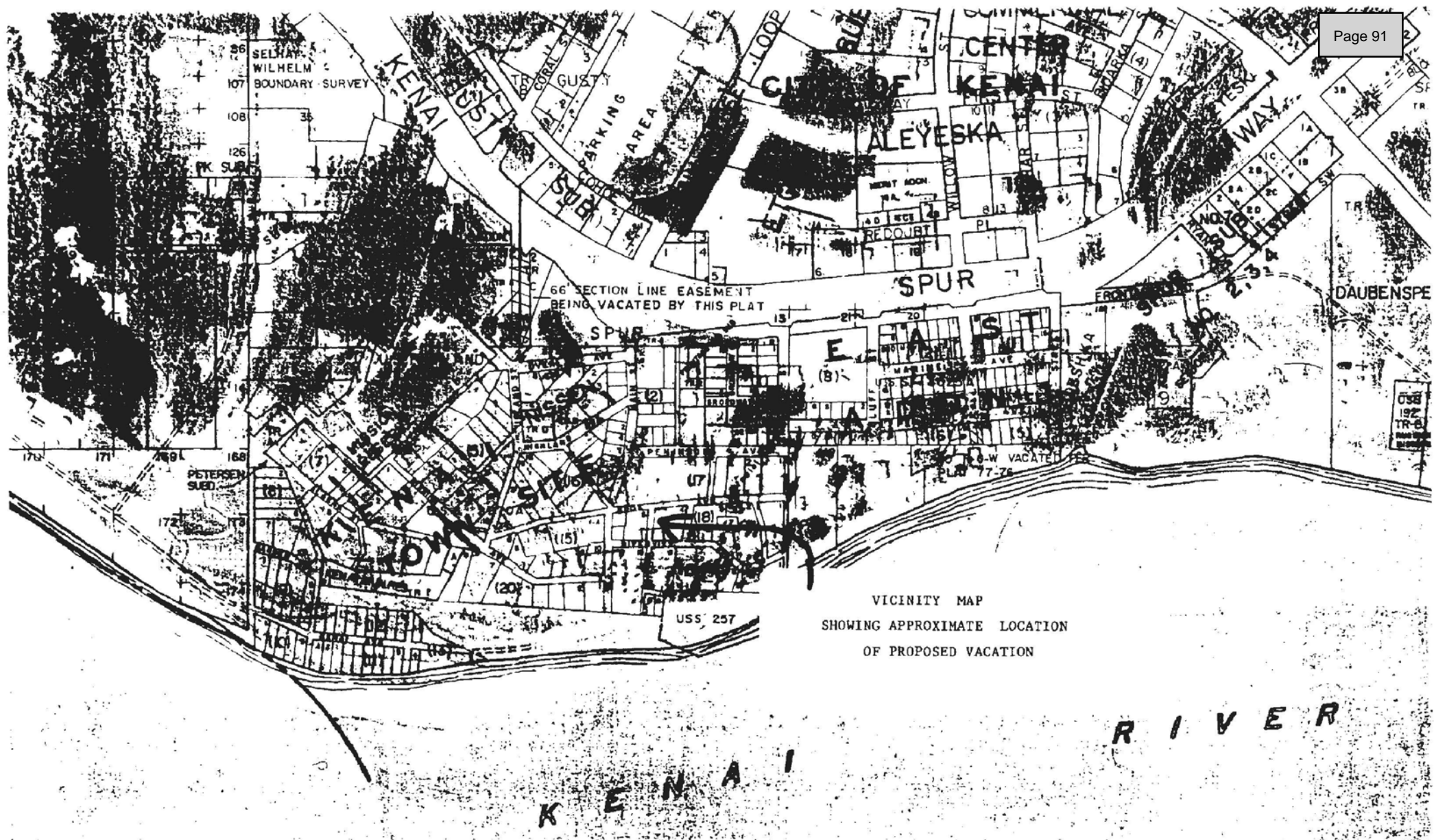


WASTEWATER DISPC

The Alaska Department of Environmental Conservation has reviewed plans submitted by the subdivision's wastewater disposal system and approves this subdivision for public use.

Signature \_\_\_\_\_ Title \_\_\_\_\_

MICHAEL A. S.  
REGISTRATION NC



VICINITY MAP  
SHOWING APPROXIMATE LOCATION  
OF PROPOSED VACATION



**Homer Electric Association, Inc.**

CENTRAL PENINSULA SERVICE CENTER

280 AIRPORT WAY • POUCH 5280 • KENAI, ALASKA 99611 • (907) 283-5831

January 4, 1994

Ms. Robbie Harris  
Kenai Peninsula Borough Planning Department  
144 N. Binkley St.  
Soldotna, AK 99669

Dear Robbie,

Re.: Right of Way Vacation  
Outside Way  
Section 5, T 5 N, R 11 W, S.M.

Please be advised that Homer Electric Association has no objection to the proposed vacation.

Sincerely,

A handwritten signature in cursive script that reads 'Dave Bear'.

Dave Bear  
Right of Way Agent

PETITION TO VACATE  
PUBLIC RIGHT-OF-WAY/SECTION LINE EASEMENT  
PUBLIC HEARING REQUIRED



UPON RECEIPT OF COMPLETE APPLICATION WITH FEES AND ALL REQUIRED DOCUMENTS; A PUBLIC HEARING BEFORE THE PLANNING COMMISSION WILL BE SCHEDULED.  
[ ] FEES - \$200 NON-REFUNDABLE FEE TO HELP DEFRAY COSTS OF ADVERTISING PUBLIC HEARING. ANY REQUIRED PLAT FEES WILL BE IN ADDITION TO VACATION FEES.

[X] PUBLIC RIGHT-OF-WAY PROPOSED TO BE VACATED IS Outside Way; DEDICATED BY PLAT OF Townsite at Kenai, Alaska SUBDIVISION, FILED AS PLAT NO. USS 2970 IN Kenai RECORDING DISTRICT.  
*A&B*

[ ] VACATION OF ASSOCIATED UTILITY EASEMENTS. ARE EASEMENTS IN USE BY ANY UTILITY COMPANY; IF SO WHICH? \_\_\_\_\_

[ ] EASEMENT FOR PUBLIC ROAD OR RIGHT-OF-WAY AS SET OUT IN (SPECIFY TYPE OF DOCUMENT) \_\_\_\_\_ AS RECORDED IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ OF THE \_\_\_\_\_ RECORDING DISTRICT. (COPY OF RECORDED DOCUMENT MUST BE SUBMITTED WITH PETITION)

[ ] SECTION LINE EASEMENT

[ ] SUBMIT THREE COPIES OF PLAT OR MAP SHOWING AREA PROPOSED TO BE VACATED. IF RIGHT-OF-WAY OR EASEMENT WAS GRANTED BY DOCUMENT; ONE COPY OF RECORDED DOCUMENT MUST BE SUBMITTED.

HAS RIGHT-OF-WAY BEEN FULLY OR PARTIALLY CONSTRUCTED? [ ] Yes [X] No

IS RIGHT-OF-WAY USED BY VEHICLES/PEDESTRIANS/OTHER? [ ] Yes [X] No

HAS SECTION LINE EASEMENT BEEN CONSTRUCTED? [ ] Yes [ ] No

SECTION LINE EASEMENT BEING USED? [ ] Yes [ ] No

THE PETITIONER MUST PROVIDE REASONABLE JUSTIFICATION FOR THE VACATION.  
REASON FOR VACATING Outside Way was plotted to provide access between Cook Street & Riverview Drive. Since platting another access has been developed & is currently maintained by the city of Kenai. There appears to be no reason for development of Outside Way. Vacation of right-of-way would provide owner with one contiguous piece of property.

THE PETITION MUST BE SIGNED (WRITTEN SIGNATURE) BY OWNERS OF MAJORITY OF THE FRONT FEET OF LAND FRONTING PART OF RIGHT-OF-WAY OR SECTION LINE EASEMENT PROPOSED TO BE VACATED. EACH MUST INCLUDE MAILING ADDRESS AND LEGAL DESCRIPTION OF HIS/HER PROPERTY.

SUBMITTED BY: SIGNATURE [Signature]  
NAME Steuern Executive Director Peninsula Oilers Baseball Club, Inc.  
ADDRESS PO Box 318  
Kenai, AK.  
PHONE 283-7133

PETITIONERS  
SIGNATURE [Signature]  
NAME Steuern Ex. Dir.  
ADDRESS Peninsula Oilers Baseball Club, Inc.  
PO Box 318  
Kenai, AK

SIGNATURE \_\_\_\_\_  
NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

OWNER OF Lot 5A & 4 Townsite of Kenai

OWNER OF \_\_\_\_\_

SIGNATURE \_\_\_\_\_  
NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

SIGNATURE \_\_\_\_\_  
NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

OWNER OF \_\_\_\_\_

OWNER OF \_\_\_\_\_

**KENAI PENINSULA BOROUGH  
144 NORTH BINKLEY  
SOLDOTNA, ALASKA 99669-7599  
(907) 262-4441**

January 13, 1994



**NOTICE OF PLANNING COMMISSION ACTION**

**MEETING OF JANUARY 10, 1994**

**RE: Kenai Townsite Oilers 2nd Addn. Preliminary Plat**

The proposed preliminary plat was conditionally approved by the Kenai Peninsula Borough Planning Commission. The conditions of approval are stated in the attached unapproved minutes.

If you have any questions, please feel free to contact the Kenai Peninsula Borough Planning Department.

This notice and unapproved minutes were sent January 14, 1994 to:

City of: City of Kenai, 210 Fidalgo Street, Suite 200, Kenai, Alaska 99611.

Survey Firm: Swan Surveying, P.O. Box 987, Soldotna, Alaska 99669

Subdivider/Petitioner: Peninsula Oilers Baseball Club, P.O. Box 318, Kenai, Alaska 99611.

KPB File Number: 94-001

AGENDA ITEM G. CONSIDERATION OF PLATS

2. Kenai Townsite Oilers 2nd Addn. (Preliminary)  
KPB FILE 94-001

Staff report as read by Dick Troeger.

PC Meeting 1-10-94

Location: Main Street/Cook Avenue/Riverview Drive/Outside Way within City of Kenai  
Proposed Use: Commercial  
Zoning: Urban Residential (RU)  
Sewer/Water: City

Supporting Information: Proposed replat will combine Lot 5A, Kenai Townsite Oilers Addition with vacated right-of-way and Lot 4, Block 18, Kenai Townsite into one lot, if the vacation is approved.

A public hearing before this Commission is scheduled for January 10, 1994.

The Advisory Planning Commission minutes were not received at time of this report (1-7-94).

**STAFF RECOMMENDATIONS:** Grant approval of the preliminary plat subject to any above recommendations, and the following conditions:

1. Final approval of requested vacation.

**REVISE OR ADD TO THE PRELIMINARY PLAT IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN KPB 20.12 AS FOLLOWS:**

2. Provide date of this survey.
3. Show existing streets with name and width.
4. Vicinity Map — show sections.

**ADDITIONAL REQUIREMENTS FOR ADMINISTRATIVE APPROVAL OF FINAL PLAT IN ACCORDANCE WITH TITLE 20:**

5. Provide Improvement Installation Agreement from City or letter that an agreement is not required.
6. Boundary of subdivision must be wider line weight.
7. Identify existing easements and label use or cite record reference.
8. Provide or correct dedication and/or approval statement(s) with notary's acknowledgement as needed.
9. Survey and monumentation to meet Ordinance requirements or an exception having been granted.
10. Conform to conditions of KPB Planning Commission Resolution 78-6.
11. State of Alaska, Department of Environmental Conservation requires their approval on the final plat and recorded instruments in accordance with 18AAc Chapter 72 Article 3.
12. Compliance with Ordinance 90-38 (Substitute) - Ownership.

**END OF STAFF REPORT**

**MOTION:** Commissioner Gannaway moved, seconded by Commissioner Horne, to grant approval of the preliminary plat subject to staff recommendations.

Commissioner Mumma asked what would happen to the plat if the vacation was not approved. Chairman Hammelman replied that approval of the preliminary plat was contingent upon final approval of the requested vacation.

**VOTE:** Seeing and hearing no further discussion or objection, the motion passed.



**MOTION** passes and will go to the City Council for recommendation.

- b. Vacation - Peninsula Oilers - Portion of Outside Way R.O.W.

Bryson said this is in the old town area, on Riverview Drive.

La Shot said one owner owns two lots and is trying to make one continuous parcel, which would be 4A as shown. Right now the city does not perform any maintenance or have any utilities in this right-of-way. He said it is being used as parking for the Peninsula Oilers building. La Shot said if you follow through towards the bluff, there is only one piece that could be continued on, and it doesn't exist at this time. The City Administration has no problem with this vacation.

Bryson said this vacation came before the Borough Commission on Monday night and was postponed until the city acts on it.

### **PUBLIC HEARING**

Clarence Ladd, 807 Cook Avenue. Ladd said he was at the Borough meeting on Monday, January 10. He stated Steve Horn, petitioner for the vacation, was not at the meeting and he has not been able to contact him. Ladd said no one was at the meeting representing Homer Electric at the Borough meeting. Ladd said he checked with Homer Electric about their utilities through the area. He showed the Commission a map that shows four of HEA's wires going overhead. Ladd stated his concern is that he has a log cabin back there and it caught fire a few years back. He said he almost lost the building because it is blocked off to fire trucks. He added he gave the Oilers some land for parking. Ladd said when Dave Bear (HEA) returns from Homer he is going to talk to him about this vacation.

Walker asked Ladd to specify what his objection to the vacation is.

Ladd said there are fire hydrants at two corners there. He said the pump truck had a problem getting around there. Ladd said he doesn't think a fire truck could get through if there are cars parked there or if a dumpster is sitting there. He stated his main concern is safety, in case of fire.

Bryson asked La Shot if the Fire Department has voiced any concerns. La Shot said there has been no concern on the part of the city. He said the utility companies do have the opportunity to review the vacations. If they utility company wishes to retain an easement in lieu of the right-of-way, they have that right. La Shot said the city is looking at it for their own utilities and assumes the other utilities do the same.

Bryson stated he has driven by the area and said it appears to be used for parking, but other than that it appears wide open.

Pierce asked La Shot if HEA has had the opportunity to evaluate the vacation. La Shot said it is his understanding that all right-of-way/easement vacations are sent to the utility companies for their review. He asked Pierce if Enstar gets them. Pierce said yes, Enstar does get them. Pierce asked La Shot if he was certain HEA has had the opportunity to respond to this vacation. La Shot said no, he can't be certain. Bryson added a statement of non-objection was received by the Borough by HEA regarding this vacation. He added HEA either missed it or didn't check it out. Bryson suggested La Shot call the Borough for confirmation.

Goecke asked for clarification on ownership; do the Oilers own the whole part other than part 5b? Ladd answered yes. He said he gave the Oilers some land because their building was 6' into his property. He added the building could not be moved because of the concrete foundation and walls.

Bryson said the new name will be Lot 4A after the vacation.

**MOTION**

Pierce **MOVED** for recommendation to the Council for approval of the vacation. Goecke **SECONDED**.

**VOTE**

<b>Pierce</b>	<b>Yes</b>	<b>Werner-Quade</b>	<b>Yes</b>
<b>Glick</b>	<b>Yes</b>	<b>Bryson</b>	<b>Yes</b>
<b>Goecke</b>	<b>Yes</b>		
<b>Walker</b>	<b>Yes</b>		

**MOTION** passes.

Bryson added if HEA erred in this vacation, it will come back to the Borough for action.

**5. PUBLIC HEARINGS**

None

**KENAI CITY COUNCIL MEETING MINUTES  
JANUARY 19, 1994  
PAGE 13**

**H-2. Purchase Orders Exceeding \$1,000**

**MOTION:**

Councilwoman Monfor **MOVED** for approval of the purchase orders exceeding \$1,000 and Councilman Bookey **SECONDED** the motion. There were no objections. **SO ORDERED.**

**H-3. Approval - Petition to Vacate that Portion of the Twenty Foot Alleyway Bounded by Lots 1-3, Block 2 and Lots 7-11 and the North Half of Lot 12, Block 1, Bush Lanes Subdivision (Plat 1018 KRD)**

**MOTION:**

Councilman Smalley **MOVED** for approval of the petition to vacate that portion of the twenty foot alleyway bounded by Lots 1-3, Block 2 and Lots 7-11 and the north half of Lot 12, Block 1, Bush Lanes Subdivision (Plat 1018 KRD). Councilman Bookey **SECONDED** the motion.

Smalley asked if the gate will remain unlocked in order to have right-of-way access. Kornelis stated as far as Public Works is concerned, if it is not open, they will ask Doyle to open it to let them in. If they cannot ask Doyle, they will cut the lock.

**VOTE:**

Councilman Smalley requested **UNANIMOUS CONSENT**. There were no objections. **SO ORDERED.**

**H-4. Approval - Petition to Vacate a Portion of a Public Right-of-Way Known as Outside Way Lying Between Cook Avenue and Riverview Avenue, Kenai, AK; Also Being Within Section 5, Township 5 North, Range 11 West, Seward Meridian, AK.**

**MOTION:**

Councilman Smalley **MOVED** for approval of Item H-4 and Councilman Bookey **SECONDED** the motion.

Smalley stated this is a small parcel adjoining the Oilers building. This will vacate a strip down the middle of the property. The testimony given at the Planning & Zoning Commission meeting was included in the packet.

KENAI CITY COUNCIL MEETING MINUTES  
JANUARY 19, 1994  
PAGE 14

**VOTE:**

There were no objections to the motion. **SO ORDERED.**

**H-5. Discussion - Evaluation Forms.**

Councilman Smalley stated he preferred Evaluation Form #1 in the packet. Smalley added the form is workable, applicable and gives a place for comments. Monfor stated she spoke with Swarner and they both like Form #1. Bookey had no objection. Bannock stated he liked Form #3.

**MOTION:**

Councilman Smalley **MOVED** to use Item #1 for the evaluation of Administration and requested **UNANIMOUS CONSENT**. Councilman Bookey **SECONDED** the motion. There were no objections. **SO ORDERED.**

Smalley stated he would support the evaluation of the city manager by the department heads. Similar evaluation is done in his work. Smalley added he believes it is important for the city manager to get that direct feedback from the department heads.

Vice Mayor Measles asked for a motion.

**MOTION:**

Councilman Smalley stated **SO MOVED**. Councilwoman Monfor **SECONDED** the motion for discussion.

Monfor stated she suggested the department heads' evaluating the city manager, but does not have strong feelings one way or the other. Monfor stated she spoke with Swarner and was told Swarner did not have a problem with the evaluation, one way or the other either. Vice Mayor Measles asked if Council wanted the department heads to use the form included in the packet. Monfor stated yes.

There was some question as to what the motion was. Smalley explained his motion meant to have the department heads use the evaluation form in the packet to evaluate the city manager.

Sponsored by: Administration



**CITY OF KENAI  
RESOLUTION NO. 2023-69**

A RESOLUTION NAMING THE DEDICATED RIGHT-OF-WAY ON THE PRELIMINARY PLAT FOR KENAI TOWNSITE OILER'S 2024 ADDITION "OILER'S STREET."

---

WHEREAS, Kenai Municipal Code Section 14.15.140 authorizes City Council to name and rename an existing street or newly established street within City limits upon recommendation from the Planning and Zoning Commission and after consultation with the Kenai Peninsula Borough or any other affected municipality; and,

WHEREAS, a preliminary plat for Kenai Townsite Oiler's 2024 Addition was submitted with a right-of-way dedication over an unnamed public street easement; and,

WHEREAS, the street name bears the correct suffix in accordance with KMC Section 14.15.010(b)(1); and,

WHEREAS, the KPB Planning Department has no objection to assigning a street name to Oiler's Street; and,

WHEREAS, the street name assignment would not adversely impact 911 navigation; and,

WHEREAS, at a rescheduled regular meeting on November 29, 2023, the Planning and Zoning Commission recommended approval by the City Council of the naming of the dedicated right-of-way to Oiler's Street.

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

**Section 1.** That the dedicated right-of-way on the preliminary plat for Kenai Townsite Oiler's 2024 Addition will be named Oiler's Street.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 20<sup>TH</sup> DAY OF DECEMBER, 2023.

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

ATTEST:

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



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Linda Mitchell, Planning Director

**DATE:** December 12, 2023

**SUBJECT:** **Resolution No. 2023-69 – Naming the Dedicated Right-of-Way on Preliminary Plat for Kenai Townsite Oiler’s 2024 Addition to Oiler’s Street**

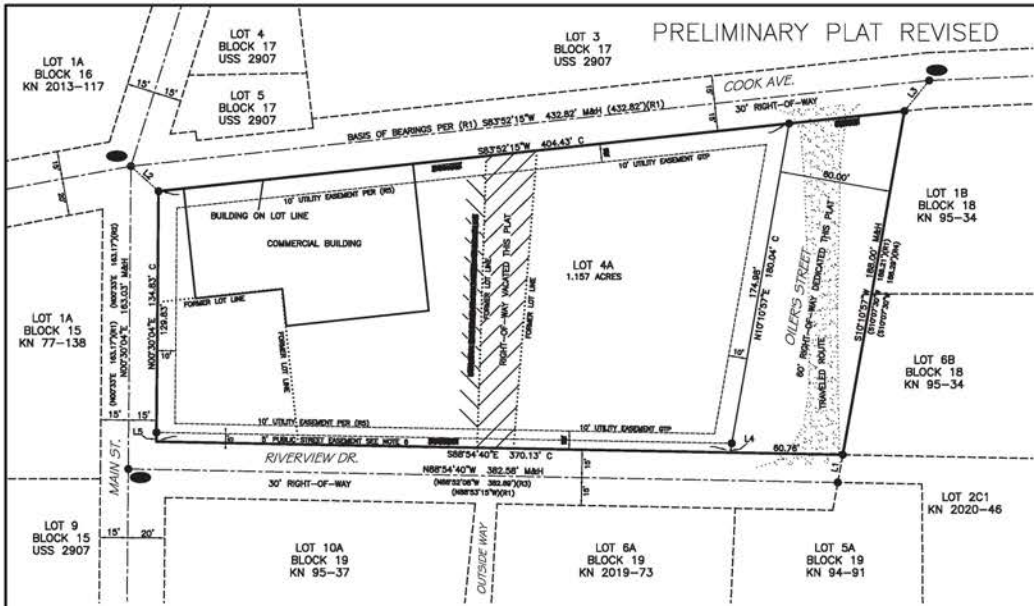
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A preliminary plat for Kenai Townsite Oiler’s 2024 Addition was submitted with a right-of-way (ROW) dedication over an unnamed public street easement. The dedicated ROW requires a new street name since it is not a continuation of an adjoining street running in the same direction. The applicant has proposed the street name as Oiler’s Street, which bears the correct suffix in accordance with Kenai Municipal Code (KMC) Section 14.14.010(b)(1).

KMC Section 14.15.140 *Renaming Streets* states that City Council by resolution may change, rename, or name an existing street or newly established street within City limits upon recommendation from Planning and Zoning Commission, and after consultation with the Kenai Peninsula Borough (KPB), and any other municipality directed affected. KPB Planning Department has no objection to assigned the street name to Oiler’s Street. There are no other municipalities that would be directly affected by the street name assignment. The street name would not adversely impact 911 navigation. On November 29, 2023, Planning and Zoning Commission recommended approval by City Council of the street naming to Oiler’s Street.

### Attachments

- Revised Preliminary Plat
- P&Z Resolution PZ2023-21
- Location Map



**NOTES**

- FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA AND LOCAL REGULATIONS.
- DEVELOPMENT OF THIS PARCEL, SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
- A 10' UTILITY EASEMENT IS BEING GRANTED THIS PLAT ALONG FORMER LOT 4, A 10' UTILITY EASEMENT WAS GRANTED PER (R5) ALONG FORMER LOT 5A. THE FRONT 10 FEET ADJACENT TO RIGHT OF WAY IS AN UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH COULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
- THE KENAI CITY COUNCIL CONSENTED TO THE VACATIONS OF RIGHT-OF-WAY AT THE MEETING OF DECEMBER 20, 2023.
- RIGHT-OF-WAY VACATION WAS APPROVED BY KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JANUARY 8, 2024.
- THESE PARCELS SUBJECT TO UTILITY EASEMENT WITH NO DEFINED LOCATION, GRANTED TO KENAI POWER CORPORATION, RECORDED DECEMBER 31, 1983, MISC. VOLUME 11, PAGE 179. KR0.
- THESE PARCELS SUBJECT TO PUBLIC STREET EASEMENT ALONG RIVERVIEW DRIVE, RECORDED AUGUST 30, 1967, MISC. VOLUME 28, PAGE 81 AND PAGE 82. KR0.
- WASTEWATER DISPOSAL: CITY WATER AND SEWER ARE AVAILABLE TO SERVE THIS PARCEL. PLANS FOR WASTEWATER TREATMENT AND DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

**NOTARY ACKNOWLEDGEMENT**

FOR: MIKE TICE  
 ACKNOWLEDGED BEFORE ME  
 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024



PUBLIC NOTARY SIGNATURE



**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I HEREBY CERTIFY THAT PENINSULA OILERS BASEBALL CLUB INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HERE AND THAT ON BEHALF OF PENINSULA OILERS BASEBALL CLUB INC. I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

MIKE TICE - PRESIDENT  
 PENINSULA OILERS BASEBALL CLUB INC.  
 PO BOX 318  
 KENAI, ALASKA 99611

**LEGEND**

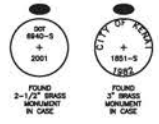
- FOUND PRIMARY MONUMENT AS REFERENCED
- FOUND PROPERTY CORNER 1-1/2" ALUMINUM CAP STAMPED LS 5152 1994
- FOUND PROPERTY CORNER - 5/8" REBAR
- SET PROPERTY CORNER 5/8" x 30" REBAR WITH 2" ALUMINUM CAP STAMPED EDGE SURVEY LS-13022 2024
- MONUMENT REFERENCE NUMBER
- (R1) RECORD DATA, SEE REFERENCE
- ▨ RIGHT-OF-WAY BEING VACATED
- ▨ UTILITY EASEMENT BEING VACATED
- SUBDIVISION BOUNDARY
- INTERIOR LOT LINE
- - - ADJACENT PROPERTY LINE
- - - EASEMENT
- - - FORMER LOT LINE
- MONUMENT TIE LINE
- M&H MEASURED AND HELD
- C COMPUTED
- GTP GRANTED THIS PLAT



**REFERENCES**

- (R1) ORIGINAL TOWNSITE OF KENAI, PLAT USS 2970, KENAI RECORDING DISTRICT
- (R2) MILLER HOUSE SUBDIVISION, PLAT KN 95-37, KENAI RECORDING DISTRICT
- (R3) KENAI TOWNSITE 2018 ADDITION, PLAT KN 2019-73, KENAI RECORDING DISTRICT
- (R4) ORIGINAL TOWNSITE OF KENAI LADDVILLE REPLAT NO. 2, PLAT KN 95-34, KENAI RECORDING DISTRICT
- (R5) KENAI TOWNSITE OILER ADDITION, PLAT KN 93-11, KENAI RECORDING DISTRICT
- (R6) ORIGINAL TOWNSITE OF KENAI BLUFF REPLAT, PLAT KN 2020-46, KENAI RECORDING DISTRICT

**MONUMENT SUMMARY**



**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N10°10'57"E	15.19
L1(RB)	N02°31'52"E	15.30
L2	S47°48'51"E	20.00
L3	N26°25'42"E	21.24
L4	N10°10'57"E	5.00
L5	S02°30'04"W	5.00

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JANUARY 8, 2024.  
 KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

**CERTIFICATE OF ACCEPTANCE AND DEDICATION BY CITY OF KENAI**

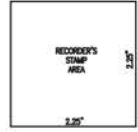
THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THE PLAT IDENTIFIED AS FOLLOWS:  
 DEDICATION OF RIGHT OF WAY - OILERS AVENUE, AS SHOWN.  
 THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: TERRY ELBANK - CITY MANAGER  
 CITY OF KENAI  
 210 FIDALGO AVE.  
 KENAI, ALASKA 99611

DATE

**CERTIFICATE OF SURVEYOR**

I, MARK ANTHONETTI 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



KPB FILE No. 2023-000

**KENAI TOWNSITE OILER'S 2024 ADDITION AND RIGHT-OF-WAY VACATION**

A SUBDIVISION OF LOT 5A AND 5B, KENAI TOWNSITE OILERS ADDITION, PLAT 93-11 AND LOT 4, TOWNSITE OF KENAI, US SURVEY 2970 LOCATED WITHIN SW 1/4 SECTION 5, T.5N., R.11W., S.M. STATE OF ALASKA KENAI PENINSULA BOROUGH KENAI RECORDING DISTRICT CITY OF KENAI

OWNERS:  
 PENINSULA OILERS BASEBALL CLUB INC.  
 PO BOX 318  
 KENAI, ALASKA 99611  
 CONTAINING 1.410 ACRES



8000 KING STREET ANCHORAGE, AK 99516  
 Phone (907) 344-5990 Fax (907) 344-7794  
 AEDL 1392

DRAWN BY: JY DATE: 11/30/2023 PROJECT: 23-567  
 CHECKED BY: JY SCALE: 1" = 30' SHEET: 1 OF 1

ALASKA PROFESSIONAL LAND SURVEYORS BOARD - REGISTRATION NO. 13022-S - MARK ANTHONETTI - 11/30/2023 8:16:42 PM



**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ2023-21**

A RESOLUTION **RECOMMENDING** THAT KENAI TOWNSITE OILER'S 2024 ADDITION PRELIMINARY PLAT ATTACHED HERETO BE APPROVED.

PROPERTY ADDRESSES: 817 Cook Avenue, 601 Main Street, and 814 Riverview Drive

LEGAL DESCRIPTIONS: Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition

KPB PARCEL NUMBERS: 04710204, -11, and -12

WHEREAS, the City of Kenai received a preliminary plat from Edge Survey and Design, LLC on behalf of the property owner, Peninsula Oilers Baseball Club, Inc. for a parcel merger of Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition with a right-of-way (ROW) vacation of Outside Way between Cook Avenue and Riverview Drive, a utility easement vacation along Outside Way, and a 60-foot ROW dedication; and,

WHEREAS, the preliminary plat, subject to the listed conditions, generally meets Kenai Municipal Code (KMC) preliminary plat requirements and development requirements for the Central Commercial (CC) zoning district; and

WHEREAS, the existing street names are referenced correctly; and,

WHEREAS, the applicant has proposed the 60-foot ROW dedication to bear the street name, Oilers Avenue, however, the street suffix needs to change from "Avenue" to "Street" for consistency with KMC 14.15.010 *Uniform numbering system*; and,

WHEREAS, KMC 14.15.140 authorizes the Kenai City Council to name and rename streets within the City limits upon recommendation from the Planning and Zoning Commission and after consultation with the Kenai Peninsula Borough or any other affected municipality; and,

WHEREAS, the Kenai Peninsula Borough has no objection to naming the street to Oilers Street; and,

WHEREAS, the merged parcel will have access from Main Street, Riverview Drive, Cook Avenue, and the proposed 60-foot ROW to be named Oilers Street, which are all City-maintained roads; and

WHEREAS, City water and sewer lines are available to the parcel; and,

WHEREAS, an installation agreement is not required; and,

---



WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat, subject to the listed conditions, conforms to the minimum street widths, provides utilities/access easements, provides satisfactory and desirable building sites, and the on-site water and sewer systems will be subject to the regulatory requirements of the Public Works Department.
2. Pursuant to KMC 14.10.070(b)(2), the Commission may lessen the minimum width for minor streets to 50 feet. The required minimum width for minor streets is 60 feet but the street widths in the surrounding area are typically 30 feet. The existing public street easement is 40 feet and a 50-foot right-of-way dedication is substantial for the area and greater than the existing public street easement.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the subject zoning district.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.
5. The merged parcels will result in the existing structure to decrease in nonconformity with the current setback requirements and double frontage lots.

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

**Section 1.** That the preliminary plat of Kenai Townsite Oiler's 2024 Addition for a parcel merger of Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition with a right-of-way (ROW) vacation of a portion of Outside Way, a utility easement vacation along Outside Way, and a 50-foot ROW dedication be approved subject to the following conditions.

1. The proposed 60-foot ROW dedication may be reduced to 50 feet, subject to the applicant providing acceptable evidence that a 50-foot ROW covers the existing road.
2. Correct the note reference from Note 8 to Note 6 for the indicated *5' Public Street Easement Note 8*.
3. Revise the street suffix of the proposed street name, Oilers "Avenue" to "Street".
4. Kenai City Council must consent to the ROW vacation of Outside Way between Cook Avenue and Riverview Drive is not needed for a public purpose and approve the ROW vacation.

**Section 2.** That the official street name for the 50-foot dedicated right-of-way be assigned to Oilers Street, subject to Kenai City Council adopting a resolution for the naming of a street within City limits.

Resolution No. PZ2023-21  
Page 3 of 3

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,  
THIS 29<sup>TH</sup> DAY OF NOVEMBER, 2023.



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Jeff Twait, Chairperson

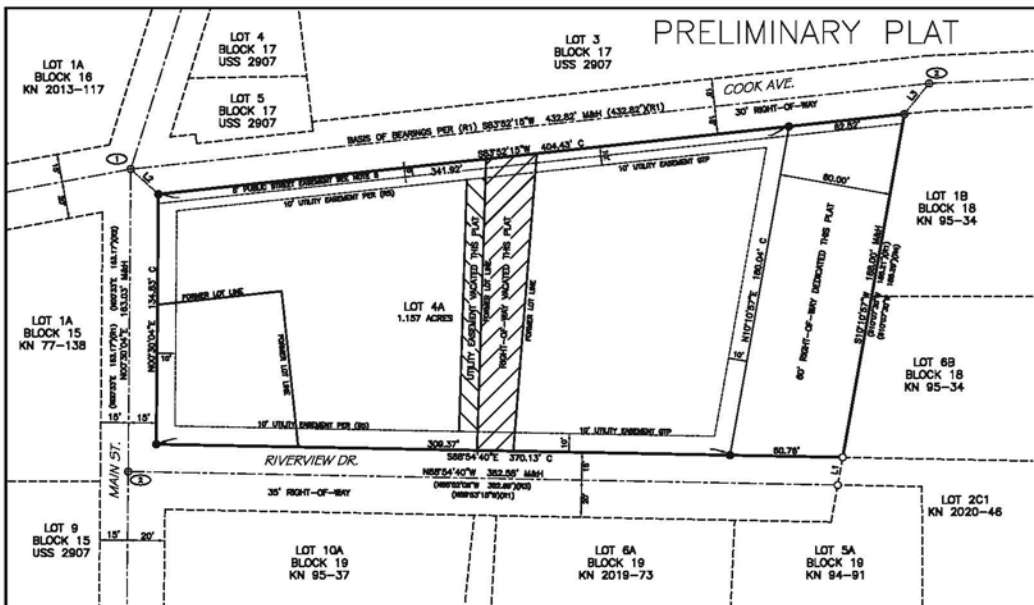
ATTEST:



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Meghan Thibodeau, Deputy City Clerk

### PRELIMINARY PLAT

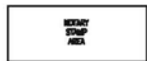


**NOTES**

1. FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA AND LOCAL REGULATIONS.
2. DEVELOPMENT OF THIS PARCEL, SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
3. A 10' UTILITY EASEMENT IS BEING GRANTED THIS PLAT ALONG FORMER LOT 4. A 10' UTILITY EASEMENT WAS GRANTED PER (R3) ALONG FORMER LOT 5A. THE FRONT 10 FEET ADJACENT TO RIGHT OF WAY IS AN UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH COULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. THE KENAI CITY COUNCIL CONSENTED TO THE VACATIONS OF RIGHT-OF-WAY AT THE MEETING OF NOVEMBER 08, 2023.
4. RIGHT-OF-WAY VACATION WAS APPROVED BY KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF DECEMBER 11, 2023.
5. THESE PARCELS SUBJECT TO UTILITY EASEMENT WITH NO DEFINED LOCATION, GRANTED TO KENAI POWER CORPORATION, RECORDED DECEMBER 31, 1963, MISC. VOLUME 11, PAGE 179, 180.
6. THESE PARCELS SUBJECT TO PUBLIC STREET EASEMENT, RECORDED AUGUST 30, 1967, MISC. VOLUME 28, PAGE 81 AND PAGE 82, 180.
7. WASTEWATER DISPOSAL: CITY WATER AND SEWER ARE AVAILABLE TO SERVE THIS PARCEL. PLANS FOR WASTEWATER TREATMENT AND DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

**NOTARY ACKNOWLEDGEMENT**

FOR ME TO BE ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ Day of \_\_\_\_\_, 2023



PUBLIC NOTARY SIGNATURE



**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I HEREBY CERTIFY THAT PENINSULA OILERS BASEBALL CLUB INC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HERE AND THAT ON BEHALF OF PENINSULA OILERS BASEBALL CLUB INC, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

MIKE TICE - PRESIDENT  
PENINSULA OILERS BASEBALL CLUB INC.  
PO BOX 318  
KENAI, ALASKA 99811

**LEGEND**

- FOUND PRIMARY MONUMENT AS REFERENCED
- FOUND PROPERTY CORNER 1-1/2" ALUMINUM CAP STAMPED LS 0152 1994
- FOUND PROPERTY CORNER - 5/8" REBAR
- SET PROPERTY CORNER 5/8" X 30" REBAR WITH 2" ALUMINUM CAP STAMPED EDGE SURVEY LS-13022 2024
- ⊕ MONUMENT REFERENCE NUMBER
- (R1) RECORD DATA, SEE REFERENCE
- ▨ RIGHT-OF-WAY BEING VACATED
- ▨ UTILITY EASEMENT BEING VACATED
- SUBDIVISION BOUNDARY
- INTERIOR LOT LINE
- - - ADJACENT PROPERTY LINE
- - - EASEMENT
- ..... FORMER LOT LINE
- ..... MONUMENT TIE LINE
- MAH MEASURED AND HELD
- C COMPUTED
- GTP GRANTED THIS PLAT



**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF DECEMBER 11, 2023.  
KENAI PENINSULA BOROUGH

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

**CERTIFICATE OF ACCEPTANCE AND DEDICATION BY CITY OF KENAI**

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THE PLAT IDENTIFIED AS FOLLOWS:

DEDICATION OF RIGHT OF WAY - OILERS' AVENUE, AS SHOWN.

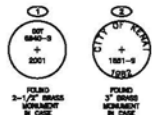
THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: TERRY ELBANK - CITY MANAGER DATE: \_\_\_\_\_  
CITY OF KENAI  
210 PENALTY AVE.  
KENAI, ALASKA 99811

**REFERENCES**

- (R1) ORIGINAL TOWNSITE OF KENAI, PLAT USS 2970, KENAI RECORDING DISTRICT
- (R2) MILLER HOUSE SUBDIVISION, PLAT KN 95-37, KENAI RECORDING DISTRICT
- (R3) KENAI TOWNSITE 2018 ADDITION, PLAT KN 2019-73, KENAI RECORDING DISTRICT
- (R4) ORIGINAL TOWNSITE OF KENAI LAGOVILLE REPLAT NO. 2, PLAT KN 95-34, KENAI RECORDING DISTRICT
- (R5) KENAI TOWNSITE OILER ADDITION, PLAT KN 93-11, KENAI RECORDING DISTRICT
- (R6) ORIGINAL TOWNSITE OF KENAI BILLY REPLAT, PLAT KN 2020-46, KENAI RECORDING DISTRICT

**MONUMENT SUMMARY**

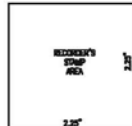


**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N17°10'57" E	15.15'
L1(R3)	N02°31'52" E	15.35'
L2	S47°48'51" E	20.50'
L3	N05°04'00" E	31.24'

**CERTIFICATE OF SURVEYOR**

I, MARK AMONETTI 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



KP8 FILE No. 2023-000

## KENAI TOWNSITE OILER'S 2024 ADDITION

A SUBDIVISION OF LOT 5A AND SEE KENAI TOWNSITE OILERS ADDITION, PLAT 93-11 AND

LOT 4 TOWNSITE OF KENAI, US SURVEY 2970

LOCATED WITHIN SW 1/4 SECTION 5, T.5N., R.11E., S.4

STATE OF ALASKA  
KENAI PENINSULA BOROUGH  
KENAI RECORDING DISTRICT  
CITY OF KENAI

OWNERS:  
PENINSULA OILERS BASEBALL CLUB INC.  
PO BOX 318  
KENAI, ALASKA 99811

CONTAINING 1.410 ACRES



8000 KING STREET ANCHORAGE, AK 99518  
Phone (907) 344-5590 Fax (907) 344-7794  
AELS 1362

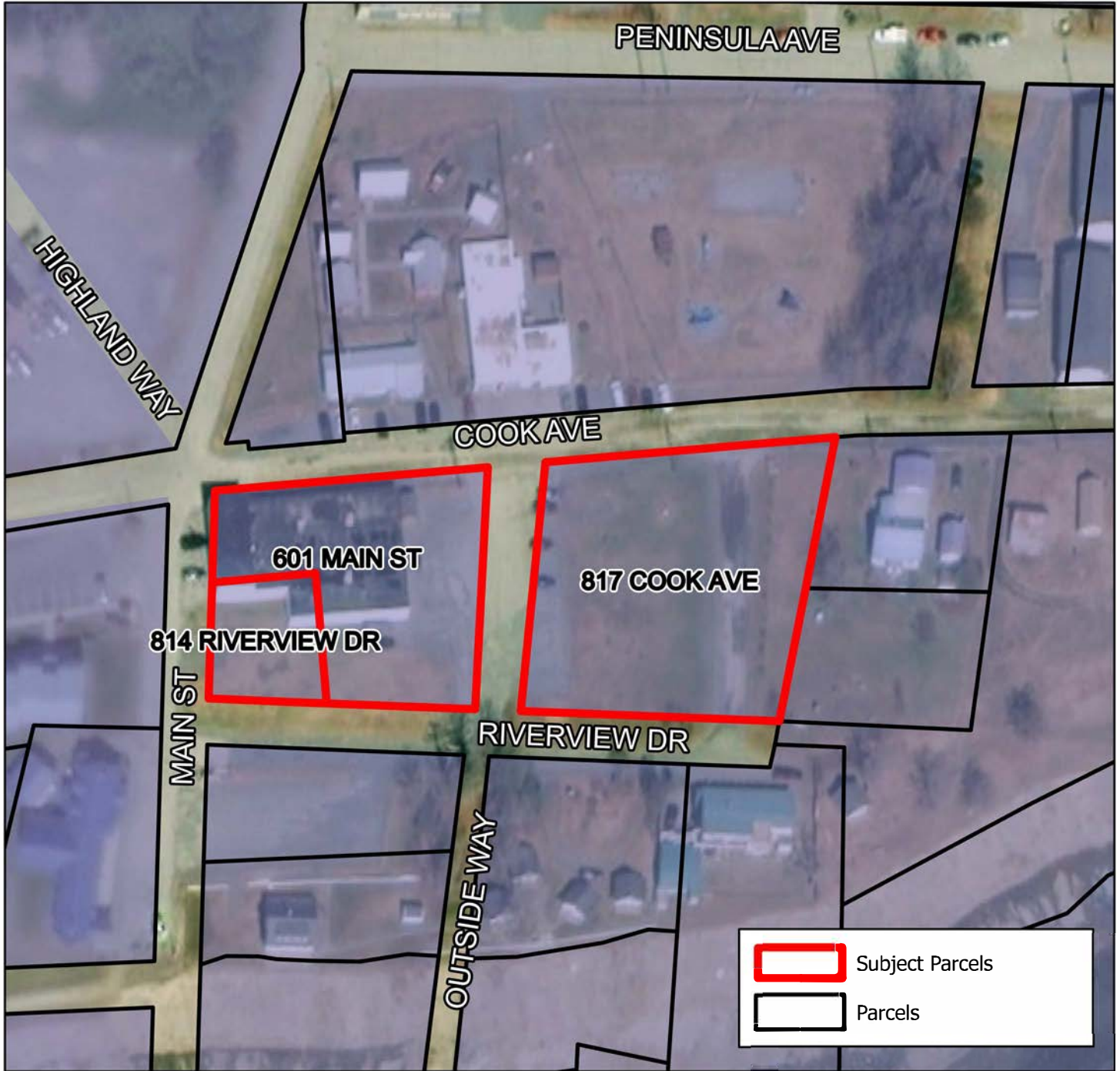
DRAWN BY: JY	DATE: 10/01/2023	PROJECT: 23-567
CHECKED BY: MA	SCALE: 1" = 30'	SHEET: 1 OF 1



# Preliminary Plat

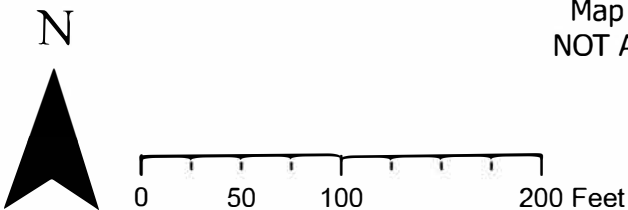
## Kenai Townsite Oiler's Addition

### 817 Cook Avenue, 601 Main Street, and 814 Riverview Drive



Date Printed: 11/28/2023

Map for Reference Only  
NOT A LEGAL DOCUMENT



KENAI CITY COUNCIL – REGULAR MEETING  
NOVEMBER 15, 2023 – 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 15, 2023, 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  
Phil Daniel  
Alex Douthit  
James Baisden

Henry Knackstedt, Vice Mayor  
Deborah Sounart (*electronic participation*)  
Victoria Askin

A quorum was present.

Also in attendance were:

*\*\*Xinlan Tanner, Student Representative (electronic participation)*  
Christine Cunningham, Assistant to City Manager  
Scott Bloom, City Attorney  
David Swarner, Finance Director  
Kathy Romain, Senior Center Director  
Tyler Best, Parks & Recreation Director  
Derek Ables, Airport Manager  
Meghan Thibodeau, Acting City Clerk

**3. Agenda Approval**

Mayor Gabriel noted the following additions to the Packet:

- Add item H.3.      **\*Action/Approval - Non-Objection to the Issuance of a New Beverage Dispensary Tourism Liquor License to Salamatof Cannery Lodge LLC**
  - Non-Objection Memo
- Add item H.4.      **\*Action/Approval - Special Use Permit to American Red Cross of Alaska**
  - Airport Commission Recommendation Memo
- Add item H.9.      **Discussion - Scheduling a Joint Work Session with Kenaitze Indian Tribe.**
  - Memo

**MOTION:**

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

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

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

**UNANIMOUS CONSENT** was requested.

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

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

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

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

**D. UNSCHEDULED PUBLIC COMMENTS**

Samantha Springer, Executive Director of the Kenai Chamber of Commerce and Visitor Center provided the Chamber's 2024 schedule and discussed upcoming events including a First Friday Art Series, Community Business Lecture Series, family movie nights, gingerbread house competition, and Christmas Comes to Kenai.

**E. PUBLIC HEARINGS**

- 1. Ordinance No. 3377-2023** - Accepting and Appropriating an Increase in the Title III Grant from the State of Alaska Department of Health and Social Services for Nutrition, Transportation and Support Services and an American Rescue Plan Act Grant Passed through the State of Alaska Department of Health and Social Services for Kenai Senior Center Expenditures in Support of its Response to the COVID-19 Public Health Emergency. (Administration)

**MOTION:**

Vice Mayor Knackstedt **MOVED** to enact Ordinance No. 3377-2023. Council Member Askin **SECONDED** the motion.

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

Senior Center Director Kathy Romain was thanked for obtaining this grant.

**VOTE:**

YEA: Askin, Baisden, Douthit, Knackstedt, Sounart, Daniel, Gabriel

NAY: None

\*\*Student Representative Tanner: None

**MOTION PASSED UNANIMOUSLY.**

*[Clerk's Note: technical issues prevented the Student Representative from casting this vote.]*

- 2. Ordinance No. 3378-2023** - Accepting and Appropriating a Donation from Hilcorp Energy Company to Assist with the Annual Area-Wide Senior Thanksgiving Dinner. (Administration)

**MOTION:**

Council Member Askin **MOVED** to enact Ordinance No. 3378-2023. Council Member Douthit **SECONDED** the motion.

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

Hilcorp was thanked for their generous donation. It was noted that this donation is a tradition that goes back decades; this will be a large event and will take place on Friday, November 17, 2023.

**VOTE:**

YEA: Daniel, Knackstedt, Baisden, Askin, Douthit, Sounart, Gabriel

NAY: None

\*\*Student Representative Tanner: Yea

**MOTION PASSED UNANIMOUSLY.**

- 3. **Ordinance No. 3379-2023** - 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 Trauma Care Supplies. (Administration)

**MOTION:**

Vice Mayor Knackstedt **MOVED** to enact Ordinance No. 3379-2023. Council Member Baisden **SECONDED** the motion.

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

**VOTE:**

YEA: Gabriel, Sounart, Knackstedt, Baisden, Daniel, Askin, Douthit

NAY: None

\*\*Student Representative Tanner: Yea

**MOTION PASSED UNANIMOUSLY.**

- 4. **Ordinance No. 3380-2023** - Amending Kenai Municipal Code 22.05.095 - Methods of Sale or Disposal, to Provide a Veterans Land Purchase Price Discount for Certain Residential Land Purchases. (Baisden)

**MOTION:**

Council Member Baisden **MOVED** to enact Ordinance No. 3380-2023. Council Member Askin **SECONDED** the motion.

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

There was discussion of how this was timed to coincide with Veterans' Day; the State has a discount for veterans who bid on State property; the City offers veteran discounts at the cemetery and Rec Center; the Kenai Peninsula Borough does not currently offer a veteran discount; and that there is a high number of veterans on the Kenai Peninsula and in the state of Alaska. Council Member Baisden disclosed that he is a veteran but does not intend to take advantage of the discount. Support was expressed for the ordinance and for providing benefits to veterans.

**VOTE:**

YEA: Douthit, Baisden, Daniel, Gabriel, Sounart, Knackstedt, Askin

NAY: None

\*\*Student Representative Tanner: Yea

**MOTION PASSED UNANIMOUSLY.**

**F. MINUTES**

- 1. \*Regular Meeting of November 1, 2023. (City Clerk)

Approved by the consent agenda.

**G. UNFINISHED BUSINESS - None.**

## H. NEW BUSINESS

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

Approved by the consent agenda.

2. **\*Action/Approval** - Non-Objection to the Renewal of a Standard Marijuana Cultivation Facility License for Shackelford Investments, LLC, DBA Shackelford Investments, LLC – License No. 31826. (City Clerk)

Approved by the consent agenda.

3. **\*Action/Approval** - Non-Objection to the Issuance of a New Beverage Dispensary Tourism Liquor License to Salamatof Cannery Lodge LLC, DBA Salamatof Cannery Lodge LLC – License No. 6111. (Administration)

Approved by the consent agenda.

4. **\*Action/Approval** - Special Use Permit to American Red Cross of Alaska for General Office Space at the Alaska Regional Fire Training Center. (Administration)

Approved by the consent agenda.

5. **\*Ordinance No. 3381-2023** - Repealing Kenai Municipal Code Appendices - Public Record Inspection Regulations, Repealing Kenai Municipal Code Chapter 10.40 - Release of Public Records and Re-Enacting Kenai Municipal Code 10.40 - Access to Public Records. (Baisden)

Approved by the consent agenda.

6. **\*Ordinance No. 3382-2023** - Amending Kenai Municipal Code Chapter 7.05 Taxation of Real and Personal Property to Provide an Exemption on the First \$100,000 of Assessed Valuation Other Than Motor Vehicles and Watercraft Owned by Each Taxpayer and Making Housekeeping Changes. (Gabriel, Knackstedt, Baisden, Daniel, Askin, Sounart, Douthit)

Approved by the consent agenda.

7. **Action/Approval** - Council Confirmation of Mayoral Nominations to the City's Commissions and Committee. (Mayor Gabriel)

### **MOTION:**

Vice Mayor Knackstedt **MOVED** to confirm the following Mayoral Nominations to the City's Commissions and Committee for three-year terms beginning January 1, 2024 and ending on December 31, 2026:

- Airport Commission: Jacob Caldwell, Glenda Feeken, and Paul Minelga
- Beautification Committee: Terri Wilson and Sonja Barbaza
- Council on Aging: Rachael Craig, Frances Kilfoyle, Roy Williams, and Jim Glendening
- Harbor Commission: Bob Peters, Jeanne Reveal, and Dave Peck
- Parks & Recreation Commission: Michael Bernard, T. Grant Wisniewski, and Nigel LaRiccia

Council Member Baisden **SECONDED** the motion.

It was noted that vacancies still existed on the Beautification Committee and Council on Aging, and that nearly all commissioners with terms ending had reapplied for another term.

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

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



8. **Action/Approval** - Council Confirmation of Mayoral Nominations to the Planning & Zoning Commission. (Mayor Gabriel)

**MOTION:**

Vice Mayor Knackstedt **MOVED** to confirm the Mayoral Nominations of Joe Halstead, Glenese Pettey and Sonja Barbaza to the Planning & Zoning Commission for three-year terms beginning January 1, 2024 and ending on December 31, 2026. Council Member Baisden **SECONDED** the motion.

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

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

9. **Discussion** - Scheduling a Joint Work Session with Kenaitze Indian Tribe. (Administration)

**MOTION:**

Vice Mayor Knackstedt **MOVED** to postpone the discussion to schedule a joint work session with Kenaitze Indian Tribe to the December 20, 2023 City Council Regular Meeting. Council Member Baisden **SECONDED** the motion.

Council Member Douthit requested that the work session start at 5:00 p.m. or later.

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

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

**I. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging

Council Member Baisden noted that the November 9, 2023 work session and regular meeting had been rescheduled to November 16, 2023.

2. Airport Commission

Vice Mayor Knackstedt reported on the November 9, 2023 Airport Commission meeting.

3. Harbor Commission

Council Member Askin reported on the November 6, 2023 Harbor Commission work session and regular meeting.

4. Parks and Recreation Commission

Council Member Sounart reported on the November 2, 2023 Parks & Recreation Commission work session and regular meeting.

5. Planning and Zoning Commission

Council Member Douthit reported on the November 8, 2023 Planning & Zoning Commission Meeting, and noted that the next regular meeting had been rescheduled from November 22 to November 29, 2023.

6. Beautification Committee

Council Member Daniel reported on the November 14, 2023 Beautification Committee work session and special meeting.

**J. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Auditors were performing their annual review of City finances last week; will provide report to Council around February of next year.
- Attended the Lion's Club District 49A Conference; provided welcoming comments.

- Attended and spoke at Veterans Day celebration on Saturday.
- Attended Mural Art Show at the Kenai Art Center.
- Thanked the Parks & Recreation Department for dipnet report; noted that it would be made available to the public on the City's website.

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

1. City Manager – Assistant to City Manager Cunningham reported on the following:
  - Parks & Recreation Director Best received the 2022 New Professional Award from the Alaska Recreation and Parks Association.
  - Introduced new Airport Manager Derek Ables.
  - Administration met with Beacon representatives to discuss Special Use Permit at the Fire Training Facility; looking at long-term lease, may bring a month-to-month extension to Council beforehand.
  - Army Corps of Engineers issued pre-solicitation notice for Kenai Bluff Stabilization Project.
2. City Attorney – No report.
3. City Clerk – Acting City Clerk Thibodeau reported that 16 Commission & Committee surveys had been received.

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

1. Citizen Comments (*Public comments limited to (5) minutes per speaker*) - None.
2. Council Comments

Council Member Sounart wished everyone Happy Thanksgiving.

Student Representative Tanner reported on Statewide events: Alaska Allstate Music Festival, wrestling championships. Connections Homeschool events: Student Council bake sale, AMC 12B Competition, Thanksgiving food drive, ice skating at Soldotna Sports Center. Kenai Alternative High School: annual Thanksgiving dinner event, adverse childhood experiences and parent resiliency event, full student aid informational event. Kenai Central High School: hockey schedule, wrestling schedule, craft fair, swimming awards.

Council Member Douthit noted he would be out of town on the December 20<sup>th</sup> meeting, and he looked forward to attending the Alaska Municipal League Local Government Conference.

Council Member Askin congratulated Parks & Recreation Director Best on his award and welcomed Airport Manager Ables; noted she was looking forward to serving seniors at the annual Senior Center Thanksgiving dinner, and to the Christmas Comes to Kenai event.

Council Member Daniel welcomed Airport Manager Ables; said he is looking forward to Alaska Municipal League Local Government Conference; congratulated Parks & Recreation Director Best; and expressed appreciation to City staff for maintaining the roads.

Council Member Baisden expressed appreciation for the City's road maintenance; welcomed Airport Manager Ables; congratulated Parks & Recreation Director Best; thanked Council for their support on Ordinance No. 3380-2023; working on Council recognition of Kenai Cardinal volleyball and football victories for December 20<sup>th</sup> meeting.

Vice Mayor Knackstedt expressed appreciation for the City's road maintenance; welcomed Airport Manager Ables; will be attending Alaska Municipal League Local Government Conference; wished everyone a Happy Thanksgiving.

**M. EXECUTIVE SESSION** - None.

**N. PENDING ITEMS**

**O. ADJOURNMENT**

**P. INFORMATIONAL ITEMS** - None.

There being no further business before the Council, the meeting was adjourned at 6:47 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of November 15, 2023.

---

Michelle M. Saner, MMC  
City Clerk

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

**PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION  
COUNCIL MEETING OF: DECEMBER 20, 2023**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPARTMENT</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
PERS	PERS	VARIOUS	LIABILITY	105,837.71
PREMERA	DECEMBER PREMIUM	VARIOUS	INSURANCE	200,879.80
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	112,194.87

**INVESTMENTS**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>MATURITY DATE</b>	<b>AMOUNT</b>	<b>Effect. Int.</b>
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PURCHASE ORDERS OVER \$35,000.00 WHICH NEED COUNCIL APPROVAL

COUNCIL MEETING OF: DECEMBER 20, 2023

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
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**INCREASE OF EXISTING PURCHASE ORDER**

VENDOR	DESCRIPTION	P.O. # - DEPT.	REASON	AMOUNT	TOTAL PO AMT
MCGRATH HUMAN RESOURCES GROUP	CLASSIFICATION STUDY	127651 - HR	ADDITIONAL CONSULTING SERVICES	6,150.00	40,508.00
RSA ENGINEERING	VINTAGE POINTE BOILER REPLACEMENT	125827 - CONG. HOUSING CONST.	AWARD CA SERVICES	15,318.00	40,482.00



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Stephanie Randall, HR Director

**DATE:** December 11, 2023

**SUBJECT:** **Purchase Order Increase to McGrath Human Resources Group**

---

The purpose of this memo is to request an increase to the existing purchase order 127651 for a Classification study by McGrath Human Resources Group from \$34,358.00 to \$40,508.00, an increase of \$6,150, to add additional consulting services.

The City issued a request for proposals to complete a Classification Study on August 29, 2023. The proposals were ranked by the selection committee, and McGrath Human Resources Group received the highest score and was awarded a contract in the amount of \$34,358.00. The City had previously issued a request for proposals for both a Classification Study and Compensation Study and received no bids. The City began work on the Compensation Study and requested a quote from McGrath to integrate the data from the City's Compensation Study with their Classification Study for a more comprehensive analysis. McGrath provided a quote in the amount of \$6,150 to expand the services beyond the Classification Study to develop an overall compensation and classification recommendation for the City. The request to increase the amount of their purchase order is to facilitate this collaboration.

Thank you for your consideration.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** December 11, 2023  
**SUBJECT:** Purchase Order – RSA Engineering, Inc.

---

The purpose of the memo is to request an increase of \$15,318 to RSA Engineering's Purchase Order 125827 from \$25,164 to a new total of \$40,482, to award CA Services for the Vintage Point Boiler Replacement project. Award of these services was not included in Resolution 2023-53 which awarded the Construction Contract portion of the work. Sufficient funding for this work resides within the existing budget under the Congregate Housing Capital Improvement Fund under activity code 239.

This project is replacing boilers that have reached the end of their useful life at the Vintage Point senior housing facility. Currently submittals have been completed and materials are on order and awaiting arrival in Kenai several months from now.

The costs associated with this work are fair and reasonable. Increasing this PO to RSA Engineering in support of the project is in the best interest of the City. Council's approval is respectfully requested.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Derek Ables, Airport Manager  
**DATE:** November 29, 2023  
**SUBJECT:** **Action/Approval- Special Use Permit for Beacon Occupational Health and Safety Services for use of office space at the Alaska Regional Fire Training Facility**

---

Beacon OHSS is requesting to extend the Special Use Permit that expires on December 31, 2023 under the same terms and conditions.

Beacon provides work and health testing services.

The permit is for Beacon to lease 1,716 square feet of exclusive space and 2,250 square feet of common use space at the Alaska Regional Fire Training Facility. The permit fee will be \$5468.16 per month. Beacon will also be responsible for custodial services in exclusive use space, refuse, telecommunications, internet, and tenant signage. The term of the Special Use Permit will be month to month starting on January 1, 2024.

City and Airport Administration met with Beacon representatives on Thursday, November 9th to discuss different options to accommodate Beacon and their operation in the Alaska Fire Training Facility. A condition of the month-to-month extension is to allow Beacon time to set up a different area for a collection site instead of the exclusive use of one of the lobby bathrooms. Once a new collection site is set the bathroom will be reopened for public use. The representatives were given floor plans to review and will get back to the City.

The Airport has a current Certificate of Insurance on file and Beacon is current on all fees owed to the city.

*\*This memo was provided prior to the December 14, 2023 Airport Commission meeting due to the Council packet deadline. A laydown memo will be provided prior to the Council meeting with Airport Commission's action.*

Thank you for your consideration.

Attachment



## SPECIAL USE PERMIT

**THE CITY OF KENAI (CITY)** for the considerations and pursuant to the conditions and requirements set forth below, hereby grants **Beacon Occupational Health & Safety Services (PERMITTEE)**, whose address is 701 East Tudor Road, #110, Anchorage, Alaska 99503 the exclusive right to use the area described below:

1,716 square feet of exclusive office space and 2,250 square feet of common use space inside the Alaska Regional Fire Training Center, located at 450 Daubenspeck Cir, Kenai, Alaska 99611.

**1. TERM.** The term of this Permit shall be on a month-to-month basis commencing on January 1, 2024. Regardless of the date of signature, this Permit shall be effective as of January 1, 2024.

**2. PERMIT FEES.** Permittee shall pay the following fees for the privileges extended to Permittee under this Permit:

**A. Permit:** Permittee shall pay a monthly fee of \$5,468.16, plus applicable sales tax.

**B. Other Fees:** Permittee is responsible for custodial services for exclusive use space, refuse, telecommunications, internet and tenant signage. City shall be responsible for custodial services for common use space, building insurance, snow removal, general maintenance, grounds maintenance, gas, electric, and water and waste water.

Payment shall be directed to City of Kenai, ATTN: Finance Department, 210 Fidalgo Avenue, Kenai, AK 99611 and a courtesy notice of payment provided to Airport Administration at 305 North Willow Street, Suite 200, Kenai, AK 99611. All permit fees are payable in advance of each month unless otherwise provided. In the event of delinquency, interest at the rate of 10% per annum, and penalty of 10% shall also be due (KMC 1.75.010). Interest shall accrue from the date due until the date paid in full. Failure to timely make payments is grounds for termination of this Permit. (See ¶ 22, Termination)

**3. USE.** City authorizes Permittee the exclusive right to use 1,716 square feet for General Office Space and 2,250 square feet of non-exclusive common use space as identified in Exhibit A.

**4. LICENSES AND PERMITS; LAWS.** Permittee shall adhere to all federal, state,

Special Use Permit—Beacon Occupational Health & Safety Services

and local laws, ordinances, and regulations while conducting its activities on the Premises. Permittee shall obtain and maintain all required federal, state, and local licenses, permits, certificates, and other documents required for Permittee's operations under the Permit. Permittee shall provide proof of compliance to the City upon request by the City.

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

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

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

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

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

- i. All policies will be by a company/corporation currently rated "A-" or better by A.M. Best.
- ii. Permittee shall submit to the City proof of continuous insurance coverage in the form of insurance policies, certificates, endorsements, or a combination thereof, and signed by a person authorized by the insurer to bind coverage on its behalf.
- iii. Permittee shall request a waiver of subrogation against City from Permittee's insurer and the waiver of subrogation, where possible,

shall be provided at no cost to City.

- iv. Provide the City with notification at least 30 days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.
- v. Evidence of insurance coverage must be submitted to City by January 1, 2024. The effective date of the insurance shall be no later than January 1, 2024.

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

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

**7. INDEMNITY, DEFEND, AND HOLD HARMLESS AGREEMENT.** Permittee agrees to indemnify, defend, and hold the City, its agents, and employees harmless from and against any and all liability, loss, suit, claim, judgment, fine, demand, damage, penalty, property damage, or personal injury of whatever kind, including sums paid in settlements of claims, attorney fees, consultant fees, expert fees, or costs incurred arising from or connected with the Permittee's use or occupation of the Premises. Permittee shall give the City of Kenai reasonable notice of any such claims or actions. However, Permittee shall not be responsible for any damage or claims from the sole negligence, activities, or omission of the City or its agents or employees.

**8. PERSONALITY.** Permittee must keep the space and all other materials on the Premises clean and in good condition.

Permittee shall remove any and all personal property from the Premises at the termination of this Permit (or any renewal thereof). Personal property placed or used upon the Premises will be removed and/or impounded by the City, if not removed upon termination of this

Permit and when so removed and/or impounded, such property may be redeemed by the owner thereof only upon the payment to the City of the costs of removal plus storage charges of \$25.00 per day. The City of Kenai is not responsible for any damage to or theft of any personal property of Permittee at or from the Premises.

**9. NO WAIVER.** Failure to insist upon a strict compliance with the terms, conditions, and/or any requirement herein contained, or referred to, shall not constitute or be construed as a waiver or relinquishment of the right to exercise such terms, conditions or requirements.

**10. MUTUAL CANCELLATION.** This Permit may be cancelled in whole or in part with one month written notice by Permittee or the City.

**11. NO DISCRIMINATION.** Permittee will not discriminate on the grounds of race, color, religion, national origin, ancestry, age, or sex against any patron, employee, applicant for employment, or other person or group of persons in any manner prohibited by federal or State law. Permittee recognizes the right of the City to take any action necessary to enforce this requirement.

**12. ASSUMPTION OF RISK.** Permittee shall provide all proper safeguards and shall assume all risks incurred in its use of the Premises.

**13. NO JOINT VENTURE.** City shall not be construed or held to be a partner or joint venturer of Permittee in the conduct of its business or activities on the Premises.

**14. CONTACT INFORMATION.** The contact information for Permittee, and the person in responsible charge for Permittee during the term of the Permit, for purposes of notice and all communications from City to Permittee is:

Beacon Occupational Health & Safety Services  
 Attn: Neil Gadd -General Manager  
 701 East Tudor Road, #110  
 Anchorage, Alaska 99503 tel: (907) 802.8594

The contact information for City for purposes of notice and all communications from Permittee to City is:

Kenai Municipal Airport  
 305 North Willow, Suite 200  
 Kenai, Alaska 99611 Tel: (907) 283-8281

Special Use Permit—Beacon Occupational Health & Safety Services

**15. RIGHTS OR REMEDIES.** No right or remedy herein conferred upon or reserved to each respective party is intended to be exclusive of any other right or remedy. Each and every right and remedy shall be cumulative and in addition to any other right or remedy given hereunder, or now or hereafter existing at law or in equity.

**16. GOVERNING LAW; VENUE.** The laws of State of Alaska will determine the interpretation of this Agreement and the performance thereof. Any lawsuit brought thereon shall be filed in the Third Judicial District at Kenai, Alaska.

**17. AUTHORITY.** By signing this Permit, Permittee represents that it has read this agreement and it agrees to be bound by the terms and conditions herein and that the person signing this Permit is authorized to bind Permittee.

**CITY OF KENAI**

By: \_\_\_\_\_  
Terry Eubank – City Manager

**BEACON OCCUPATIONAL HEALTH & SAFETY SERVICES**

By: \_\_\_\_\_  
Neil Gadd – General Manager

Approved as to form:

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

STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on the \_\_\_\_ day of \_\_\_\_\_, 2023, Terry Eubank, City Manager of the City of Kenai, an Alaska municipal corporation, on behalf of the City.

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

STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )

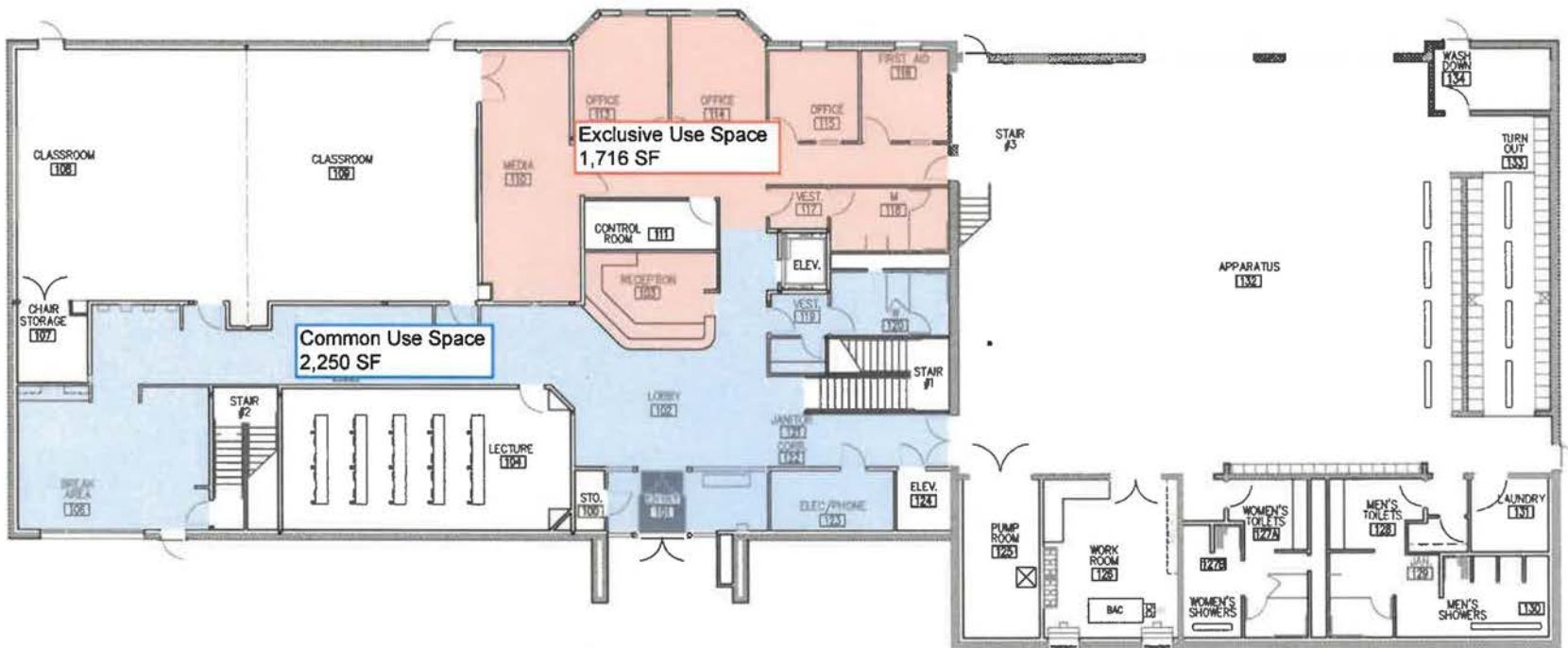
THIS IS TO CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2023, the foregoing instrument was acknowledged before me by Neil Gadd, General Manager, Beacon Occupational Health & Safety Services, an Alaskan corporation, on behalf of the corporation.

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

Revisions:  
5-7-97

**KRUGER & ASSOCIATES**  
ARCHITECTURE • INTERIORS • GRAPHICS

ALASKA REGIONAL AIRCRAFT  
FIRE TRAINING CENTER  
KENAI, ALASKA



1 LOWER FLOOR PLAN  
A2.1 SCALE: 1/8"=1'-0"  
NOTES THIS SHEET  
01000-16



GENERAL NOTES:

2 KEY PLAN  
A2.1 SCALE: 1"=20'-0"



Drawn: S.K., V.A.  
Checked: S.K.  
Date: 9-1-97  
Project: 0148  
File Name: 0148A2

LOWER FLOOR PLAN

ONE INCH BAR ON ONE DRAWING SCALE ACCORDS TO

Sheet:  
A2.1  
COPYING, REPRODUCING & ANY

4 of 31



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Linda Mitchell, Planning Director  
**DATE:** December 12, 2023  
**SUBJECT:** **Action Approval for Alaska Sure Seal, Inc. – Special Use Permit for Snow Storage**

---

Alaska Sure Seal, Inc. (“Sure Seal”) has requested a Special Use Permit to store snow on approximately 7,500 square feet on Tract C of Daubenspeck Property Subdivision, located at 170 Bridge Access Road. Sure Seal was granted a special use permit to store snow this year. Sure Seal has been compliant with the terms of their special use permit. The proposed permit fee is \$475.00 plus applicable sales tax for certain periods in 2024, a six-month period from January through April, and November through December 2024.

Sure Seal will be required to carry adequate insurance, use the premises only for snow storage, store snow in a manner that would not limit sight lines for drivers or impact City snow clearing, and remove any trash or debris remaining after the snow has melted, such that the premises are returned to their initial condition.

If City Council approves the Special Use Permit, the City Manager will be authorized to execute the Special Use Permit Agreement.

Thank you for your consideration.

### **Attachments**

- Location Map
- Special Use Permit Agreement

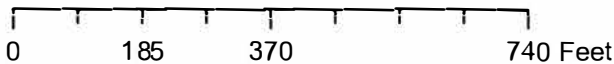




Alaska Sure Seal  
Special Use Permit - Snow Storage  
Tract C, Daubenspeck Property Subdivision  
170 Bridge Access Road  
KPB Parcel ID: 04705602



Map for Reference Only  
NOT A LEGAL DOCUMENT



**SPECIAL USE PERMIT**

The **CITY OF KENAI** (City), for the consideration, and pursuant to the conditions set out below, hereby grants to **ALASKA SURE SEAL, INC.** (PERMITTEE), the non-exclusive right to use 7,500 square feet of area as described below:

TRACT C, DAUBENSPECK PROPERTY SUBDIVISION

and as further shown in the attached Location Map.

- 1. **TERM.** This special use permit shall be for approximately six (6) months from January 1, 2024 to April 30, 2024, and from November 1, 2024 to December 31, 2024.
- 2. **PERMIT FEES.** The Permittee shall be charged an annual permit fee of \$475.00 plus applicable sales tax.

The Permittee shall pay the City the permit fee on or before January 1, 2024.

Checks, bank drafts, or postal money orders shall be made payable to the City of Kenai and delivered to the City Hall, 210 Fidalgo Avenue, Kenai, Alaska 99611.

In addition to the permit fee specified above, the Permittee agrees to pay to the appropriate parties all levies, assessments, and charges as hereinafter provided:

- A. Sales tax not enforced, or levied in the future, computed upon the permit fee payable in monthly installments whether said fee is paid on a monthly or yearly basis;
  - B. All necessary licenses and permits; all lawful taxes and assessments which, during the term hereof may become a lien upon or which may be levied by the State, Borough, City, or by any other tax levying body, upon any taxable possessory right which Permittee may have in or to the Premises by reason of its use or occupancy or by reason of the terms of this Permit, provided however, that nothing herein contained shall prevent Permittee from contesting any increase in such tax or assessment through procedures provided by law.
  - C. Interest at the rate of eight percent (8%) per annum and penalties of ten percent (10%) of any amount of money owed under this Special Use Permit which are not paid on or before the due date.
  - D. Costs and expenses incident to this Special Use Permit, including but not limited to recording costs.
3. **USE.** The use by the Permittee of the Premises is limited to the purpose of Snow Storage. This use is subject to City, Borough, and State laws and regulations and the reasonable administrative actions of the City for the protection and maintenance of the Premises and of adjacent and contiguous lands or facilities. Use of the Premises is subject to the following conditions:

- A. Permittee shall use the Premises only for snow storage.
  - B. Snow must be stored in a manner that will not limit sight lines or create other unsafe driving conditions on adjacent right-of-ways.
  - C. The premises shall be returned to its current condition prior to the end of the term of this Special Use Permit. This shall include the removal of any trash or debris that remains after the snow has melted in the spring. Failure to do so will result in Permittee being ineligible for future Special Use Permits for snow storage.
  - D. Snow must be stored in a manner that will not impact any City snow clearing or moving activities.
4. **INSURANCE.** Permittee shall secure and keep in force adequate insurance, as stated below, to protect City and Permittee. Where specific limits are stated, the limits are the minimum acceptable limits. If Permittee's insurance policy contains higher limits, the City is entitled to coverage to the extent of the higher limits.
- A. Garage Liability or Commercial General Liability Insurance, including Premises, all operations, property damage, personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit. The policy must name the City as an additional insured.
  - B. Worker's Compensation Insurance with coverage for all employees engaged in work under this Permit or at the Premises as required by AS 23.30.045. Permittee is further responsible to provide Worker's Compensation Insurance for any subcontractor who directly or indirectly provides services to Permittee under this Permit.
  - C. Commercial Automobile Coverage with not less than \$1,000,000 combined single limit per occurrence. This insurance must cover all owned, hired, and non-owned motor vehicles the Permittee uses for snow moving and storage activities to, from, or on the Premises. The policy must name the City as an additional insured.
  - D. All insurance required must meet the following additional requirements:
    - i. All policies will be by a company/corporation currently rated "A-" or better by A.M. Best.
    - ii. Permittee shall submit to the City proof of continuous insurance coverage in the form of insurance policies, certificates, endorsements, or a combination thereof, and signed by a person authorized by the insurer to bind coverage on its behalf.
    - iii. Permittee shall request a waiver of subrogation against City from Permittee's insurer and the waiver of subrogation, where possible, shall be provided at no cost to City.

- iv. Provide the City with notification at least 30 days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.
  - v. Evidence of insurance coverage must be submitted within 30 days of the effective date of the Special Use Permit. The effective date of the insurance shall be no later than January 1, 2024.
  - vi. This insurance shall be primary and exclusive of any other insurance carried by the City of Kenai. This insurance shall be without limitation on the time within which the resulting loss, damage, or injury is actually sustained.
5. **INDEMNITY, DEFEND, AND HOLD HARMLESS AGREEMENT.** The Permittee shall fully indemnify, hold harmless, and defend the City of Kenai, its officers, agents, employees, and volunteers at its own expense from and against any and all actions, damages, costs, liability, claims, losses, judgments, penalties, including reasonable Attorney's fees of or for liability for any wrongful or negligent acts, errors, or omissions of the Permittee, its officers, agents or employees, or any subcontractor under this Permit. The Permittee shall not be required to defend or indemnify the City for any claims of or liability for any wrongful or negligent act, error, or omission solely due to the independent negligence of the City. If there is a claim of or liability for the joint negligence of the Permittee and the independent negligence of the City, the indemnification and hold harmless obligation shall be apportioned on a comparative fault basis. Apportionment shall be established upon final determination of the percentage of fault. If any such determination is by settlement, the percentage of fault attributed to each party for purposes of this indemnification provision shall only be binding upon the parties included in the settlement agreement. "Permittee" and "City" as used in this article include the employees, agents, officers, directors, and other contractors who are directly responsible, respectively, for each party. The term "independent negligence of the City" is negligence other than in the City's selection, administration, monitoring, or controlling of the Permittee.
6. **PERMITTEE'S OBLIGATION TO PREVENT AND REMOVE LIENS.** Permittee will not permit any liens, including mechanic's, laborer's, construction, supplier's, mining, or any other liens obtainable or available under existing law, to stand against the Premises or improvements on the Premises for any labor or material furnished to Permittee or to any related entity or claimed entity. The Permittee shall have the right to provide a bond as contemplated by State of Alaska law and contest the validity or amount of any such lien or claimed lien. Upon the final determination of the lien or claim for lien, the Permittee will immediately pay any judgment rendered with all proper costs and charges and shall have such lien released or judgment satisfied at Permittee's own expense.
7. **PERSONALTY.** Permittee shall remove any and all personal property, including all vehicles, from the Premises at the termination of this Permit. Personal property placed or used upon the Premises and not removed upon termination of this Permit will be removed and/or impounded by the City. Property removed or impounded by the City may be redeemed by the owner thereof only upon the payment to the City of the costs of removal plus a storage fee of \$25 per day. The City of Kenai is not responsible for any damage to or theft of any personalty of Permittee or its customers.

- 8. **FORBEARANCE.** Failure to insist upon a strict compliance with the terms, conditions, and/or any requirement herein contained, or referred to, shall not constitute or be construed as a waiver or relinquishment of the right to exercise such terms, conditions, or requirements.
- 9. **TERMINATION, DEFAULT.** This Permit may be terminated by either party hereto by giving 30 days advance written notice to the other party. The City may terminate the Permit immediately, or upon notice shorter than 30 days, to protect public health and safety. The City may also terminate this Permit immediately, or upon notice shorter than 30 days, due to a failure of Permittee to comply with conditions and terms of this Permit, which failure remains uncured after notice by City to Permittee providing Permittee with a reasonable time period to correct the violation or breach.
- 10. **NO DISCRIMINATION.** Permittee will not discriminate on the grounds of race, color, religion, national origin, ancestry, age, or sex against any patron, employee, applicant for employment, or other person or group of persons in any manner prohibited by federal or State law. Permittee recognizes the right of the City to take any action necessary to enforce this requirement.
- 11. **ASSIGNMENT.** Permittee may not assign, by grant or implication, the whole any part of this Permit, the Premises, or any improvement on the Premises without the written consent of the City. Unless the City specifically releases the Permittee in writing, the City may hold the Permittee responsible for performing any obligation under this permit which an assignee fails to perform.
- 12. **ASSUMPTION OF RISK.** Permittee shall provide all proper safeguards and shall assume all risks incurred in its activities on the Premises and its exercise of the privileges granted in this Permit.
- 13. **NO JOINT VENTURE.** The City shall not be construed or held to be a partner or joint venturer of Permittee in the conduct of its business or activities on the Premises.
- 14. **SURVIVAL.** The obligations and duties of Permittee under paragraphs 5 and 6 of this Permit shall survive the cancellation, termination, or expiration of this Permit.
- 15. **AUTHORITY.** By signing this Permit, Permittee represents that is has read this agreements and consents to be bound by the terms and conditions herein and that the person signing this Permit is duly authorized by the business to bind the business hereunder.

**CITY OF KENAI**

**ALASKA SURE SEAL, INC.**

By: \_\_\_\_\_  
Terry Eubank  
City Manager

By: \_\_\_\_\_  
Johnathan Paramore  
Director

**ACKNOWLEDGMENTS**

STATE OF ALASKA                    )  
  ) ss  
THIRD JUDICIAL DISTRICT        )

THIS IS TO CERTIFY that on this \_\_\_\_day of \_\_\_\_\_, 2023, the foregoing instrument was acknowledged before me by Terry Eubank, City Manager of the City of Kenai, Alaska, an Alaska home rule municipality, on behalf of the City.

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

STATE OF ALASKA                    )  
  ) ss  
THIRD JUDICIAL DISTRICT        )

THIS IS TO CERTIFY that on this \_\_\_\_day of \_\_\_\_\_, 2023, the foregoing instrument was acknowledged before me by Johnathan Paramore, Director of Alaska Sure Seal, Inc., an Alaska C Corporation, on behalf of the corporation.

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

ATTEST:

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

SEAL:

APPROVED AS TO FORM:

---

Scott Bloom, City Attorney



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Linda Mitchell, Planning Director  
**DATE:** December 12, 2023  
**SUBJECT:** **Action Approval for Schilling Alaska, Inc. – Special Use Permit for Snow Storage**

---

Schilling Alaska, Inc. (“Schilling”) has requested a Special Use Permit to store snow on approximately 7,500 square feet on Tract C of Daubenspeck Property Subdivision, located at 170 Bridge Access Road. Schilling has been granted special use permits for the Uptown Motel to store snow since 2018. Schilling has been compliant with the terms of their special use permit. The proposed permit fee is \$475.00 plus applicable sales tax for certain periods in 2024, a six-month period from January through April, and November through December 2024.

Schilling will be required to carry adequate insurance, use the premises only for snow storage, store snow in a manner that would not limit sight lines for drivers or impact City snow clearing, and remove any trash or debris remaining after the snow has melted, such that the premises are returned to their initial condition.

If City Council approves the Special Use Permit, the City Manager will be authorized to execute the Special Use Permit Agreement.

Thank you for your consideration.

**Attachments**

- Location Map
- Special Use Permit Agreement

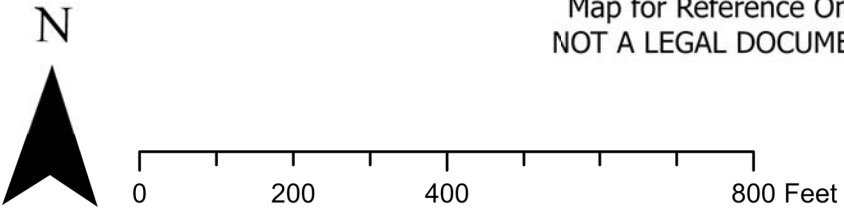




Schilling Alaska, Inc.  
Special Use Permit - Snow Storage  
Tract C, Daubenspeck Property Subdivision  
170 Bridge Access Road  
KPB Parcel ID: 04705602



Map for Reference Only  
NOT A LEGAL DOCUMENT



**SPECIAL USE PERMIT**

The **CITY OF KENAI** (City), for the consideration, and pursuant to the conditions set out below, hereby grants to **SCHILLING ALASKA, INC.** (PERMITTEE), the non-exclusive right to use 7,500 square feet of area as described below:

TRACT C, DAUBENSPECK PROPERTY SUBDIVISION

and as further shown in the attached Location Map.

- 1. **TERM.** This special use permit shall be for approximately six (6) months from January 1, 2024 to April 30, 2024, and from November 1, 2024 to December 31, 2024.
- 2. **PERMIT FEES.** The Permittee shall be charged an annual permit fee of \$475.00 plus applicable sales tax.

The Permittee shall pay the City the permit fee on or before January 1, 2024.

Checks, bank drafts, or postal money orders shall be made payable to the City of Kenai and delivered to the City Hall, 210 Fidalgo Avenue, Kenai, Alaska 99611.

In addition to the permit fee specified above, the Permittee agrees to pay to the appropriate parties all levies, assessments, and charges as hereinafter provided:

- A. Sales tax not enforced, or levied in the future, computed upon the permit fee payable in monthly installments whether said fee is paid on a monthly or yearly basis;
  - B. All necessary licenses and permits; all lawful taxes and assessments which, during the term hereof may become a lien upon or which may be levied by the State, Borough, City, or by any other tax levying body, upon any taxable possessory right which Permittee may have in or to the Premises by reason of its use or occupancy or by reason of the terms of this Permit, provided however, that nothing herein contained shall prevent Permittee from contesting any increase in such tax or assessment through procedures provided by law.
  - C. Interest at the rate of eight percent (8%) per annum and penalties of ten percent (10%) of any amount of money owed under this Special Use Permit which are not paid on or before the due date.
  - D. Costs and expenses incident to this Special Use Permit, including but not limited to recording costs.
3. **USE.** The use by the Permittee of the Premises is limited to the purpose of Snow Storage. This use is subject to City, Borough, and State laws and regulations and the reasonable administrative actions of the City for the protection and maintenance of the Premises and of adjacent and contiguous lands or facilities. Use of the Premises is subject to the following conditions:

- A. Permittee shall use the Premises only for snow storage.
  - B. Snow must be stored in a manner that will not limit sight lines or create other unsafe driving conditions on adjacent right-of-ways.
  - C. The premises shall be returned to its current condition prior to the end of the term of this Special Use Permit. This shall include the removal of any trash or debris that remains after the snow has melted in the spring. Failure to do so will result in Permittee being ineligible for future Special Use Permits for snow storage.
  - D. Snow must be stored in a manner that will not impact any City snow clearing or moving activities.
4. **INSURANCE.** Permittee shall secure and keep in force adequate insurance, as stated below, to protect City and Permittee. Where specific limits are stated, the limits are the minimum acceptable limits. If Permittee’s insurance policy contains higher limits, the City is entitled to coverage to the extent of the higher limits.
- A. Garage Liability or Commercial General Liability Insurance, including Premises, all operations, property damage, personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit. The policy must name the City as an additional insured.
  - B. Worker’s Compensation Insurance with coverage for all employees engaged in work under this Permit or at the Premises as required by AS 23.30.045. Permittee is further responsible to provide Worker’s Compensation Insurance for any subcontractor who directly or indirectly provides services to Permittee under this Permit.
  - C. Commercial Automobile Coverage with not less than \$1,000,000 combined single limit per occurrence. This insurance must cover all owned, hired, and non-owned motor vehicles the Permittee uses for snow moving and storage activities to, from, or on the Premises. The policy must name the City as an additional insured.
  - D. All insurance required must meet the following additional requirements:
    - i. All policies will be by a company/corporation currently rated “A-” or better by A.M. Best.
    - ii. Permittee shall submit to the City proof of continuous insurance coverage in the form of insurance policies, certificates, endorsements, or a combination thereof, and signed by a person authorized by the insurer to bind coverage on its behalf.
    - iii. Permittee shall request a waiver of subrogation against City from Permittee’s insurer and the waiver of subrogation, where possible, shall be provided at no cost to City.

- iv. Provide the City with notification at least 30 days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.
  - v. Evidence of insurance coverage must be submitted within 30 days of the effective date of the Special Use Permit. The effective date of the insurance shall be no later than January 1, 2024.
  - vi. This insurance shall be primary and exclusive of any other insurance carried by the City of Kenai. This insurance shall be without limitation on the time within which the resulting loss, damage, or injury is actually sustained.
5. **INDEMNITY, DEFEND, AND HOLD HARMLESS AGREEMENT.** The Permittee shall fully indemnify, hold harmless, and defend the City of Kenai, its officers, agents, employees, and volunteers at its own expense from and against any and all actions, damages, costs, liability, claims, losses, judgments, penalties, including reasonable Attorney's fees of or for liability for any wrongful or negligent acts, errors, or omissions of the Permittee, its officers, agents or employees, or any subcontractor under this Permit. The Permittee shall not be required to defend or indemnify the City for any claims of or liability for any wrongful or negligent act, error, or omission solely due to the independent negligence of the City. If there is a claim of or liability for the joint negligence of the Permittee and the independent negligence of the City, the indemnification and hold harmless obligation shall be apportioned on a comparative fault basis. Apportionment shall be established upon final determination of the percentage of fault. If any such determination is by settlement, the percentage of fault attributed to each party for purposes of this indemnification provision shall only be binding upon the parties included in the settlement agreement. "Permittee" and "City" as used in this article include the employees, agents, officers, directors, and other contractors who are directly responsible, respectively, for each party. The term "independent negligence of the City" is negligence other than in the City's selection, administration, monitoring, or controlling of the Permittee.
6. **PERMITTEE'S OBLIGATION TO PREVENT AND REMOVE LIENS.** Permittee will not permit any liens, including mechanic's, laborer's, construction, supplier's, mining, or any other liens obtainable or available under existing law, to stand against the Premises or improvements on the Premises for any labor or material furnished to Permittee or to any related entity or claimed entity. The Permittee shall have the right to provide a bond as contemplated by State of Alaska law and contest the validity or amount of any such lien or claimed lien. Upon the final determination of the lien or claim for lien, the Permittee will immediately pay any judgment rendered with all proper costs and charges and shall have such lien released or judgment satisfied at Permittee's own expense.
7. **PERSONALTY.** Permittee shall remove any and all personal property, including all vehicles, from the Premises at the termination of this Permit. Personal property placed or used upon the Premises and not removed upon termination of this Permit will be removed and/or impounded by the City. Property removed or impounded by the City may be redeemed by the owner thereof only upon the payment to the City of the costs of removal plus a storage fee of \$25 per day. The City of Kenai is not responsible for any damage to or theft of any personalty of Permittee or its customers.

- 8. **FORBEARANCE.** Failure to insist upon a strict compliance with the terms, conditions, and/or any requirement herein contained, or referred to, shall not constitute or be construed as a waiver or relinquishment of the right to exercise such terms, conditions, or requirements.
- 9. **TERMINATION, DEFAULT.** This Permit may be terminated by either party hereto by giving 30 days advance written notice to the other party. The City may terminate the Permit immediately, or upon notice shorter than 30 days, to protect public health and safety. The City may also terminate this Permit immediately, or upon notice shorter than 30 days, due to a failure of Permittee to comply with conditions and terms of this Permit, which failure remains uncured after notice by City to Permittee providing Permittee with a reasonable time period to correct the violation or breach.
- 10. **NO DISCRIMINATION.** Permittee will not discriminate on the grounds of race, color, religion, national origin, ancestry, age, or sex against any patron, employee, applicant for employment, or other person or group of persons in any manner prohibited by federal or State law. Permittee recognizes the right of the City to take any action necessary to enforce this requirement.
- 11. **ASSIGNMENT.** Permittee may not assign, by grant or implication, the whole any part of this Permit, the Premises, or any improvement on the Premises without the written consent of the City. Unless the City specifically releases the Permittee in writing, the City may hold the Permittee responsible for performing any obligation under this permit which an assignee fails to perform.
- 12. **ASSUMPTION OF RISK.** Permittee shall provide all proper safeguards and shall assume all risks incurred in its activities on the Premises and its exercise of the privileges granted in this Permit.
- 13. **NO JOINT VENTURE.** The City shall not be construed or held to be a partner or joint venturer of Permittee in the conduct of its business or activities on the Premises.
- 14. **SURVIVAL.** The obligations and duties of Permittee under paragraphs 5 and 6 of this Permit shall survive the cancellation, termination, or expiration of this Permit.
- 15. **AUTHORITY.** By signing this Permit, Permittee represents that is has read this agreements and consents to be bound by the terms and conditions herein and that the person signing this Permit is duly authorized by the business to bind the business hereunder.

**CITY OF KENAI**

**SCHILLING ALASKA, INC.**

By: \_\_\_\_\_  
Terry Eubank  
City Manager

By: \_\_\_\_\_  
David Schilling  
President

**ACKNOWLEDGMENTS**

STATE OF ALASKA                    )  
  ) ss  
THIRD JUDICIAL DISTRICT        )

THIS IS TO CERTIFY that on this \_\_\_\_day of \_\_\_\_\_, 2023, the foregoing instrument was acknowledged before me by Terry Eubank, City Manager of the City of Kenai, Alaska, an Alaska home rule municipality, on behalf of the City.

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

STATE OF ALASKA                    )  
  ) ss  
THIRD JUDICIAL DISTRICT        )

THIS IS TO CERTIFY that on this \_\_\_\_day of \_\_\_\_\_, 2023, the foregoing instrument was acknowledged before me by David Schilling, Director of Schilling Alaska, Inc., an Alaska Corporation, on behalf of the corporation.

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

ATTEST:

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

SEAL:

APPROVED AS TO FORM:

---

Scott Bloom, City Attorney



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Shellie Saner, City Clerk  
**FROM:** Meghan Thibodeau, Deputy City Clerk  
**DATE:** December 13, 2023  
**SUBJECT:** **Appointments to Council on Aging and Beautification Committee**

---

Vacancies currently exist on the Council on Aging and Beautification Committee; applications for these seats have been received and are attached for consideration.

Pursuant to Kenai Municipal Code 1.90.010 members are nominated by the Mayor and confirmed by the City Council. Mayor Gabriel has requested Council confirmation of the following appointments:

Kit Hill – Council on Aging partial term ending December 31, 2025

Brittney Hoffert – Beautification Committee partial term ending December 31, 2024

Your consideration is appreciated.



**From:** [Kit Elizabeth Hill](#)  
**To:** [City Clerk](#)  
**Subject:** Form submission from: Commission/Committee Application (Webform)  
**Date:** Friday, November 17, 2023 8:24:42 AM

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CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Submitted on Friday, November 17, 2023 - 8:24am

Submitted by anonymous user: 24.237.252.31

Submitted values are:

Date: Fri, 11/17/2023  
Name: Kit Elizabeth Hill  
Resident of City of Kenai?: Yes  
If resident, how long?: Ten years  
Residence Address: 615 Ponderosa Street  
Mailing Address: 615 Ponderosa Street  
Home Telephone: 907 283 4645  
Home Fax:  
Business Telephone: 907 690 4658 (personal cell phone)  
Business Fax:  
Email address: hkhill2001@msn.com  
May we include your contact information on our website?: Yes  
If not all, what may we include?:  
Employer: Retired  
Job Title: Retired  
Name of Spouse: Howard Hill  
Current Membership Organization: Kenai Senior Center, Nikiski Church of Christ, Pioneers of Alaska, Ak Poll Worker, Kenai Historical Society  
Past organizational memberships: Kenai Lions, Nikiski Senior Center, Christmas Come to the Kenai, Breakfast with Santa, Various quilt organizations  
Committees or commissions in which you are interested: Council on Aging  
Why do you want to be involved with this commission or committee?:  
Having the insight of nearly 18 years as a senior myself and being actively involved in two senior centers during this time, I feel I have gained insight on aging and some of the challenges that journey brings to our lives. I feel that knowledge gained from this experience and other organizations I have participated in enables me to provide some insight into needs of the elderly in our community. I also enjoy working with people, especially seniors, and have found a home in the Kenai.  
What background, experience, or credentials do you possess to bring the board, commission, or committee membership?:  
In my career, I worked in a number of leadership roles which included analysis of function and financing of organizations. These included Director of Environmental Health Services for the State of Alaska, program managers for several state organizations, and various employee training programs. In several of these positions I prepared information and financial analysis for senior management. I have held a leadership role in several organizations including The Compassionate Friends (a support organization for grieving parents) and President of Igloo 16

Pioneers of Alaska. As these organization's leader, I coordinated activities and other volunteers, to ensure that the organization functioned well and met our goals. I presently serve as Membership Chair for the Kenai Historical Society. I have also spent many hours volunteering at the Kenai Senior Center and love the interaction with seniors. I feel combined skills and knowledge gained from my employment and volunteer activities would be an asset to the Council on Aging.

The results of this submission may be viewed at:

<https://www.kenai.city/node/2601/submission/11163>

**From:** [Brittney Hoffert](#)  
**To:** [City Clerk](#)  
**Subject:** Form submission from: Commission/Committee Application (Webform)  
**Date:** Sunday, December 3, 2023 6:46:33 PM

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CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Submitted on Sunday, December 3, 2023 - 6:46pm

Submitted by anonymous user: 24.237.253.192

Submitted values are:

Date: Sun, 12/03/2023  
Name: Brittney Hoffert  
Resident of City of Kenai?: Yes  
If resident, how long?: 10  
Residence Address:  
Mailing Address:  
Home Telephone:  
Home Fax:  
Business Telephone:  
Business Fax:  
Email address: bhoffert23@gmail.com  
May we include your contact information on our website?: Yes, but not all (specify below)  
If not all, what may we include?: bhoffert23@gmail.com  
Employer: First Rate Financial  
Job Title: Production Partner  
Name of Spouse:  
Current Membership Organization: BPOE Soldotna Elks Lodge #2706, Kenai Peninsula Association of Realtor  
Past organizational memberships: Kenai Peninsula Builder Association, Twin City Raceway Committees or commissions in which you are interested: Planning and Development, Airport, Library, Any committees or commissions that I can lend my knowledge and experience  
Why do you want to be involved with this commission or committee?:  
I am a seasoned sales professional with a dedicated focus on community improvement. I firmly believe that enhancing our community starts with active involvement and commitment. Over the past decade, I have consistently volunteered my time to various community initiatives.

I served as an active member and, subsequently, as the President of the Benevolent and Protective Order of Elks (BPOE), where I have contributed my efforts for the past nine years. Concurrently, I expanded my knowledge in innovation through this engagement.

For the past five years, I served as the announcer at the Twin City Raceway, showcasing my commitment to community events. Additionally, I am a member of the Kenai Peninsula Association of Realtors (KPAR) through my employer. I have participated in board meetings, volunteered at the sports show for multiple years, and contributed by organizing door prizes and selling door/raffle tickets. Witnessing the positive impact of KPAR on our community has

further fueled my passion for community service.

In addition to organizing, volunteering, and supporting numerous community events, I am eager to extend my commitment by becoming a part of the Kenai Committee. I would be honored to continue contributing to the betterment of our community and look forward to discussing this opportunity with you further.

What background, experience, or credentials do you possess to bring the board, commission, or committee membership?:

With numerous years of experience in community involvement, I am enthusiastic about extending my commitment by joining the Kenai Committee. I believe that my diverse experiences and passion for community service align well with the goals of the committee, and I look forward to discussing how I can contribute further.

The results of this submission may be viewed at:

<https://www.kenai.city/node/2601/submission/11175>



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3383-2023**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP BY REZONING ALL PARCELS WITHIN THE LETZING 1985 SUBDIVISION (PLAT NO. 85-55) AND GOVERNMENT LOT 170 FROM GENERAL COMMERCIAL (CG) TO SUBURBAN RESIDENTIAL (RS) ZONING DISTRICT.

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WHEREAS, all parcels within the Letzing 1985 Subdivision plat and Government Lot 170 are currently zoned General Commercial (CG); and,

WHEREAS, the City of Kenai received a rezone application from the majority of property owners in accordance with KMC 14.20.270 *Amendment procedures*; and,

WHEREAS, the CG zoning district allows for the widest range of commercial and industrial uses compared to other commercial zoning districts and the existing CG zone is not a compatible land use for this area since there are existing residential uses to the north and east of the proposed rezone area and an existing single-family dwelling in the proposed rezone area; and,

WHEREAS, the proposed rezone to RS would align with the current low to medium density residential character of the neighborhood; and,

WHEREAS, the land use classification is Mixed-Use, which envisioned a compatible mix of residential and commercial uses but it is desired by the property owners and supported by nearby residents that it should be rezoned to residential; and,

WHEREAS, the rezone is consistent with the Imagine Kenai 2030 Comprehensive Plan and aligns with the Land Use Plan and addresses Goal 1 – *Quality of Life: Promote and encourage quality of life in Kenai*; and,

WHEREAS, at their regularly scheduled meeting held on November 8, 2023, the City of Kenai Planning and Zoning Commission voted unanimously to recommend the subject properties be rezoned from General Commercial to Suburban Residential zoning district.

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

**Section 1.** Amendment of City of Kenai Official Zoning Map: That City of Kenai, Official Zoning Map is hereby amended as follows: Rezone all parcels within the Letzing 1985 Subdivision plat (Plat No. 85-55) and Government Lot 170 from General Commercial (CG) to Suburban Residential (RS) zoning district.

**Section 2.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 3<sup>RD</sup> DAY OF JANUARY, 2024.

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

ATTEST:

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

Introduced:	December 20, 2023
Enacted:	January 3, 2024
Effective:	February 2, 2024



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Linda Mitchell, Planning Director

**DATE:** December 12, 2023

**SUBJECT:** **Ordinance No. 3383-2023 – Rezone All Parcels Within Letzing 1985 Subdivision (Plat No. 85-55) and Government Lot 170 from General Commercial (CG) to Suburban Residential (RS) Zoning District**

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The property owners, Nancy and Michael Wiles, and Ken Dunbar representing Five D Investments LLC, are seeking to rezone all parcels within Letzing 1985 Subdivision (Plat No. 85-55) and Government Lot 170 located at 1202, 1204, and 1206 First Avenue and 103 Birch Street from General Commercial (CG) to Suburban Residential (RS) zoning district. The purpose of the rezone is to allow additional affordable housing rather than commercial use on the subject parcels. For the parcel located at 103 Birch Street, the property owner intends to subdivide and construct a single-family dwelling unit on each lot. If approved, the zone change would allow a residential use as a principal use, whereas under the existing zoning district, CG, a residential use is only permitted as a secondary use.

The proposed rezone area is surrounded by a commercial office/warehouse with outdoor storage to the west, residential uses to the north and east, and a commercial center, known as Swanson Square to the south across First Avenue. The current zoning, CG prohibits single-family and two-family residential uses unless it is a secondary use according to the land use table found in KMC Section 14.22.010.

In addition, CG zoning district allows for the widest range of commercial and industrial uses compared to other commercial zoning districts. The existing CG zoning district is not a compatible land use for this area since there are existing residential uses to the north and east of the proposed rezone area and an existing single-family dwelling in the proposed rezone area. While the site plan/landscaping review is intended to provide adequate buffers, transitions, and impacts between commercial/industrial uses and residential uses, this could be further implemented through a suitable zoning designation. The intent of the CG zoning district is not compatible with the existing residential uses in the adjacent RS zoning district to the north and east. There are other restrictive commercial zoning districts that allows residential use as a principal use but it would provide a disconnect between the existing CG zoning district to the west of the proposed rezone area.

The rezone to RS zone would expand the adjacent RS zoning district, which it is anticipated that it would be developed in junction with the surrounding residential uses to the north and east. Therefore, minimizing potential impacts of commercial development on existing residential uses. As noted by the applicants, there is a need for additional housing and this rezone would allow for residential uses without going through additional planning processes.

The existing land use classification states a compatible mix of residential and commercial uses. It is anticipated that this area will become residential uses. In the RS zone, several commercial uses are permitted subject to a Conditional Use Permit. The proposed rezone to RS zone would be consistent with the Mixed-Use land use classification as identified in the Comprehensive Plan. Therefore, an amendment to the land use map in the Comprehensive Plan is not required.

The Comprehensive Plan supports this rezoning in the following identified goal:

*Goal 1 – Quality of Life: Promote and encourage quality of life in Kenai.*

- *Q-4: Promote the siting and design of land uses that are in harmony and scale with surrounding uses.*

The proposed rezone to RS would align with the current low to medium density residential character of the neighborhood. The proposed rezone to RS zone would make the existing single-family dwelling compliant with the zoning district. Under the existing CG zoning district, the existing residence is considered a non-conforming use since residential use is not permitted to be a principal use. Therefore, any expansions or alterations of the residence would be subject to KMC Section 14.20.050 *Nonconforming lots, structures, and uses*.

On November 8, 2023, the City of Kenai Planning and Zoning Commission voted unanimously to recommend the subject properties be rezoned from General Commercial to Suburban Residential zoning district.

### **Attachments**

Location Map

Letzing 1985 Subdivision (Plat No. 85-55)

P&Z Resolution PZ2023-19

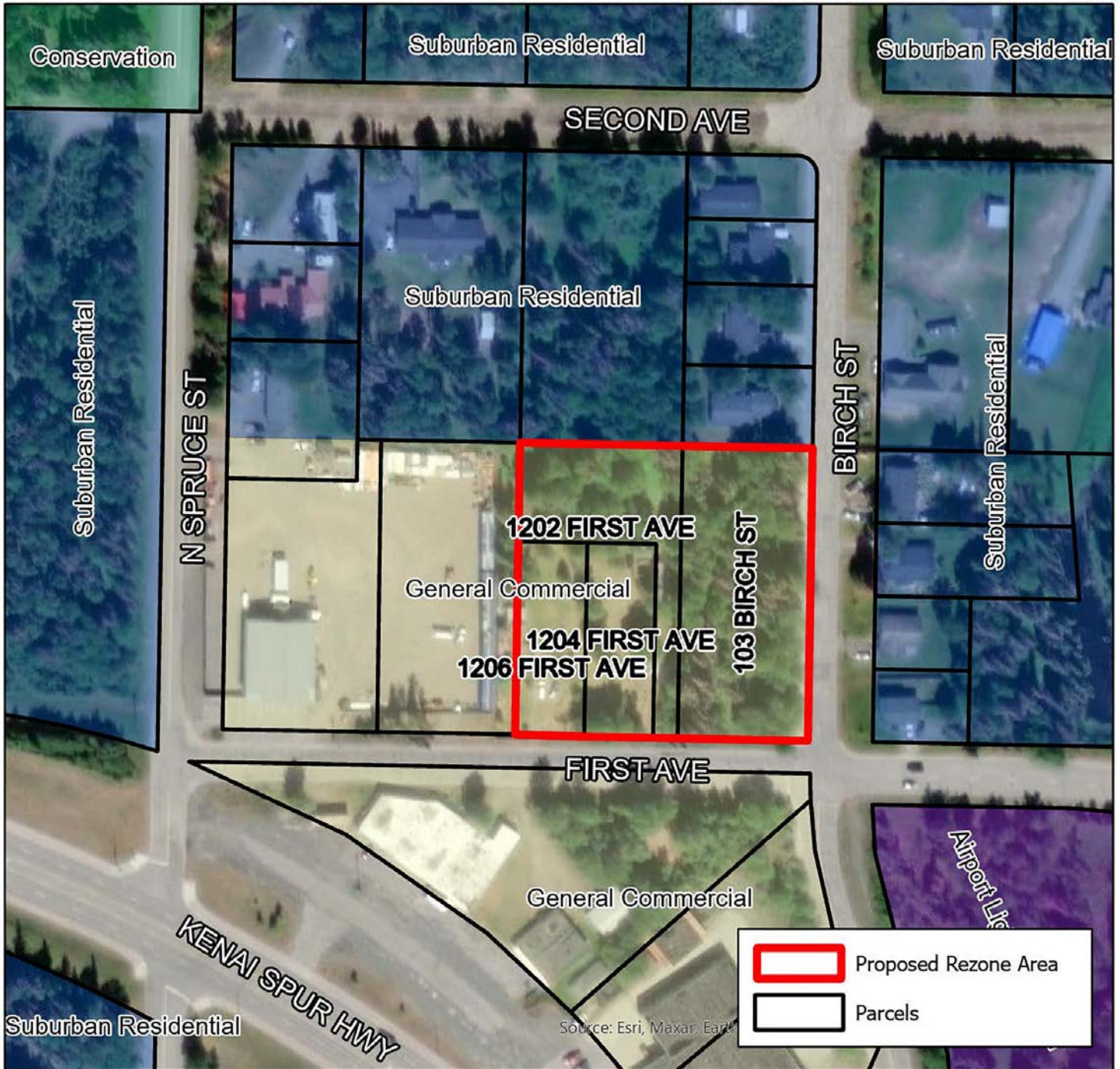
Staff Report PZ2023-19







**Ordinance No. 3383-2023**  
**Rezone from CG to RS**  
**1202, 1204, and 1206 First Avenue**  
**And 103 Birch Street**



Date Printed: 12/12/2023

Map for Reference Only  
NOT A LEGAL DOCUMENT



# LETZRING 1985 SUBD. OF GOV. LOT 169

LOCATED IN SE1/4 SE1/4 SEC. 31, T6N, R11W, S.M., AK., (IN KENAI CITY)  
 SCALE 1" = 50' AREA = 1.249 AC. 2-19-85 C-S-SE1/64

BY DAVID LETZRING BOX 9 KASILOF, ALASKA 99610

## PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of March 14, 1985

KENAI PENINSULA BOROUGH  
 By [Signature]  
 authorized official

## LEGEND

- - 1983 2" al. cap mon. by 5332-S, found in asphalt.
- - 1/2" x 2' rerod set.
- ( ) - Record

## NOTE

No direct access to State maintained R.O.W.'s, unless approved by Alaska Dept. of Transportation.

No structure shall be placed on panhandle portion of lot 1.

## OWNER'S CERTIFICATE & DEDICATION

We hereby certify that we are owners of the property shown and described hereon, and that we hereby adopt this plan of subdivision, and dedicate all r.o.w.'s to public use, and grant all easements to uses shown.

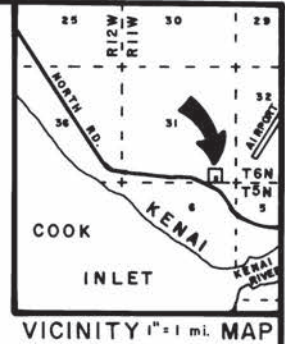
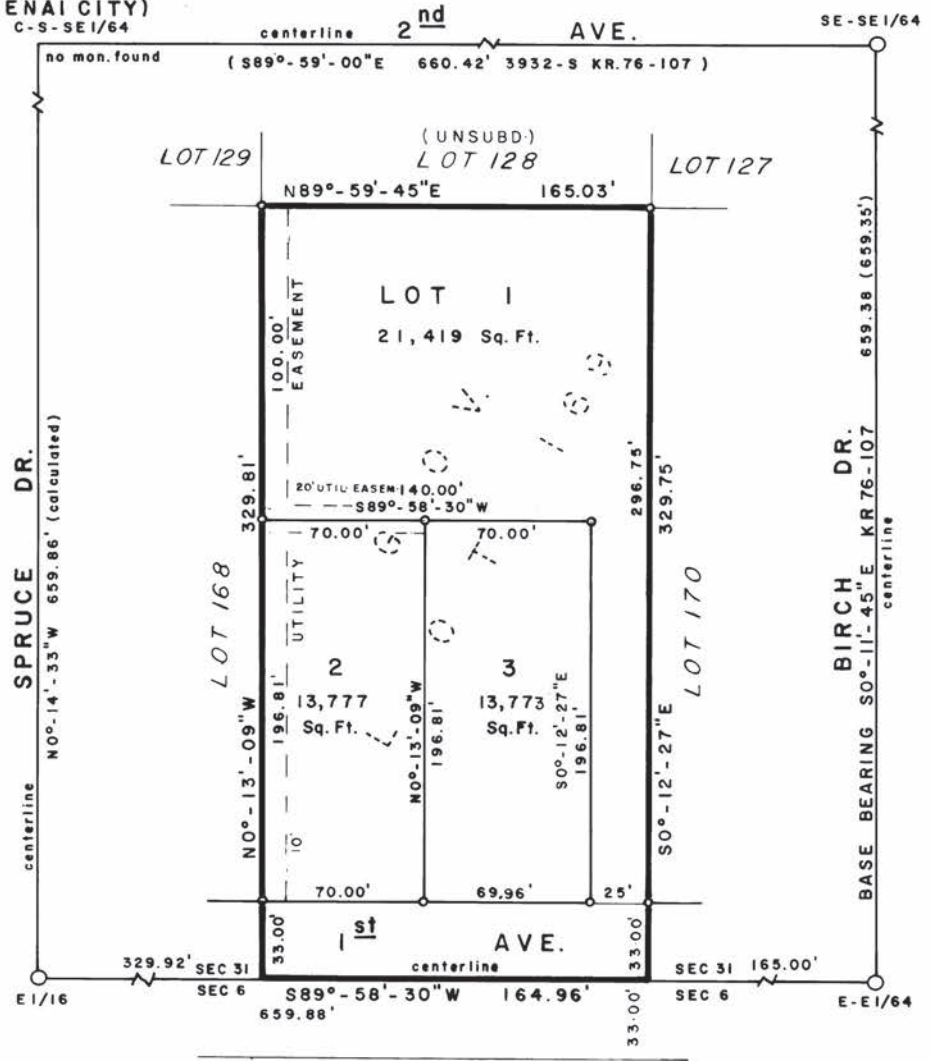
[Signature]  
 David Letzring box 9 Kasilof, Ak. 99610  
[Signature]  
 Sonja Ann Letzring

## NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me this 25<sup>th</sup> day of March, 1985.

[Signature]  
 NOTARY FOR ALASKA

for, David G. Letzring  
 Sonja Ann Letzring  
4-10-85  
 My commission expires



[Handwritten notes]  
 2/25 8  
 1:04 P.  
 David Letzring





# STAFF REPORT

PLANNING & ZONING DEPARTMENT

**TO:** Planning and Zoning Commission  
**FROM:** Linda Mitchell, Planning Director  
**DATE:** November 8, 2023  
**SUBJECT:** Resolution PZ2023-19 – Rezone Four (4) Parcels from General Commercial (CG) to Suburban Residential (RS) Zoning District

**Request** The applicants are requesting a rezone of four (4) parcels from General Commercial (CG) to Suburban Residential (RS) Zoning District.

**Staff Recommendation** Adopt Resolution PZ2023-19 recommending approval of a rezone of four (4) parcels from General Commercial (CG) to Suburban Residential (RS) Zoning District.

**Applicants:** Nancy and Michael Wiles  
 1206 First Avenue  
 Kenai, AK 99611  
 Five D Investments LLC  
 c/o Ken Dunbar  
 P.O. Box 969  
 Kenai, AK 99611

<u>Parcel No.</u>	<u>Address</u>	<u>Lot Size</u>	<u>Legal Description</u>
04317028	1202 First Avenue	0.49-acre	Lot 1, Letzring 1985 Subd. of Gov. Lot 169
04317029	1206 First Avenue	0.31-acre	Lot 2, Letzring 1985 Subd. of Gov. Lot 169
04317030	1204 First Avenue	0.31-acre	Lot 3, Letzring 1985 Subd. of Gov. Lot 169
04317013	103 Birch Street	1.25 acres	Govt Lot 170

**Current Zoning:** General Commercial (GC)  
**Proposed Zoning:** Suburban Residential (RS)  
**Current Land Use** Single-Family Residence, Accessory Structures, and Vacant Parcels  
**Land Use Plan** Mixed-Use

## SUMMARY

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The applicants are seeking to rezone properties located at 1202, 1204, and 1206 First Avenue and 103 Birch Street from General Commercial (CG) to Suburban Residential (RS) zoning district. The purpose of the rezone is to allow additional affordable housing rather than commercial use on the subject parcels. For the parcel located at 103 Birch Street, the property owner intends to subdivide and construct a single-family dwelling unit on each lot. In the applicants' letter, it is indicated that 103 Birch Street would be subdivide and four (4) single-family homes would be constructed. However, Planning staff received the preliminary plat and it shows a 5-lot subdivision. The preliminary plat is subject to compliance with KMC Chapter 14.10 *Subdivision Regulations* and would come before the Planning & Zoning Commission for review/recommendation at a later time contingent on the decision of the rezone. If approved, the zone change would allow a residential use as a principal use, whereas under the existing zone, CG, a residential use is only permitted as a secondary use.

## ANALYSIS

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Pursuant to KMC Section 14.20.270, the initiation of a Zoning Map Amendment may be initiated by a majority of the property owners in the area to be rezone. Furthermore, the area to be rezoned contains a minimum one (1) acre (excluding street or alley rights-of-way) unless the amendment enlarges an adjacent district boundary.

Three (3) out of the four (4) parcels are under the same ownership with the remaining parcel owned by a different property owner. Both property owners jointly applied for the rezone; therefore, meeting the initiation of a rezone application. To further support their request, the applicants have provided a list of signatures from surrounding property owners/residents to support their rezone petition. The combined area of the rezone is approximately 2.36 acres, which exceeds the minimum one (1) acre requirement for a zoning map amendment and it would expand the adjacent Suburban Residential zoning district to the north and east of the proposed rezone area.

### Existing and Proposed Zoning

The existing zoning is General Commercial (CG) and the intent as outlined in KMC Section 14.20.120 states the following:

***The CG Zone is established to provide for areas where a broad range of retail, wholesale, and service establishments is desirable. Uses are regulated to concentrate commercial development to the greatest extent possible and to prevent any uses which would have an adverse effect upon nearby properties. New single- and two (2) family residential uses and other noncommercial uses, except as otherwise provided in this chapter, are not permitted in this zone as principal uses because it is intended that land classified in this zone be reserved for commercial purposes, and because a commercial zone is not suited to the uses excluded above.***

**Findings:** The proposed rezone area is surrounded by a commercial office/warehouse with outdoor storage to the west, residential uses to the north and east, and a commercial center, known as Swanson Square to the south across First Avenue. The current zoning, CG prohibits single-family and two-family residential uses unless it is a secondary use according to the land use table found in KMC Section 14.22.010 as shown below (highlighted in yellow).

**LAND USE TABLE**

KEY: P = Principal Permitted Use  
 C = Conditional Use  
 S = Secondary Use  
 N = Not Permitted

NOTE: Reference footnotes on following pages for additional restrictions

<b>ZONING DISTRICTS</b>																	
<b>LAND USES</b>	<b>ALI</b>	<b>C</b>	<b>RR</b>	<b>RR-1</b>	<b>RS</b>	<b>RS-1</b>	<b>RS-2</b>	<b>RU</b>	<b>CC</b>	<b>CG</b>	<b>IL</b>	<b>IH</b>	<b>ED</b>	<b>R</b>	<b>TSH</b>	<b>LC</b>	<b>CMU</b>
<b>RESIDENTIAL</b>																	
One-Family Dwelling	N	C <sup>18</sup>	P	P	P	P	P	P	P <sup>21</sup>	S <sup>1</sup>	S <sup>2</sup>	S <sup>2</sup>	C <sup>22</sup>	P	P	P	S <sup>1</sup> /C <sup>21</sup>
Two-, Three-Family Dwelling	N	C <sup>18</sup>	P	P	P	P	P	P	P <sup>21</sup>	S <sup>1</sup>	C	C	C <sup>22</sup>	P	P	P	S <sup>1</sup> /C <sup>21</sup>
Four-Family Dwelling	N	C <sup>18</sup>	P	C <sup>3,29</sup>	P	N	N	P	P <sup>21</sup>	S <sup>1</sup>	C	C	C <sup>22</sup>	N	P	C	S <sup>1</sup> /C <sup>21</sup>
Five-, Six-Family Dwelling	N	C <sup>18</sup>	C <sup>3</sup>	N	P	N	N	P	P <sup>21</sup>	S <sup>1</sup>	C	C	N	N	P	C	S <sup>1</sup> /C <sup>21</sup>
Seven- or More Family Dwelling	N	C <sup>18</sup>	C <sup>3</sup>	N	C <sup>3</sup>	N	N	P	P <sup>21</sup>	S <sup>1</sup>	C	C	N	N	P	C	S <sup>1</sup> /C <sup>21</sup>

Footnotes:

**1** Allowed as a secondary use except on the ground floor of the part of the building fronting on collector streets and major highways. Commercial or industrial which falls under the landscaping/site plans requirements of KMC Chapter 14.25 shall include any secondary uses in the landscaping and site plans.

In addition, CG zone allows for the widest range of commercial and industrial uses compared to other commercial zoning districts. The existing CG zone is not a compatible land use for this area since there are existing residential uses to the north and east of the proposed rezone area and an existing single-family dwelling in the proposed rezone area. While the site plan/landscaping review is intended to provide adequate buffers, transitions, and impacts between commercial/industrial uses and residential uses, this could be further implemented through a suitable zoning designation. The intent of the CG zone is not compatible with the existing residential uses in the adjacent RS zoning district to the north and east. There are other restrictive commercial zoning districts that allows residential use as a principal use but it would provide a disconnect between the existing CG zone to the west of the proposed rezone area.

The proposed zoning is Suburban Residential (SR) and the intent as outlined in KMC Section 14.20.090 states the following:

*The RS Zone is intended to provide for medium density residential development in areas which will be provided with common utility systems. The specific intent in establishing this zone is:*

- (1) To separate residential structures to an extent which will allow for adequate light, air, and privacy;*
- (2) To prohibit uses which would:*
  - (A) Violate the residential character of the environment;*
  - (B) Generate heavy traffic in predominantly residential areas.*

**Findings:** The rezone to RS zone would increase the adjacent RS zoning district, which it is anticipated that it would be developed in junction with the surrounding residential uses to the north and east. Therefore, minimizing potential impacts of commercial development on existing residential uses. As noted by the applicants, there is a need for additional housing and this rezone would allow for residential uses without going through additional planning processes.

**Comprehensive Plan – Land Use Classification**

The existing land use classification is Mixed-Use and the intent as outlined in the *Imagine Kenai 2030 Comprehensive Plan* (“Comprehensive Plan”) states the following:

*Mixed use is intended for a compatible mix of residential, retail, service, office, public, institutional and recreational uses. Uses are co-located in an integrated way that supports sustainable forms of transport such as public transport, walking and biking, and increases neighborhood amenities. Compatibility issues are addressed through careful site layout and building design.*

**Findings:** The existing land use classification states a compatible mix of residential and commercial uses. It is anticipated that this area will become residential uses. In the RS zone, several commercial uses are permitted subject to a Conditional Use Permit (see attached Land Use Table). The proposed rezone to RS zone would be consistent with the Mixed-Use land use classification as identified in the Comprehensive Plan. Therefore, an amendment to the land use map in the Comprehensive Plan is not required. During the 2016 Comprehensive

Plan update, City Council passed Ordinance No. 2908-2016, approving and adopting a revised 2030 Comprehensive Plan updated in 2016, which shows that the draft land use plan map included in the Ordinance packet but it was not carry into the final version of the Comprehensive Plan (see attached draft Land Use Plan map). This is important to note the correct land use classification because it determines whether an amendment to the Comprehensive Plan is required. If it was classified as General Commercial as it is shown in the final version, then the City would need to make the findings for the Comprehensive Plan amendment in addition to the rezone of the zoning district.

The Comprehensive Plan supports this rezoning in the following identified goal:

*Goal 1 – Quality of Life: Promote and encourage quality of life in Kenai.*

- *Q-4: Promote the siting and design of land uses that are in harmony and scale with surrounding uses.*

**Findings:** The proposed rezone to RS would align with the current low to medium density residential character of the neighborhood.

**Existing Use**

In the proposed rezone area, the only existing principal use is a single-family dwelling on the property located at 1206 First Avenue, which is adjacent to the storage yard for the commercial office/warehouse in the northwest corner of N. Spruce Street and First Avenue.

**Findings:** The proposed rezone to RS zone would make the existing single-family dwelling compliant with the zoning district. Under the existing CG zone, the existing residence is considered a non-conforming use since residential use is not permitted to be a principal use. Therefore, any expansions or alterations of the residence would be subject to KMC Section 14.20.050 *Nonconforming lots, structures, and uses.*

**PUBLIC NOTICE**

Pursuant to Kenai Municipal Code 14.20.280 notices of the public hearing for the rezone were mailed to property owners within a three hundred-foot (300') periphery of the subject properties. City staff published notice of the public hearing in the *Peninsula Clarion*, and notification was posted.

No public comments have been received as-of-date.

This rezone request was previously advertised as a public hearing for Planning & Commission meeting held on October 25, 2023. Due to discrepancies discovered by Planning staff, a staff report and resolution was not included in the packet. Therefore, no action was taken at the public meeting. However, due to the advertisement of the proposal as a public hearing, public testimony was opened and the applicant, Nancy Wiles was present to support the rezone request. In addition, Mr. Keith Shaffer, resident at 104 Birch Street was in support of the rezone to residential.

**STAFF RECOMMENDATION**

Based on the findings and analysis in this staff report, Staff recommends the Planning & Zoning Commission recommend approval of the rezone request for the properties located at 1202, 1204, and 1206 First Avenue and 103 Birch Street from General Commercial (CG) to Suburban

Residential (RS) zoning district. Planning & Zoning Commission's recommendation will be forwarded to City Council for consideration.

## ATTACHMENTS

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- Zoning Map
- Application Materials
  - Application
  - Letter of Intent
  - Aerial Map
  - Petition Signature List
- KMC 14.22.010 Land Use
- Table Draft Land Use Plan Map



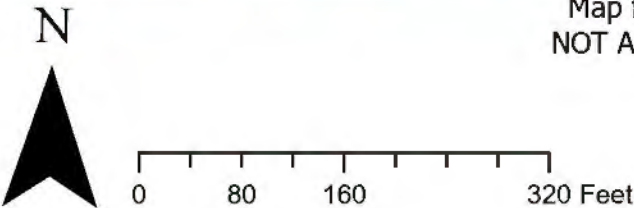
**Resolution PZ2023-19  
Rezone from CG to RS  
1202, 1204, and 1206 First Avenue  
And 103 Birch Street**



Source: Esri, Maxar, Earth\*

Date Printed: 11/8/2023

Map for Reference Only  
NOT A LEGAL DOCUMENT



RECEIVED

CITY OF KENAI

City of Kenai  
Planning and Zoning Department  
210 Fidalgo Avenue  
Kenai, AK 99611  
(907) 283-8200  
planning@kenai.city  
www.kenai.city/planning



# Rezoning Application

SEP 18 2023

Planning & Zoning

By: *AM*

### PETITIONER

Name:	Nancy & Michael Wiles, Ken Dunbar						
Mailing Address:	[REDACTED]	City:	[REDACTED]	State:	[REDACTED]	Zip Code:	[REDACTED]
Phone Number(s):	SEE ATTACHED						
Email:	[REDACTED]						

### PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (s):	[REDACTED]
Physical Address:	SEE ATTACHED
Legal Description:	[REDACTED]

### ZONING INFORMATION

Present Zone:	Central Commercial
Proposed Zone:	Suburban Residential
Intended Use and/or Reason for Rezoning (attach additional sheets if necessary):	[REDACTED]

SEE ATTACHED

### AMENDMENT PROCEDURE REQUIREMENTS

The area proposed to be rezoned contains a minimum of 1 acre (excluding street or alley rights-of-way), unless the amendment enlarges an adjacent zoning district boundary.	<input checked="" type="checkbox"/> YES
This proposed amendment to the zoning ordinance is not substantially the same as any other unapproved proposed amendment submitted within the previous 9 months.	<input checked="" type="checkbox"/> YES
I understand a public hearing is required as outlined in the Kenai Zoning Code, a \$250 fee is required (\$265 total after tax), and that this application will be reviewed following Kenai City Code 14.20.270, available at kenai.municipal.codes/KMC/14.20.270.	<input checked="" type="checkbox"/> YES
I have included a map of the proposed rezone area and applicable signatures.	<input checked="" type="checkbox"/> YES

The proposed Zoning Code and Official Zoning Map Amendments is initiated by (check one):

- Kenai City Council
- Kenai Planning & Zoning Commission
- Petition of majority of the property owners in the area to be rezoned
- Petition bearing the signatures of 50 registered voters within the City of Kenai
- Petition as provided by the Home Rule Charter of the City of Kenai

### PETITIONER'S SIGNATURE

Signature:	<i>Nancy L Wiles</i> <i>Ken Dunbar</i>		
Printed Name:	Nancy L Wiles	Ken Dunbar	Date: 09/18/2023

For City Use Only

Date Application Fee Received:  
PZ Resolution Number:

# Rezoning Application

Nancy & Michael Wiles

1206 First Avenue

Kenai, AK 99611

(907) 398-6613

[nlwiles@hotmail.com](mailto:nlwiles@hotmail.com)

Ken Dunbar

P.O. Box 969

Kenai, AK 99611

(907) 947-3000

[kdunbar@dunbarandsons.com](mailto:kdunbar@dunbarandsons.com)

**Kenai Peninsula Borough Parcel Numbers/Physical Address/Legal Description:**

04317028     1202 First Ave T 6N R 11W SEC 31 Seward Meridian KN 0850055  
Letzring 1985 SUB OF GOVT LOT 169 LOT 1

04317029     1206 First Ave T 6N R 11W SEC 31 Seward Meridian KN 0850055  
Letzring 1985 SUB OF GOVT LOT 169 LOT 2

04317030     1204 First Ave T 6N R 11W SEC 31 Seward Meridian KN 0850055  
Letzring 1985 SUB OF GOVT LOT 169 LOT 3

04317013     103 Birch St    T 6N R 11W SEC 31 Seward Meridian KN GOVT LOT 170

**Intended Use and/or Reason for Rezoning:**

As property owners of the above lots, we request they be rezoned from Central Commercial to Suburban Residential. It is our belief that the community is better served with additional affordable housing rather than commercial use in this area. As attested by the 56 neighborhood signatures (as well as our two), our neighbors agree and wish to have homes built in this area. Rezoning to SR would bring this section of the block into alignment with the current neighborhood.

Mr. Dunbar wishes to subdivide and build four single family homes on the 103 Birch St. lot. The City would benefit from having the additional tax base of the completed homes, as well as the income from water and sewer utilities. The community would benefit by having affordable rental properties in a convenient location.

The Wiles originally purchased 1202 and 1204 First Ave. in order to be able to gift or sell a lot to each of their children in order to build a home or cabin. There is the potential of two more homes being built. They have lived in the home at 1206 First Avenue since 1985.



# 1202, 1204, 1206 1st Ave & 103 Birch St



### Legend

- Mileposts
- City Limits
- Highways
- Major Roads
- Roads
  - Town Medium Volume
  - Town Low/Seasonal; Other Proceed
- Parcels
- Image
  - Red: Red
  - Green: Green
  - Blue: Blue



### Notes

Enter map notes here.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. Do not use for navigation.

DATE PRINTED: 9/12/2023

**Subject Matter:** We petition the City of Kenai to Amend the Kenai Zoning Code and the Official Map for Property at the corner of Birch Street and First Avenue. (Government lot 170 and Letzring Subdivision, formerly Government lot 169)

The property at 1202, 1204, 1206 First Avenue and the adjoining lot at 103 Birch Street are currently zoned General Commercial. We request this land be rezoned to Suburban Residential to bring it into alignment with the majority of the surrounding area. We welcome the opportunity to have more homes built in our neighbourhood, and see no need for commercial property at this site as there is plenty of land zoned commercial in more appropriate areas of Kenai.

Name: PAUL E SARKS  
Address: 110 Birch St.  
Signature: Paul E Sarks  
1


Name: KEITH SHAFER  
Address: 104 Birch St.  
Signature: Keith Shafer  
2

Name: SHIRLEY R FARRIS  
Address: 104 BIRCH ST.  
Signature: Shirley R. Farris  
3

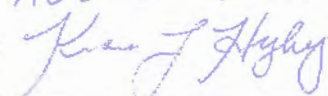
Name: Victoria Bower  
Address: 111 Birch St, Kenai AK  
Signature: Victoria Bower  
4

Name: Dan McKinnon  
Address: 1211 1st Ave  
Signature: Dan McKinnon  
5

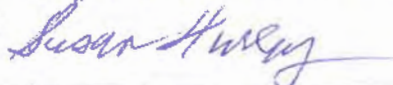
**Subject Matter:** We petition the City of Kenai to Amend the Kenai Zoning Code and the Official Map for Property at the corner of Birch Street and First Avenue. (Government lot 170 and Letzring Subdivision, formerly Government lot 169)

Name: Gerry Sipes  
Address: 310 North Spruce St Kenai, AK 99611  
Signature: 

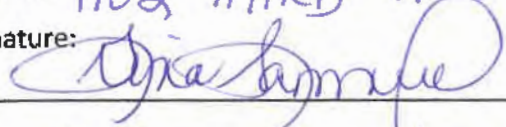
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Name: Krana Hughey  
Address: 1103 2nd Avenue Kenai AK 99611  
Signature: 

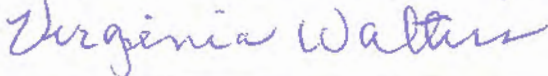
7

Name: Sasanthurley  
Address: 209 Floer Ave Kenai AK 99611  
Signature: 

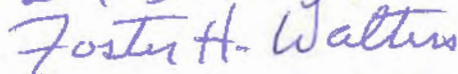
8

Name: Gina Samuel  
Address: 1102 THIRD AVE. Kenai  
Signature: 

9

Name: Virginia Walters  
Address: 214 Birch St. Kenai  
Signature: 

10

Name: Foster H Watley  
Address: 214 Birch Street  
Signature: 

11

**Subject Matter:** We petition the City of Kenai to Amend the Kenai Zoning Code and the Official Map for Property at the corner of Birch Street and First Avenue. (Government lot 170 and Letzring Subdivision, formerly Government lot 169)

Name: *Sandra Esteban*  
Address: *212 Birch St.* Mail *35555 Kenai Spur #176*  
Signature: *Sandra Esteban* Soldatna 99069  
12

Name: *NANETTE DAIGLE*  
Address: *208 BIRCH STREET*  
Signature: *[Handwritten Signature]*  
13

Name: *Fred Perez*  
Address: *204 Birch St*  
Signature: *[Handwritten Signature]*  
14

Name: *BILL LOCKNER*  
Address: *205 BIRCH ST*  
Signature: *[Handwritten Signature]*  
15

Name: *PAM DOMINGUEZ*  
Address: *1204 3rd Ave*  
Signature: *[Handwritten Signature]*  
16

Name: *Eileen Bryson*  
Address: *1205 Third Ave*  
Signature: *Eileen Bryson* Kenai, Alaska  
17

# PETITION TO REZONE

**Subject Matter:** We petition the City of Kenai to Amend the Kenai Zoning Code and the Official Map for Property at the corner of Birch Street and First Avenue. (Government lot 170 and Letzring Subdivision, formerly Government lot 169)

Name: Robert Springer  
Address: 1206 Third Ave.  
Signature: Robert Springer

18

Name: Darla Springer  
Address: 1206 Third Ave.  
Signature: Darla R. Springer

19

Name: CHARLES KAHAKAWILA  
Address: 1202 DORENDA CT.  
Signature: Charles Kahakawila

P.O. Box 1391  
Kenai

20

Name: Ivy Hanson  
Address: 3017 Bree Ave.  
Signature: Ivy Hanson

21

Name: Trent Hanson  
Address: 3017 Bree Ave  
Signature: Trent Hanson

22

Name: Glenn Q. Hanson  
Address: 309 BIRCH ST.  
Signature: Glenn Q. Hanson

23

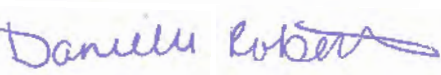


PETITION TO REZONE

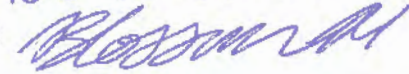
**Subject Matter:** We petition the City of Kenai to Amend the Kenai Zoning Code and the Official Map for Property at the corner of Birch Street and First Avenue. (Government lot 170 and Letzring Subdivision, formerly Government lot 169)

Name: Ryan Holmes  
Address: 34 Birch  
Signature:   
24

Name: Ron Holmes  
Address: 311 BIRCH ST  
Signature: Ron Holmes  
25

Name: Danielle Robertson  
Address: 402 Birch St.  
Signature:   
26

Name: Allen Koerber  
Address: 402 Birch St  
Signature:   
27

Name: Blossom McGahan  
Address: 406 Birch St  
Signature:   
28

Name: Charlene McGahan  
Address: 406 Birch St  
Signature:   
29

**Subject Matter:** We petition the City of Kenai to Amend the Kenai Zoning Code and the Official Map for Property at the corner of Birch Street and First Avenue. (Government lot 170 and Letzring Subdivision, formerly Government lot 169)

Name: Rob Cotton #  
Address: 408 Birch ST - Kenai  
Signature: Rob Cotton #  
30

Name: Roberta Oskoloff  
Address: Box 266  
Signature: Roberta Oskoloff  
31

Name: Teea Winger  
Address: 1111 5th Ct. Kenai, AK 99611  
Signature: Teea Winger  
32

Name: MALCOLM MCBRIDE  
Address: 1111 FID CT KENAI  
Signature: Malcolm McBride  
33

Name: Naomi Rump  
Address: 1205 Street Kenai  
Signature: Naomi Rump  
34

Name: JEANNE REVEAL  
Address: 415 BEACH ST.  
Signature: Jeanne Reveal  
35

**Subject Matter:** We petition the City of Kenai to Amend the Kenai Zoning Code and the Official Map for Property at the corner of Birch Street and First Avenue. (Government lot 170 and Letzring Subdivision, formerly Government lot 169)

Name: GLENNA M. SWEARINGEN  
Address: 107 BIRCH ST  
Signature: Glenna M Swearingen 36

Name: Virginia Shook  
Address: 1109 Third Ave Kenai, AK. 99611  
Signature: Virginia Shook 37

Name: Trixie Spicer  
Address: 1206 4<sup>th</sup> Ave.  
Signature: Trixie Spicer 38

Name: Robert Robinson  
Address: 1206 4<sup>th</sup> Ave.  
Signature: Robert W Robinson 39

Name: Charles Pinkerton  
Address: 1203 4<sup>th</sup> Ave, Kenai AK 99611  
Signature: Charles Pinkerton 40

Name: Cathleen (Cookie) Pinkerton  
Address: 1203 4<sup>th</sup> Ave. Kenai, AK.  
Signature: Cathleen Pinkerton 41

PETITION TO REZONE

**Subject Matter:** We petition the City of Kenai to Amend the Kenai Zoning Code and the Official Map for Property at the corner of Birch Street and First Avenue. (Government lot 170 and Letzring Subdivision, formerly Government lot 169)

Name: *Lanae McQuillin*  
Address: *313 Cindy Cir, Kenai AK 99611*  
Signature: *Lanae McQuillin*

42

Name: *Jackie Gonaci*  
Address: *311 Cindy Circle*  
Signature: *J Gonaci*

43

Name: *Cynthia Yarnes*  
Address: *316 Cindy Circle Kenai AK*  
Signature: *Cynthia Yarnes*

44

Name: *Erick L Yarnes*  
Address: *310 Cindy Circle Kenai AK*  
Signature: *ERICK L YARNES*

45

Name: *Romona L. Morey*  
Address: *312 Cindy Cir KENAI, AK*  
Signature: *Romona L Morey*

46

Name: *MATT MOREY*  
Address: *312 CINDY CIR KENAI*  
Signature: *Matt Morey*

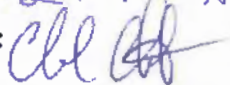
47


**Subject Matter:** We petition the City of Kenai to Amend the Kenai Zoning Code and the Official Map for Property at the corner of Birch Street and First Avenue. (Government lot 170 and Letzring Subdivision, formerly Government lot 169)


Name: Verna Lea Isham  
Address: 1210 4th Avenue Kenai, AK 99611  
Signature:  48

Name: WARREN ISHAM  
Address: 1210 FOURTH AVE KENAI AK 99611  
Signature:  49

Name: Rocco Sangiovanni  
Address: 1212 4th Ave, Kenai AK  
Signature:  50

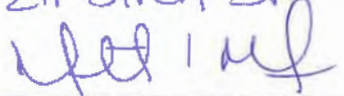
Name: Charla Cobb  
Address: 1211 4th Ave Kenai, AK  
Signature:  51

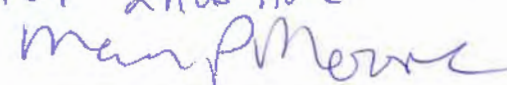
Name: Nicole Cobb  
Address: 1211 4th Ave Kenai, AK  
Signature:  52

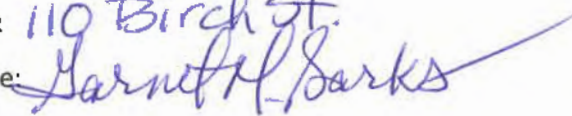
Name: WADE MORGAN  
Address: 211 BIRCH ST. KENAI, AK  
Signature:  53

PETITION TO REZONE

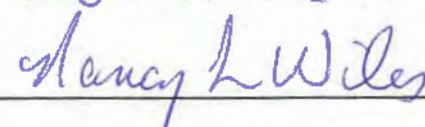
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Name: Martha L. Mounier  
Address: 211 Birch St.  
Signature:  54


Name: Mary Moore  
Address: 1107 2nd Ave  
Signature:  55

Name: Garnet Sarks  
Address: 110 Birch St.  
Signature:  56

Person lodging this petition is:

Name: Nancy Wiles  
Address: 1206 First Ave Kenai AK 99611  
Signature: 

Person lodging this petition is:

Name: Kenneth L. Dunbar  
Address: P.O. Box 969 Kenai AK 99611  
Signature: 

**14.22.010 Land use table.**

**LAND USE TABLE**

KEY: P = Principal Permitted Use  
 C = Conditional Use  
 S = Secondary Use  
 N = Not Permitted

NOTE: Reference footnotes on following pages for additional restrictions

<b>ZONING DISTRICTS</b>																	
<b>LAND USES</b>	<b>ALI</b>	<b>C</b>	<b>RR</b>	<b>RR-1</b>	<b>RS</b>	<b>RS-1</b>	<b>RS-2</b>	<b>RU</b>	<b>CC</b>	<b>CG</b>	<b>IL</b>	<b>IH</b>	<b>ED</b>	<b>R</b>	<b>TSH</b>	<b>LC</b>	<b>CMU</b>
<b>RESIDENTIAL</b>																	
One-Family Dwelling	N	C <sup>18</sup>	P	P	P	P	P	P	P <sup>21</sup>	S <sup>1</sup>	S <sup>2</sup>	S <sup>2</sup>	C <sup>22</sup>	P	P	P	S <sup>1</sup> /C <sup>21</sup>
Two-, Three-Family Dwelling	N	C <sup>18</sup>	P	P	P	P	P	P	P <sup>21</sup>	S <sup>1</sup>	C	C	C <sup>22</sup>	P	P	P	S <sup>1</sup> /C <sup>21</sup>
Four-Family Dwelling	N	C <sup>18</sup>	P	C <sup>3,29</sup>	P	N	N	P	P <sup>21</sup>	S <sup>1</sup>	C	C	C <sup>22</sup>	N	P	C	S <sup>1</sup> /C <sup>21</sup>
Five-, Six-Family Dwelling	N	C <sup>18</sup>	C <sup>3</sup>	N	P	N	N	P	P <sup>21</sup>	S <sup>1</sup>	C	C	N	N	P	C	S <sup>1</sup> /C <sup>21</sup>
Seven- or More Family Dwelling	N	C <sup>18</sup>	C <sup>3</sup>	N	C <sup>3</sup>	N	N	P	P <sup>21</sup>	S <sup>1</sup>	C	C	N	N	P	C	S <sup>1</sup> /C <sup>21</sup>
Mobile Home Parks <sup>6</sup>	N	N	C	N	C	C	C	C	C	C	C	C	N	C	N	N	C
Planned Unit Residential Development <sup>7</sup>	N	C <sup>18</sup>	C	C <sup>29</sup>	C	C	C	C	C	C	C	C	N	C	C	C	C
Townhouses <sup>4</sup>	N	C <sup>18</sup>	C <sup>3</sup>	C <sup>3,29</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C	C	C	C	C <sup>22</sup>	C	C	C	C
Accessory Building on Parcel Without Main Building or Use (See	N	N	C	C	C	C	C	C	N	N	N	N	N	N	C	N	N

KMC <a href="#">14.20.200</a> )																		
<b>COMMERCIAL</b>																		
Airport Compatible Uses	P	N	N	N	N	N	N	N	C	C	C	C	N	N	N	C	C	
Adult Businesses	N	N	N	N	N	N	N	N	P <sup>31</sup>	P <sup>31</sup>	P <sup>31</sup>	P <sup>31</sup>	N	N	N	N	N	
Automotive Sales	C	N	C	N	N	N	N	C	P	P	P	P	N	N	N	N	P	
Automotive Service Stations	C	N	C	N	N	N	N	C	P	P	P	P	N	C	N	N	P	
Banks	C	N	C	N	C	N	N	C	P	P	P	C	N	C	C	C	P	
Business/Consumer Services	C	N	C	C	C	N	N	C	P	P	P	C	N	C	C	C	P	
Commercial Recreation	N	N	C	N	C	N	N	C	P	P	C	C	N	P	C	C	P	
Guide Service	C	N	C	N	C	N	N	C	P	P	P	P	N	P	P	C	P	
Hotels/Motels	C	N	C	N	C	N	N	C	P	P	P	C	N	C	P	C	P	
Lodge	C	N	C	N	C	N	N	C	P	P	P	C	N	P	P	C	P	
Marijuana Cultivation Facility, Limited <sup>30</sup>	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	N	
Marijuana Cultivation Facility, Standard <sup>30</sup>	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	N	
Marijuana Product Manufacturing Facility <sup>30</sup>	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	N	N	
Marijuana Testing Facility <sup>30</sup>	N	N	N	N	N	N	N	N	C	C	P	P	N	N	N	C	C	
Professional Offices	C	N	C	C	C	N	N	P	P	P	P	P	N	C	P	P	P	



Restaurants	C	N	C	N	C	N	N	C	P	P	P	C	N	C	C	C	P
Retail Business	C	N <sup>26</sup>	C	N	C	N	N	C	P	P	P	P	S <sup>24</sup>	S <sup>24</sup>	C	C	P
Retail Marijuana Store <sup>30</sup>	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	C
Theaters	N	N	C	N	C	N	N	C	P	P	C	C	N	P	C	C	P
Wholesale Business	C	N	C	N	C	N	N	C	C	P	P	P	N	S <sup>24</sup>	C	C	N
<b>INDUSTRIAL</b>																	
Airports	C	p <sup>20</sup>	C	N	C	N	N	C	C	C	C	C	N	C	N	N	C
Necessary Aviation Facilities	P	P	C	C	C	C	C	C	P	P	P	P	C	P	C	P	P
Automotive Repair	P	N	C	N	C	N	N	C	P	P	P	P	N	N	N	N	P
Gas Manufacturer/Storage	C <sup>9</sup>	N	N	N	C	N	N	N	N	N	C <sup>9</sup>	C <sup>9</sup>	N	N	N	N	N
Manufacturing/Fabricating/Assembly	P	N	C	N	C	N	N	C	C	P	P	P	N	C	C	N	C
Mini-Storage Facility	C	N	C	N	C	N	N	C	C	P	P	P	N	N	N	C	C
Storage Yard	C	N	C	N	C	N	N	C	C	P	P	P	N	N	N	N	C
Warehouses	C	N	C	N	C	N	N	C	N	P	P	P	N	C	N	N	N
<b>PUBLIC/INSTITUTIONAL</b>																	
Assisted Living	N	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Churches*	N	C	p <sup>10</sup>	p <sup>10</sup>	p <sup>10</sup>	p <sup>10</sup>	p <sup>10</sup>	p <sup>10</sup>	p <sup>10</sup>	p <sup>10</sup>	C	C	P	p <sup>10</sup>	P	P	P
Clinics	N	C	C	N	C	C	C	C	P	P	P	C	C	C	C	P	P

Colleges*	N	C	C	C <sup>29</sup>	C	C	C	C	P	P	C	C	P	C	C	C	P
Elementary Schools*	N	C	C	C <sup>29</sup>	C	C	C	C	P	P	C	C	P	C	C	C	P
Governmental Buildings	P	C	C	C <sup>29</sup>	C	C	C	C	P	P	P	C	P	C	C	P	P
High Schools*	N	C	C	C <sup>29</sup>	C	C	C	C	P	P	C	C	P	C	C	C	P
Hospitals*	N	C	C	N	C	C	C	C	P	P	P	C	C	C	C	C	P
Libraries*	N	C	C	C <sup>29</sup>	C	C	C	C <sup>12</sup>	P	P	P	C	P	C	P	C	P
Museums	C	C	C	C <sup>29</sup>	C	C	C	C	P	P	P	C	P	C	P	C	P
Parks and Recreation	N	P	C	C <sup>29</sup>	C	C	C	C	P	P	P	P	P	P	P	C	P
<b>MISCELLANEOUS</b>																	
Animal Boarding/Commercial Kennel <sup>13</sup>	C	C	C	N	C	C	N	N	C	C	C	C	N	C	N	C	C
Assemblies <sup>15</sup> (Large: Circuses, Fairs, etc.)	P	C	C	N	C	C	C	C	p <sup>15</sup>	p <sup>15</sup>	p <sup>15</sup>	p <sup>15</sup>	p <sup>15</sup>	C	P	N	p <sup>15</sup>
Bed and Breakfasts	N	C	C	C	C	C	C	C	C	C	C	C	N	P	C	C	P
Cabin Rentals	N	C	C	N	C	N	N	N	P	P	P	C	N	P	P	C	P
Cemeteries	P	C	C	N	C	N	N	N	N	C	C	C	N	C	C	N	N
Communications Towers and Antenna(s), Radio/TV Transmitters/Cell Sites** <sup>28</sup>	C	P	C	N	C	C	C	C	P	P	P	P	P	C	C	C	C
Crematories/Funeral Homes	N	N	C	N	C	N	N	C	C	C	C	C	N	C	C	C	C

Day Care Centers <sup>12</sup>	N	C	C	C <sup>29</sup>	C	C	C	C	P	P	P	C	C	C	C	P	P
Dormitories/Boarding Houses	N	C	C	N	C	C	C	P	P <sup>21</sup>	S	C	P	P <sup>23</sup>	C	C	C	P
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Farming/General Agriculture***	N	P	P	N	N	N	N	N	N	N	N	P	N	P	N	N	N
Fraternal Organizations/ Private Clubs/Social Halls and Union Halls	N	N	C	N	C	C	C	C	P	P	P	C	N	C	P	C	P
Greenhouses/Tree Nurseries <sup>13</sup>	N	C	C	N	C	C	C	C	P	P	P	C	N	C	C	C	P
Gunsmithing, Taxidermy	N	N	C	C	C	C	C	C	P	P	P	P	N	C	P	P	P
Nursing, Convalescent or Rest Homes	N	N	C	N	C	C	C	C	P	P	C	C	C	C	C	C	P
Parking, Public Lots <sup>12</sup>	C	C	C	N	C	C	C	C	C	C	C	C	C	C	C	C	C
Personal Services <sup>25</sup>	N	C	C	N	C	C	C	C	P	P	P	P	C	C	P	P/C <sup>27</sup>	P
Recreational Vehicle Parks	N	C	C	N	C	N	N	C	C	C	C	C	N	C	C	N	C
Subsurface Extraction of Natural Resources <sup>16</sup>	C	C	C	C	C	C	C	C	C	C	C	C	N	C	N	N	N
Surface Extraction of Natural Resources <sup>17</sup>	C	C	C	N	C	N	N	C	N	C	C	C	N	C	N	N	N

\* See 42 U.S.C. Sec. 2000cc (Religious Land Use and Institutionalized Persons Act of 2000)

\*\* See 42 U.S.C. Telecommunications Act of 1996, Sec. 704(a)

\*\*\* See, however, the limitations imposed under KMC [3.10.070](#)

Footnotes:

- 1** Allowed as a secondary use except on the ground floor of the part of the building fronting on collector streets and major highways. Commercial or industrial which falls under the landscaping/site plans requirements of KMC Chapter [14.25](#) shall include any secondary uses in the landscaping and site plans.
- 2** One (1) single-family residence per parcel, which is part of the main building.
- 3** Allowed as a conditional use, subject to satisfying the following conditions:
  - a** The usable area per dwelling unit shall be the same as that required for dwelling units in the RS Zone;
  - b** The site square footage in area must be approved by the Commission;
  - c** Yards around the site, off-street parking, and other development requirements shall be the same as for principal uses in the RR Zone;
  - d** Water and sewer facilities shall meet the requirements of all applicable health regulations;
  - e** The proposed dwelling group will constitute a residential area of sustained desirability and stability, will be in harmony with the character of the surrounding neighborhood, and will not adversely affect surrounding property values;
  - f** The buildings shall be used only for residential purposes and customary accessory uses, such as garages, storage spaces, and recreational and community activities;
  - g** There shall be provided, as part of the proposed development, adequate recreation areas to serve the needs of the anticipated population;
  - h** The development shall not produce a volume of traffic in excess of the capacity for which the access streets are designed;
  - i** The property adjacent to the proposed dwelling group will not be adversely affected.
- 4** See "Townhouses" section.
- 5** See "Mobile Homes" section.
- 6** Allowed as a conditional use, subject to "Mobile Homes" section; and provided, that any mobile home park meets the minimum Federal Housing Authority requirements.
- 7** See "Planned Unit Residential Development" section.
- 8** Allowed as a conditional use; provided, that the proposed location and the characteristics of the site will not destroy the residential character of the neighborhood.
- 9** Allowed as a conditional use; provided, that all applicable safety and fire regulations are met.
- 10** Provided, that no part of any building is located nearer than thirty (30) feet to any adjoining street or property line.

**11** Allowed as a conditional use; provided, that no part of any building is located nearer than thirty (30) feet to any adjoining street or property line; and provided further, that the proposed location and characteristics of the use will not adversely affect the commercial development of the zone.

**12** Allowed as a conditional use; provided, that the following conditions are met:

**a** The proposed location of the use and the size and characteristics of the site will maximize its benefit to the public;

**b** Exits and entrances and off-street parking for the use are located to prevent traffic hazards on public streets.

**13** Allowed as a conditional use; provided, that setbacks, buffer strips, and other provisions are adequate to assure that the use will not be a nuisance to surrounding properties. The Commission shall specify the conditions necessary to fulfill this requirement. Animal boarding and commercial kennels require a kennel license (see KMC Chapter [3.15](#)).

**14** Allowed as a conditional use; provided, that no indication of said use is evident from the exterior of the mortuary.

**15** Allowed; provided, that the following conditions are met:

**a** An uncleared buffer strip of at least thirty (30) feet shall be provided between said use and any adjoining property in a residential zone.

**b** Exits and entrances and off-street parking for the use shall be located to prevent traffic hazards on the public streets.

**16** See "Conditional Uses" section.

**17** See "Conditional Use Permit for Surface Extraction of Natural Resources" section.

**18** **Conditional use allowed only on privately held property.** Not allowed on government lands.

**19** Reserved.

**20** The airport-related uses allowed under this entry are aircraft approach and departure zones pursuant to KMC [14.20.070\(a\)](#), except that for properties contained inside the airport perimeter fence or having access to aircraft movement areas, taxiways or parking aprons, FAA authorized uses are allowed.

**21** Developments for use shall be the same as those listed in the Development Requirements Table for the RU/TSH Zones.

**22** **Allowed as a conditional use in conjunction with a permitted use in the ED Zone.** For example, housing for teachers or students for a school in the zone.

**23** **Allowed as an accessory use in conjunction with a permitted use in the ED Zone.** For example, a dormitory used to house students for a school or educational facility.

**24** Retail businesses allowed as a secondary use in conjunction with the primary use (e.g., a gift shop or coffee shop within another business).

**25** Art studios, barbers, beauticians, tattoo parlors, dressmakers, dry cleaners and self-service laundries, fitness centers, photographic studios, tailors, tanning salons and massage therapists.

**26** Food services are allowed on a temporary or seasonal basis of not more than four (4) months per year.

**27** Personal services not set forth in the below matrix are conditional uses.

<b>Limited Commercial Zone</b>		
<b>Personal Services</b>	<b>Permitted (P)</b>	<b>Conditional Use (C)</b>
Art Studios	X	
Barbers	X	
Beauticians	X	
Dressmakers	X	
Dry Cleaners		X
Fitness Centers	X	
Massage Therapist		X
Photographic Studios	X	
Self-Service Laundries		X
Tailors	X	
Tanning Salons	X	
Tattoo Parlors		X

**28** Communications tower/antenna(s) allowed as a principal permitted (P) use if the applicable conditions set forth in KMC [14.20.255](#) are met or a conditional use (C) if the applicable conditions set forth in KMC [14.20.150](#) and [14.20.255](#) are met.

**29 Use allowed only for those parcels that abut the Kenai Spur Highway.** The access to any such parcel must be either from: (a) driveway access on the Kenai Spur Highway; or (b) driveway access from a dedicated right-of-way and that driveway access is not more than two hundred seventy-five (275) feet as measured from

the constructed centerline of the Kenai Spur Highway to the center of the driveway access as shown on an as-built drawing/survey of the parcel.

**30** See marijuana regulations, KMC [14.20.230](#)—Home Occupations, [14.20.320](#)—Definitions, [14.20.330](#)—Standards for commercial marijuana establishments.

**31** See KMC [14.20.175](#)—Adult businesses; no adult business may be located within one thousand (1,000) feet of another adult business, or sensitive use. "Sensitive use" means a church or other place of worship, a public or private school (licensed pre-K through twelfth grade) or businesses where or areas where youth are likely to be present (limited to public parks, youth recreational centers, public playgrounds, public libraries).

(Amended during 7-7-99 supplement; Ord. 1862-2000; Amended during 12-1-00 supplement; Ords. 1911-2001, 1938-2001, 1956-2002, 1962-2002, 1990-2003, 1994-2003, 2053-2004, 2081-2005, 2112-2005, 2113-2005, 2144-2006, 2152-2006, 2185-2006, 2195-2006, 2246-2007, 2272-2007, 2403-2009, 2425-2009, 2546-2011, 2610-2012, 2649-2012, 2688-2013, 2784-2014, 2870-2016, 2884-2016, 3025-2018, 3056-2019, 3083-2019 (Substitute), 3363-2023)

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**The Kenai Municipal Code is current through Ordinance 3363-2023, passed July 5, 2023.**

Disclaimer: The City Clerk has the official version of the Kenai Municipal Code. Users should contact the City Clerk for ordinances passed subsequent to the ordinance cited above.

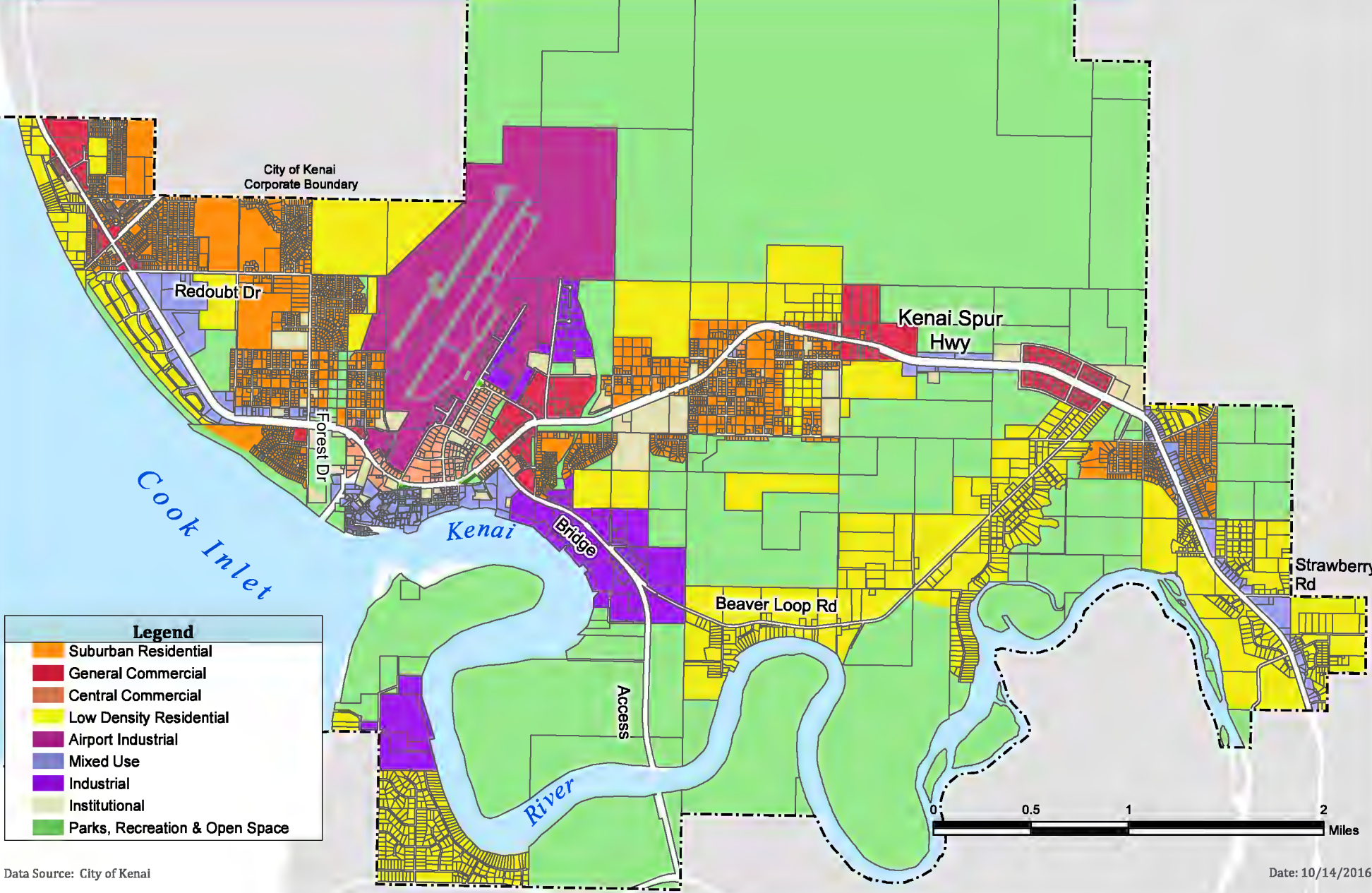
[City Website: www.kenai.city](http://www.kenai.city)

[City Telephone: \(907\) 283-7535](tel:(907)283-7535)

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Map 7. Land Use Plan

2016



Data Source: City of Kenai

Date: 10/14/2016





Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3384-2023**

AN ORDINANCE CANCELLING PREVIOUSLY APPROPRIATED PROJECTS, AUTHORIZING A TRANSFER OF FUNDS FROM THE WASTEWATER FACILITY CAPITAL PROJECT FUND TO THE WATER AND SEWER CAPITAL PROJECT FUND AND APPROPRIATING SUPPLEMENTAL FUNDS FOR THE CONSTRUCTION OF A NEW WATER PUMP HOUSE AT THE CITY’S WATER TREATMENT FACILITY.

WHEREAS, the Water and Sewer Utility’s number one capital priority in the 2024-2028 Capital Plan was construction of a new pumphouse at the Utilities Water Treatment Facility; and,

WHEREAS, construction of the pumphouse was contingent on receiving grant funds; and,

WHEREAS, on August 1, 2023 the City was notified the project was eligible for a \$1,200,000 loan from the Alaska Drinking Water Fund and loan forgiveness of \$1,200,000; and,

WHEREAS, with the assistance of Bond Counsel, it was determined that if the City paid for the cost of construction and then sought reimbursement that the City would not incur debt: and,

WHEREAS, the City has identified other projects which may be canceled to provide the needed funding to pay for the upfront cost of construction; and,

WHEREAS, projects in the Wastewater Facility Capital Project Fund to be canceled include design of a remodel of the Wastewater Facility Operations Building, \$300,000, Wastewater Facility Aeration Basin Recoating, \$90,000, and Wastewater Facility Pump House Recoating, \$40,000; and,

WHEREAS, canceling of the projects in the Wastewater Facility Capital Project Fund will provide for a transfer of \$400,000 to the Water and Sewer Capital Project Fund and the return of \$30,000 to the Water and Sewer Special Revenue Fund; and,

WHEREAS, projects in the Water and Sewer Capital Project Fund to be canceled include the project to design disinfectant generation equipment, \$100,000, and the project for improvements at the utilities Reservoir #1, \$300,000; and,

WHEREAS, the \$400,000 in funds made available from canceling projects in the Water and Sewer Capital Project Fund will be combined with the \$400,000 being transferred from the Wastewater Facility Capital Project Fund, \$400,000 to supplement the \$400,000 previously appropriated for the design of a new pump house for a total project budget of \$1,200,000.

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

**Section 1.** That the following previously appropriated projects in the Wastewater Facility Capital Project Fund are canceled:

1. Wastewater Facility Operations Building Remodel Design	\$300,000
2. Wastewater Facility Aeration Basin Recoating	90,000
3. Wastewater Facility Pump House Recoating	<u>40,000</u>
	<u>\$430,000</u>

**Section 2.** That the following previously appropriated projects in the Water and Sewer Capital Project Fund are canceled:

- 1. Disinfectant Generation Equipment Design \$100,000
- 2. Reservoir #1 Pumphouse Improvement 300,000
- \$400,000

**Section 3.** That the following transfers in the Wastewater Facility Capital Project Fund are authorized:

- Transfer to Water and Sewer Capital Project Fund \$400,000
- Transfer to Water and Sewer Special Revenue Fund 30,000
- \$430,000

**Section 4.** That estimated revenues and appropriations be increased as follows:

Water and Sewer Capital Project Fund:

- Increase/Decrease revenues:
- Appropriation of Fund Balance \$400,000
- Transfer from Wastewater Facility Capital Project Fund 400,000
- \$800,000

- Increase/Decrease expenditures –
- Water Treatment Pumphouse Project – Construction \$800,000

**Section 5.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 3<sup>RD</sup> DAY OF JANUARY, 2024.

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

ATTEST:

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

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

Introduced:	December 20, 2023
Enacted:	January 3, 2024
Effective:	January 3, 2024



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** December 13, 2023  
**SUBJECT:** **Ordinance No. 3384–2023 Water Pump House**

---

The purpose of this memo is to clarify the prioritization of funds in the Water and Sewer Capital Project Funds. As Council has already been informed, the department was successful in applying for and receiving a \$1,200,000 grant in support of our Water Pump House project. This project is intended to resolve a primary deficiency within our water distribution system.

Our city does not have a water tower to provide constant water pressure. Our system is dependent upon pumps to provide and maintain that pressure. These pumps operate off of electricity, and a loss or interruption in power, results in a rapid drop in water pressure. This project will provide a new structure to house multiple new distribution pumps, controls and all appurtenances including back up power.

Preliminary design work had already been completed at the time the water treatment plant was developed a little over a decade ago. This structure did not go forward at that time due to a lack of funding. Those drawings are being updated to todays codes as well as to comply with grant requirements.

Regarding the projects that are being canceled to support this work, the Wastewater Operations Facility remains a high priority and the design for this project will be moved to FY2025 in the upcoming draft of the Capital Improvement Plan. The Disinfectant Generation Equipment and Airport Reservoir project will also move forward at later dates and will be detailed within the upcoming Capital Improvement Plan to reflect the change.

The Aeration Basin Recoating project was intended to be completed with internal department staff. This project has not been able to move forward due to staff time constraints and will be evaluated for a future project to be bid out to contractors. The WWTP Pump House Recoating project was completed, with staff using a small amount of operational funds. The \$40,000 allocated to this work is no longer needed.

Transferring of these funds in support of the Water Pump House Project is in the best interest of the City. The Design work will continue through the winter with an Invitation to Bid tracking for a 2<sup>nd</sup> quarter 2024 release. Council's support is respectfully requested.



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**FROM:** Terry Eubank, City Manager  
**DATE:** December 13, 2023  
**SUBJECT:** **Action/ Approval - Authorizing Memorandum of Agreement with the Kenai Peninsula Borough for Tourism Promotion**

---

Per the attached memo from Joe Rizzo, Kenai Peninsula Borough Communications Director, the Borough Administration would like to promote tourism on the Peninsula but is restricted by provisions of KPB Code which limit tourism promotion to unincorporated areas of the Borough. The Kenai Peninsula Borough has produced a tourism film featuring the cities of Soldotna, Kenai, Homer, and Seward. The proposed Memorandum of Agreement will allow the Borough to work collaboratively with the City in promoting the City for tourism utilizing films, like the one already produced, and other promotional tools

The Administration reviewed the tourism film, and there are no conflicts with the City's current marketing programs. The attached Memorandum of Agreement, does allow the City to withdraw from the Agreement at any time and for any reason, and does not require any financial contribution by the City, has been reviewed and approved by the City Attorney.

If the City Council approves the Memorandum of Agreement, the City Manager will be authorized to execute the Agreement on behalf of the City.

Thank you for your consideration.

### **Attachments**

Memorandum of Agreement  
Memo from Office of Borough Mayor Peter Micciche

## Memorandum of Agreement

Between Kenai Peninsula Borough and the Cities of  
Kachemak, Kenai, Homer, Seldovia, Seward, and Soldotna  
For the Joint Exercise of a Tourism Promotion

This Memorandum of Agreement (hereinafter the “Agreement”) is by and between the Kenai Peninsula Borough, whose address is 144 North Binkley Street, Soldotna, AK 99669, (hereinafter “Borough”) and the participating Cities of Kachemak, Kenai, Homer, Seldovia, Seward, and Soldotna (hereinafter “Cities,” or “City”) whose addresses are included on the signatory page below, for the purpose of intergovernmental joint exercise of tourism promotion (hereinafter “tourism promotion”).

WHEREAS, Article X, Section 13 of the Alaska Constitution authorizes local governments to enter into agreements for the cooperative or joint administration of any function or power, unless otherwise prohibited by law or charter; and

WHEREAS, AS 29.35.010(13) provides authority for the Borough to enter into intergovernmental cooperative agreements for the joint administration of a Borough function or power; and

WHEREAS, KPB 19.10.030 provides that the Borough may exercise its non-areawide tourism promotion powers with a city through joint exercise or administration with a city; and

WHEREAS, the Borough recently engaged a promotion video team to create tourism promotion videos for the Borough and as part of those videos the Borough’s intent would be to directly and indirectly promote the signatory cities within the Borough; and

WHEREAS, the parties hereto wish to memorialize the joint exercise and promotion of tourism which will constitute their agreement on terms and conditions related to tourism promotion, and provide for the potential for future joint ventures as well;

THE PARTIES THEREFORE AGREE, in consideration of the mutual promises contained in this Agreement and the services and fees provided, as set forth below:

### **1. PURPOSE AND INTENT**

This Agreement is established and entered into between the parties for the purpose of jointly exercising promotion of tourism powers. This Agreement contemplates a basic promotion of tourism intergovernmental agreement and does not obligate the Borough or a city to fund or promote tourism.

### **2. BOROUGH’S OBLIGATIONS**

- a. In its sole discretion, subject to appropriation and availability of funds, the Borough may from time to time promote Borough tourism in a manner that also promotes the great cities within the Borough.

- b. Should the Borough include a city in a promotion of tourism campaign, Borough administration will provide the city administration with a draft of the campaign, prior to publication or release, of the promotional materials for city review and approval.
- c. Any Borough tourism promotion campaign not approved by a city, will not include any direct or specific references to that city.

### **3. CITIES' OBLIGATIONS**

- a. In its sole discretion, subject to appropriation and availability of funds, a city may from time to time promote tourism in a manner that also promotes the area outside of a city.
- b. A city that is provided a draft or pre-release screening of any promotional materials from the Borough agrees to respond within two weeks of receipt and agrees not to disseminate or release the materials which will be considered proprietary, confidential, and subject to deliberative process privilege until a final version is released or otherwise publicized.

### **4. WITHDRAWAL**

Any party to this Agreement may withdraw from the Agreement at any time and for any reason with the understanding that if a party withdraws from this Agreement after a promotional campaign has begun any promotion of tourism materials that includes the city may not be able to be removed immediately. Such materials will be removed when it is reasonably practical to do so.

### **5. CITY AND KPB CODE AND STATE LAW**

This Agreement does not supersede any City code, City charter, or KPB code or state law. If a provision of this Agreement conflicts with KPB or City code, City charter, or state law, the respective code and state law controls.

### **6. CONFIDENTIALITY**

All draft or pre-release promotional materials are considered confidential and proprietary to the party providing the materials to the other party. For Borough materials, third-party requests for the materials prior to release will be referred to the Borough and the Borough will respond accordingly.

### **7. SOLE RESPONSIBILITY FOR CLAIMS.**

Any party that runs a tourism promotion campaign pursuant to this Agreement is solely responsible for any claims that arise from the campaign.

### **8. DISCLAIMER OF WARRANTY.**

Any tourism promotion under this Agreement is furnished as is, where is, with all faults and without warranty of any kind, express or implied, including any warranty of merchantability or fitness for any particular purpose.



**KENAI PENINSULA BOROUGH  
144 N BINKLEY STREET  
SOLDOTNA, AK 99669**

\_\_\_\_\_  
By: Peter A. Micciche, Mayor  
Date: \_\_\_\_\_

ATTEST:

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
Michele Turner, Borough Clerk

\_\_\_\_\_  
Sean Kelley, Borough Attorney

DRAFT



**KACHEMAK CITY  
59906 BEAR CREEK DR.  
HOMER, AK 99603**

\_\_\_\_\_  
By: William Overway, Mayor

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

ATTEST:

\_\_\_\_\_  
Laurie Wallace, City Clerk

DRAFT

**CITY OF KENAI  
210 FIDALGO AVE.  
KENAI, AK 99611**

---

By: Terry Eubank, City Manager

ATTEST:

---

Shellie Saner, City Clerk

DRAFT

**CITY OF HOMER  
491 E. PIONEER AVE.  
HOMER, AK 99603**

\_\_\_\_\_  
By: Rob Dumouchel, City Manager

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

ATTEST:

\_\_\_\_\_  
Melissa Jacobsen, City Clerk

DRAFT

**CITY OF SELDOVIA  
PO DRAWER B  
SELDOVIA, AK 99663**

\_\_\_\_\_  
By: Heidi Geagel, City Manager

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

ATTEST:

\_\_\_\_\_  
Liz Diament, City Clerk

DRAFT

**CITY OF SEWARD  
PO BOX 167  
SEWARD, AK 99664**

\_\_\_\_\_  
By: Kat Sorensen, City Manager  
Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Kris Peck, City Clerk

DRAFT

**CITY OF SOLDOTNA  
177 N BIRCH ST.  
SOLDOTNA, AK 99669**

\_\_\_\_\_  
By: Janette Bower, City Manager  
Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Johni Blankenship, City Clerk

DRAFT



## Office of Borough Mayor Peter Micciche

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2150

From: Joe Rizzo, Communications Director, Kenai Peninsula Borough.

[jrizzo@kpb.us](mailto:jrizzo@kpb.us)

907-714-2158

To: Cities of Kenai, Soldotna, Homer, Seward, Kachemak, and Seldovia.

Coming on as the communications director for the Kenai Peninsula Borough, I wanted to help promote tourism in the KPB. Because KPB 19.10.030 stipulates that the KPB's efforts in tourism promotion are to be restricted to unincorporated areas, a memorandum of agreement is required for the borough to cooperatively work to promote tourism in cities around the KPB. The attached MOA will allow the borough to work collaboratively with cities and chambers of commerce in the promotion of tourism throughout our borough. You will be sent a docusign to execute the MOA.

We have already produced a tourism film that features the cities of Soldotna, Kenai, Homer and Seward (see link in the email). This MOA will allow us to continue and expand our efforts in promoting tourism in your respective cities. I look forward to working with you and your chambers of commerce to promote tourism and foster economic development in the borough.

We would like to start airing these promotional videos before the end of the year. Please contact me with any questions.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**FROM:** Terry Eubank, City Manager  
**DATE:** December 13, 2023  
**SUBJECT:** Setting of FY2025 Budget Goals Work Session

---

The Administration is preparing for the FY2025 Annual Budget development process. While typically broad in nature, establishing the Council's budget goals is valuable in guiding the Administration and provides targets for preparing the proposed budget. This process has proven beneficial since it began with the preparation of the FY2023 Budget, and the Administration is once again requesting a work session to discuss the Council's budget goals. The Administration will provide draft goals prior to the work session to facilitate the conversation with the adoption of a resolution to follow at a subsequent City Council meeting to finalize the FY2025 Goals.

Your support for setting a work session to discuss FY2025 Budget Goals is respectfully requested.





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

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

**DATE:** December 13, 2023

**SUBJECT:** Discussion – Scheduling a CIP Work Session

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The Public Works Department, in coordination with the Administration and all Department Heads, is nearing the completion of the Draft version of the FY2025-FY2029 Capital Improvement Plan. All Departments and Commissions reviewed their specific project priorities in preparation of the Draft Plan. At this time, we would like to request Council to schedule a time to conduct our annual work session. We anticipate providing the Draft Plan to Council as an informational item at the January 3, 2024 meeting. The Work Session can be scheduled any time after that.

Conducting the Work Session in January will support and provide sufficient time in the development of the City’s annual budget process. I will be available to answer any Council questions.



# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**FROM:** Terry Eubank, City Manager  
**DATE:** November 30, 2023  
**SUBJECT:** **Scheduling a Joint Work Session with Kenaitze Indian Tribe**

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The Administration has been in contact with the Kenaitze Indian Tribe regarding scheduling a joint work session.

The Tribal Council is interested in hosting a joint meeting with the Kenai City Council at Tyotkas Elders Center from 6:00 p.m. to 7:00 p.m. on Thursday, January 18, 2024. The Tyotkas Elders Center is located at 1000 Mission Avenue in Old Town Kenai. The facility includes a gathering space that could accommodate a public meeting.

The purpose of a joint work session is to continue to provide an opportunity for the Tribal Council and City Council to discuss items that are important to each organization and explore ways to partner on future projects that benefit the community.

The first joint work session with the Kenaitze Indian Tribe was held on January 4, 2023 in the Kenai City Council Chambers. Items for discussion included the Kenai Waterfront Revitalization, Refurbishment of the Old Town Playground, Grant Opportunities, Increased Coordination/Collaboration between Tribal Security and the Kenai Police Department, and opportunities for the City Council to Support Tribal Activities.

If the City Council is available to meet for a joint work session at the proposed time, the Administration can work with Kenaitze Indian Tribe Operations Director Rudy Wilson to prepare an agenda for the meeting.

Thank you for your consideration.

**Virtual Meetings Participation**  
Past Year Analytics

Meeting	Date	Total Participants	Members & Liaisons	Public Participants	Presenters/ Applicants	Staff	Media (Non-Participating)	Non-Participating Virtual Attendees	Notes
Airport Commission Meeting	12/08/22	2	2	-	-	-	-	-	
Airport Commission Meeting	01/12/23	0	-	-	-	-	-	-	
Airport Commission Meeting	03/09/23	1	1	-	-	-	-	-	
Airport Commission Work Session	04/13/23	2	1	-	1	-	-	-	
Airport Commission Meeting (*Data unavailable)	05/11/23	1*	1	-	-	-	-	-	*No Analytics Available
Airport Commission Work Session	07/13/23	1	-	-	-	-	-	1	
Airport Commission Meeting	09/14/23	0	-	-	-	-	-	-	
Airport Commission Meeting	10/12/23	0	-	-	-	-	-	-	
Airport Commission Meeting	11/09/23	2	2	-	-	-	-	-	
Beautification Committee Meeting	04/11/23	1	1	-	-	-	-	-	-
Beautification Committee Meeting	09/12/23	0	-	-	-	-	-	-	-
Beautification Committee Work Session & Special Meeting	11/14/23	0	-	-	-	-	-	-	-
City Council Work Session & Regular Meeting	12/21/22	3	2	-	-	-	-	1	
City Council Work Session & Regular Meeting	01/04/23	1	-	-	-	-	-	1	
City Council Work Session & Regular Meeting	01/04/23	2	-	-	-	-	-	2	
City Council Meeting	01/18/23	1	-	-	-	-	-	1	
City Council Meeting	02/01/23	15	-	3	-	-	-	12	Chicken Hen Ordinance
City Council Work Session and Meeting	02/15/23	6	1	-	1	1	-	3	
City Council Meeting	03/01/23	10	-	2	1	1	-	6	Chicken Hen Ordinance
City Council Meeting	03/15/23	3	-	1*	0	1	-	1	Summer Ice (*Anchorage resident)
City Council Meeting	04/05/23	1	-	-	-	-	-	1	
City Council Meeting	04/19/23	2	-	-	-	1	-	1	
City Council Special Meeting	04/27/23	0	-	-	-	-	-	-	
City Council Work Session - FY2024 Draft Budget	04/29/23	12	-	-	-	5	1	6	
City Council Work Session and Regular Meeting	05/03/23	13	2	-	-	2	1	8	Dog Park
City Council Meeting	05/17/23	1	1	-	-	-	-	-	
City Council Meeting	06/07/23	0	-	-	-	-	-	-	
City Council Special Meeting & Regular Meeting	06/21/23	1	1	-	-	-	-	-	
City Council Meeting	07/05/23	2	1	-	-	-	-	1	
City Council Meeting	08/02/23	2	1	1	-	-	-	-	
City Council Special Meeting	08/11/23	3	2	-	-	-	-	1	
City Council Meeting	08/16/23	0	-	-	-	-	-	-	
City Council Meeting	09/06/23	3	-	2	-	-	1	-	
City Council Meeting	09/20/23	2	1	-	-	-	-	1	
City Council Meeting	10/04/23	5	-	2	-	-	1	2	
City Council Meeting	10/19/23	14	1	-	-	-	1	12	Zoom Bombing
City Council Meeting	11/01/23	4	1	-	-	2	1	-	
City Council Meeting	11/15/23	3	2	-	-	-	-	1	
Harbor Commission Meeting	04/10/23	0	-	-	-	-	-	-	
Harbor Commission Meeting	08/07/23	0	-	-	-	-	-	-	
Harbor Commission Meeting	09/11/23	2	2	-	-	-	-	-	
Harbor Commission Work Session & Regular Meeting	11/06/23	0	-	-	-	-	-	-	
Parks & Recreation Commission Work Session	01/05/23	0	-	-	-	-	-	-	
Parks & Recreation Commission Meeting	03/02/23	0	-	-	-	-	-	-	
Parks & Recreation Commission Special Meeting & Work Session	05/04/23	1	1	-	-	-	-	-	
Parks & Recreation Commission Meeting	09/07/23	0	-	-	-	-	-	-	
Parks & Recreation/Beautification Committee Joint Work Session	10/05/23	0	-	-	-	-	-	-	
Parks & Recreation Commission Work Session & Regular Meeting	11/02/23	1	1	-	-	-	-	-	

**Virtual Meetings Participation**  
Past Year Analytics

Meeting	Date	Total Participants	Members & Liaisons	Public Participants	Presenters/ Applicants	Staff	Media (Non-Participating)	Non-Participating Virtual Attendees	Notes
Planning & Zoning Commission Meeting	12/14/22	0	-	-	-	-	-	-	
Planning & Zoning Commission Meeting	12/28/22	0	-	-	-	-	-	-	
Planning & Zoning Commission Work Session	01/11/23	0	-	-	-	-	-	-	
Planning & Zoning Commission Work Session & Regular Meeting	01/25/23	5	1	2	-	-	-	2	
Planning & Zoning Commission Work Session	02/08/23	2	1	-	-	-	-	1	
Planning & Zoning Commission Meeting	02/22/23	4	-	1	-	-	-	3	
Planning & Zoning Commission Meeting	03/22/23	7	1	1	2	1	-	2	
Planning & Zoning Commission Work Session & Meeting	04/26/23	1	-	-	-	-	-	1	
Planning & Zoning Commission and Beautification Committee Joint Work Sessio	05/18/23	0	-	-	-	-	-	0	
Planning & Zoning Commission Meeting	05/24/23	3	-	-	3	-	-	0	
Planning & Zoning Commission Meeting	06/14/23	0	-	-	-	-	-	0	
Planning & Zoning Commission - Work Session & Regular Meeting	06/28/23	1	-	-	-	-	-	1	
Planning & Zoning Commission Meeting	07/12/23	1	1	-	-	-	-	0	
Planning & Zoning Commission Meeting	07/26/23	0	-	-	-	-	-	0	
Planning & Zoning Commission Meeting	09/13/23	4	1	-	2	-	-	1	
Planning & Zoning Commission Meeting	09/27/23	1	1	-	-	-	-	0	
Planning & Zoning Commission Meeting	10/25/23	3	-	2	-	-	-	1	
Planning & Zoning Commission Meeting	11/08/23	1	-	-	-	-	-	1	
Planning & Zoning Commission Meeting	11/29/23	0	-	-	-	-	-	0	
<b>TOTALS:</b>		156	34	17	10	14	6	75	

**KENAI COUNCIL ON AGING – REGULAR MEETING  
SEPTEMBER 14, 2023 – 3:00 P.M.  
KENAI SENIOR CENTER  
361 SENIOR CT., KENAI, AK 99611  
CHAIR RACHAEL CRAIG, PRESIDING**

**ACTION MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Council on Aging was held on September 14, 2023, at the Kenai Senior Center, Kenai, AK. Chair Craig called the meeting to order at approximately 3:00 p.m.

**1. Pledge of Allegiance**

Chair Craig led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Rachael Craig, Chair  
Glenese Pettey  
Frances Kilfoyle  
Velda Geller

Roy Williams, Vice Chair  
Kenneth Ayers  
John Straughn  
Barbara Modigh

A quorum was present.

Also in attendance were:

Kathy Romain, Senior Center Director  
Deborah Sounart, City Council Liaison

**3. Agenda Approval**

**MOTION:**

Council Member Straughn **MOVED** to approve the agenda as presented. Council Member Ayers **SECONDED** the motion.

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

**B. SCHEDULED PUBLIC COMMENTS –**

- 1. Brandi Bell, Elders & Transportation Manager, Kenaitze Indian Tribe – Fixed-Route Bus Service Community Survey & Information

Brandi Bell discussed the fixed rate bus service and other services available to the community through Dena’ina Wellness including behavioral health, food cache, etc.

**C. UNSCHEDULED PUBLIC COMMENTS**

**D. APPROVAL OF ACTION MINUTES**

- 1. May 11, 2023.

**MOTION:**

Commissioner Williams **MOVED** to approve the May 11, 2023 Summary. Commissioner Pettey **SECONDED** the motion.

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

**E. UNFINISHED BUSINESS**

1. Approval of the Kenai Senior Center Code of Conduct and Ethics, 2023 Revision

Director Romain discussed adding a clause to the Kenai Senior Center Code of Conduct and Ethics that was approved at the May 11, 2023 Meeting. She noted that it will be handed out in October with updated client information seats. Discussion occurred.

**MOTION:**

Commissioner Pettey **MOVED** to approve the final revised version of the Kenai Senior Center Code of Conduct and Ethics. Commissioner Straughn **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

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

**F. NEW BUSINESS – None.**

**G. REPORTS**

1. Senior Center Director – Director Romain reported on the following:
  - Volunteer Appreciation in October.
  - 2 job openings at the Senior Center.
2. Council on Aging Chair – Chair Craig reported that she attended the lunch on September 12, noted that people brought their own to-go containers.
3. City Council Liaison – Council Member Sounart reported on actions from the September 6, 2023 City Council Meeting.

**H. ADDITIONAL PUBLIC COMMENTS – None.**

**I. NEXT MEETING ATTENDANCE NOTIFICATION – October 12, 2023.**

Director Romain noted that she was planning a work session to ask for suggestions on problem areas.

**J. COMMISSION QUESTIONS AND COMMENTS**

**K. ADJOURNMENT**

**L. INFORMATIONAL ITEMS**

1. City of Kenai Commissions, Committees and Council on Aging Review

There being no further business before the Council on Aging, the meeting was adjourned at 3:50 p.m.

I certify the above represents accurate minutes of the Council on Aging meeting of September 14, 2023.

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Meghan Thibodeau  
Deputy City Clerk

**KENAI COUNCIL ON AGING – REGULAR MEETING  
NOVEMBER 9, 2023 – 3:00 P.M.  
KENAI SENIOR CENTER  
361 SENIOR CT., KENAI, AK 99611**

**ACTION MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Council on Aging was held on November 9, 2023, at the Kenai Senior Center, Kenai, AK. Senior Center Activity/Volunteer Coordinator Feltman called the meeting to order at approximately 3:00 p.m.

**1. Pledge of Allegiance**

**2. Roll Call**

There were present: None.

A quorum was not present.

Absent:

Rachael Craig, Chair  
Glenese Pettey  
Frances Kilfoyle  
Velda Geller

Roy Williams, Vice Chair  
Kenneth Ayers  
John Straughn  
Barbara Modigh

*[Clerk's Note: due to inclement weather and poor road conditions, Council on Aging members were notified on the morning of November 9, 2023 that another meeting would be scheduled for Thursday, November 16, 2023 that will address the same meeting agenda.]*

In attendance were:

Kayla Feltman, Senior Center Activity/Volunteer Coordinator

**3. Agenda Approval**

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

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

**D. APPROVAL OF MINUTES**

1. September 14, 2023.

**E. UNFINISHED BUSINESS – None.**

**F. NEW BUSINESS**

1. **Discussion/Recommendation** - Recommending Council Consideration of the Council on Aging FY2025-FY2029 Capital Improvement Project Priority List

**G. REPORTS**

1. Senior Center Director
2. Commission Chair
3. City Council Liaison

- H. **ADDITIONAL PUBLIC COMMENTS** – None.
- I. **NEXT MEETING ATTENDANCE NOTIFICATION** – December 14, 2023.
- J. **COMMISSION QUESTIONS AND COMMENTS**
- K. **ADJOURNMENT**
- L. **INFORMATIONAL ITEMS** – None.

Due to a lack of a quorum, the meeting was adjourned at approximately 3:01 p.m.

I certify the above represents accurate minutes of the Council on Aging meeting of November 9, 2023.

---

Meghan Thibodeau  
Deputy City Clerk

DRAFT



**KENAI COUNCIL ON AGING – REGULAR MEETING  
NOVEMBER 16, 2023  
KENAI SENIOR CENTER  
361 SENIOR CT., KENAI, AK 99611**

**ACTION MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Council on Aging was held on November 9, 2023, at the Kenai Senior Center, Kenai, AK. Senior Director Romain called the meeting to order at approximately 3:20 p.m.

**1. Pledge of Allegiance**

**2. Roll Call**

There were present:  
Velda Geller

Barbara Modigh

A quorum was not present.

Absent:

Rachael Craig, Chair  
Glenese Pettey  
Frances Kilfoyle

Roy Williams, Vice Chair  
Kenneth Ayers  
John Straughn

In attendance were:

Kathy Romain, Senior Center Director  
Kayla Feltman, Senior Center Activity/Volunteer Coordinator  
James Baisden, City Council Liaison

**3. Agenda Approval**

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

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

**D. APPROVAL OF MINUTES**

1. September 14, 2023.

**E. UNFINISHED BUSINESS – None.**

**F. NEW BUSINESS**

1. **Discussion/Recommendation** - Recommending Council Consideration of the Council on Aging FY2025-FY2029 Capital Improvement Project Priority List

**G. REPORTS**

1. Senior Center Director
2. Commission Chair
3. City Council Liaison

**H. ADDITIONAL PUBLIC COMMENTS – None.**

- I. **NEXT MEETING ATTENDANCE NOTIFICATION** – December 14, 2023.
- J. **COMMISSION QUESTIONS AND COMMENTS**
- K. **ADJOURNMENT**
- L. **INFORMATIONAL ITEMS** – None.

Due to a lack of a quorum, the meeting was adjourned at approximately 3:21 p.m.

I certify the above represents accurate minutes of the Council on Aging meeting of November 16, 2023.

---

Meghan Thibodeau  
Deputy City Clerk

DRAFT

**KENAI AIRPORT COMMISSION – REGULAR MEETING  
NOVEMBER 9, 2023 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR GLENDA FEEKEN, PRESIDING**

**ACTION MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Airport Commission was held on November 9, 2023, in City Hall Council Chambers, Kenai, AK. Chair Feeken called the meeting to order at approximately 6:00 p.m.

**1. Pledge of Allegiance**

Chair Feeken led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Glenda Feeken, Chair	Paul Minelga, Vice Chair
James Bielefeld	Jacob Caldwell
Dan Pitts	

A quorum was present.

Absent:

James Zirul	Joshua Daily
-------------	--------------

Also in attendance were:

Mary Bondurant, Interim Airport Manager  
 Sarah Conley, Airport Administrative Assistant  
 Henry Knackstedt, City Council Liaison

**3. Agenda Approval**

**MOTION:**

Commissioner Bielefeld **MOVED** to approve the agenda as presented. Commissioner Caldwell **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested.

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

**B. SCHEDULED PUBLIC COMMENTS**

1. Terry Eubank – City Manager

City Manager Eubank was unavailable at the time of the meeting.

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

**D. APPROVAL OF ACTION MINUTES**

1. October 12, 2023.

**MOTION:**

Commissioner Zirul **MOVED** to approve the October 13, 2023 Minutes, with the correction that the location needs to be changed to City Hall Council Chambers. Commissioner Caldwell **SECONDED** the motion.

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

**E. UNFINISHED BUSINESS** – None.**F. NEW BUSINESS**

1. **Discussion/Recommendation** – Special Use Permit to the American Red Cross

**MOTION:**

Commissioner Caldwell **MOVED** to recommend City Council approval of the Special Use Permit to the American Red Cross. Commissioner Bielefeld **SECONDED** the motion.

Interim Airport Manager gave a staff report with information provided in the packet.

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

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

**G. REPORTS**

1. Airport Manager – Interim Airport Manager Bondurant reported on the following:
  - Runway/taxiway projects and funding; project costs changing and HDL hired as engineers.
  - The Airport will acquire one loader and one plow truck.
  - Hoping for stakeholder/public involvement in Capital Improvement Plan.
  - FAA will support Operations Facility boiler project.
  - RAVN Airlines gave 60-day notice, will no longer be operating at the Kenai Airport by January 1, 2024.
  - Upcoming Christmas tree decorating contest.
  - Airport is fully staffed with winter operations crew.
  - Kenai Aviation Pumpkin Drop event was a success.
2. City Council Liaison – Council Member Knackstedt reported on the actions of the November 1, 2023 City Council meeting.

**H. ADDITIONAL PUBLIC COMMENTS** – None.**I. NEXT MEETING ATTENDANCE NOTIFICATION** – December 14, 2023**J. COMMISSION QUESTIONS AND COMMENTS****K. ADJOURNMENT****L. INFORMATIONAL ITEMS**

1. Correction Memo - Special Use Permit to Crowley
2. Article & FAA Brief on Vertiport Design

There being no further business before the Airport Commission, the meeting was adjourned at 6:19 p.m.

I certify the above represents accurate minutes of the Airport Commission meeting of November 9, 2023.

---

Meghan Thibodeau  
Deputy City Clerk

DRAFT

**KENAI HARBOR COMMISSION – REGULAR MEETING  
NOVEMBER 6, 2023  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611**

**ACTION MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Harbor Commission was held on November 6, 2023, in City Hall Council Chambers, Kenai, AK following the adjournment of their 6:00 p.m. Work Session. The meeting was called to order at approximately 6:42 p.m.

**1. Pledge of Allegiance**

Director Curtin led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Nate Berga, Vice Chair  
John Coston  
David Peck  
Jeanne Reveal

Lisa Gabriel  
Bob Peters  
Matthew Moffis

A quorum was present.

Also in attendance were:

Scott Curtin, Public Works Director  
Lisa List, Public Works Administrative Assistant  
Victoria Askin, City Council Liaison

**3. Election of Chair and Vice Chair**

**MOTION:**

Commissioner Peck **MOVED** to nominate Commissioner Berga as Chair. Commissioner Peters **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested.

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

**MOTION:**

Commissioner Peters **MOVED** to nominate Commissioner Gabriel as Vice Chair. Commissioner Reveal **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested.

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

**4. Agenda Approval**

**MOTION:**

Commissioner Peters **MOVED** to approve the agenda as written. Vice Chair Gabriel **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested.

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

- B. SCHEDULED PUBLIC COMMENTS** - None.
- C. UNSCHEDULED PUBLIC COMMENTS** - None.
- D. APPROVAL OF ACTION MINUTES**

1. August 8, 2022
2. November 7, 2022
3. April 10, 2023
4. August 17, 2023

**MOTION:**

Commissioner Peters **MOVED** to approve the August 8, 2022; November 7, 2022; April 10, 2023; and August 17, 2023 Minutes. Commissioner Coston **SECONDED** the motion.

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

- E. UNFINISHED BUSINESS** – None.

**F. NEW BUSINESS**

1. **Discussion/Recommendation** - Recommending Council Consideration of the Harbor Commission FY2025-FY2029 Capital Improvement Project Priority List

**MOTION:**

Commissioner Peck **MOVED** to recommend Council Consideration of the Harbor Commission FY2025-FY2029 Capital Improvement Project Priority List as presented, with no new projects added. Vice Chair Gabriel **SECONDED** the motion.

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

**G. REPORTS**

5. Public Works Director – Director Curtin reported on the following:
  - Bluff Project – November 20<sup>th</sup> release of bid
  - Paving project has been completed.
  - Discussion on parking signage
6. Commission Chair – No report.
7. City Council Liaison – Council Member Askin reported on the actions of the November 1, 2023 City Council meeting.

- H. ADDITIONAL PUBLIC COMMENTS** – None.

- I. NEXT MEETING ATTENDANCE NOTIFICATION** - February 12, 2024.

**J. COMMISSION QUESTIONS AND COMMENTS**

New commission members and Council Member Askin were welcomed.

Vice Chair Gabriel asked about how to add an item to future Commission agendas.

**K. ADJOURNMENT**

**L. INFORMATIONAL ITEMS**

There being no further business before the Harbor Commission, the meeting was adjourned at 7:15 p.m.

I certify the above represents accurate minutes of the Harbor Commission meeting of November 6, 2023.

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Meghan Thibodeau  
Deputy City Clerk

DRAFT



**KENAI PARKS & RECREATION COMMISSION – REGULAR MEETING  
NOVEMBER 2, 2023  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR GRANT WISNIEWSKI, PRESIDING**

**ACTION MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Parks & Recreation Commission was held on November 2, 2023, in City Hall Council Chambers, Kenai, AK, following the adjournment of their 6:00 p.m. Work Session. Chair Wisniewski called the meeting to order at approximately 7:21 p.m.

**1. Pledge of Allegiance**

Chair Wisniewski led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Grant Wisniewski, Chair  
Kyle Graham  
Michael Bernard

Sovala Kisena, Vice Chair  
Jennifer Joanis

A quorum was present.

Absent:

David Rigall

Charlie Stephens

Also in attendance were:

Tyler Best, Parks & Recreation Director  
Jenna Brown, Parks & Recreation Assistant Director  
Deborah Sounart, City Council Liaison

**3. Agenda Approval**

**MOTION:**

Commissioner Joanis **MOVED** to approve the agenda as written. Commissioner Bernard **SECONDED** the motion.

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

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

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

**D. APPROVAL OF ACTION MINUTES**

1. May 4, 2023 Special Meeting
2. September 7, 2023 Regular Meeting

**MOTION:**

Vice Chair Kisena **MOVED** to approve the minutes of May 4, 2023 and September 7, 2023. Commissioner Bernard **SECONDED** the motion.

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

**E. UNFINISHED BUSINESS** – None.

**F. NEW BUSINESS**

- 1. **Discussion/Recommendation** - Recommending Council Consideration of the Parks & Recreation Commission FY2025-FY2029 Capital Improvement Project Priority List

**MOTION:**

Vice Chair Kisena **MOVED** to recommend Council consideration of the Parks & Recreation Commission’s FY2025-2029 Capital Improvement Project Priority List as follows:

FY25

- Tractor purchase
- Old Town Playground

FY26

- Sports Complex design

FY27

- Beaver Creek Park Pavilion replacement

FY28

- Greenstrip Pavilion replacement
- ADA parking and pathway at the Greenstrip

FY29

- Relocation of Parks and Rec to Daubenspeck

Commissioner Joanis **SECONDED** the motion.

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

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

**G. REPORTS**

- 1. Parks & Recreation Director – Director Best reported on the following:
  - Currently hanging up Christmas lights pre-snowfall and winter décor.
  - Potential Kenai Recreation Center HVAC arrival in February.
- 2. Commission Chair – Chair Wisniewski discussed trailers being evicted out of town.
- 3. City Council Liaison – Council Member Sounart reported on the actions of the November 1, 2023 City Council Meeting.

**H. ADDITIONAL PUBLIC COMMENTS** – None.

**I. NEXT MEETING ATTENDANCE NOTIFICATION** – December 7, 2023.

**J. COMMISSION QUESTIONS AND COMMENTS** – None.

**K. ADJOURNMENT**

**L. INFORMATIONAL ITEMS** – None.

There being no further business before the Parks & Recreation Commission, the meeting was adjourned at approximately 7:37 p.m.

I certify the above represents accurate minutes of the Parks & Recreation Commission meeting of November 2, 2023.

\_\_\_\_\_  
Meghan Thibodeau  
Deputy City Clerk

DRAFT

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
NOVEMBER 8, 2023 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR JEFF TWAIT, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai Planning & Zoning Commission was held on November 8, 2023, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

**1. Pledge of Allegiance**

Chair Twait led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Jeff Twait, Chair	Diane Fikes
Gary Greenberg	Jim Glendening
John Coston	

A quorum was present.

Absent:

Joe Halstead, Vice Chair	Gwen Woodard
--------------------------	--------------

Also in attendance were:

Linda Mitchell, Planning Director  
Alex Douthit, City Council Liaison  
Meghan Thibodeau, Deputy City Clerk

**3. Approval of Agenda and Consent Agenda**

**MOTION:**

Commissioner Greenberg **MOVED** to approve the agenda and consent agenda. Commissioner Coston **SECONDED** the motion.

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

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

**UNANIMOUS CONSENT** was requested.

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

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

**B. APPROVAL OF MINUTES**

1. \*Regular Meeting of October 25, 2023

Approved by the consent agenda.

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

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

**E. CONSIDERATION OF PLATS - None.**

**F. PUBLIC HEARINGS**

1. **Resolution PZ2023-19** – Recommending Approval to Rezone the Properties Located at 103 Birch Street and 1202, 1204, and 1206 First Avenue From General Commercial (CG) to Suburban Residential (RS) Zoning District.

**MOTION:**

Commissioner Greenberg **MOVED** to approve Resolution PZ2023-19. Commissioner Glendening **SECONDED** the motion.

Director Mitchell presented her staff report with information in the packet, explaining that the applicant has requested to rezone four parcels of approximately 2.36 acres total. Current uses, surrounding uses, and applicant's reasons for zoning were reviewed, and it was noted that the property owners' signatures met the threshold for a majority required for rezoning. Clarification was provided that after reviewing the Comprehensive Plan, an incorrect land use map was found which delayed presentation of the resolution to the Commission; a Comprehensive Plan amendment is not required. It was noted that staff's recommendation is that the Commission recommend approval of the rezone to City Council.

Chair Twait opened for public hearing. There being no one wishing to be heard, the public hearing was closed.

**VOTE:**

YEA: Fikes, Coston, Greenberg, Glendening, Twait

NAY: None

ABSENT: Halstead, Woodard

**MOTION PASSED UNANIMOUSLY.**

**G. UNFINISHED BUSINESS – None.**

**H. NEW BUSINESS**

1. **\*Action/Approval** - Requesting an Excused Absence for the October 25, 2023 Regular Meeting – Greenberg.

Approved by the consent agenda.

2. **\*Action/Approval** – Granting a Home Occupation Permit to Allow a Home Day Care for up to Eight (8) Children on a Property Located at 621 Fir Drive in the Suburban Residential (RS) Zoning District.

Approved by the consent agenda.

**I. REPORTS**

1. City Council – Council Member Douthit reported on the actions of the November 1, 2023 City Council meeting.
2. Kenai Peninsula Borough Planning – No report.
3. City Administration – Planning Director Mitchell reported on the following:

- Clarified Planning code requirements for conditional use permit applicant participation.
- Recruitment for a second part-time administrative assistant is to be determined.
- The City is doing a classification study; will be published early next year.
- Bluff stabilization update: City was issued real estate certification.
- Building plans for Kassik's Brewery have been submitted.
- Waterfront rezone is still in progress.

**J. ADDITIONAL PUBLIC COMMENT**

Keith Shaffer requested clarification on the current status of the rezone in PZ2023-19, and expressed appreciation for how it was handled.

**K. NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: November 22, 2023

Commissioners Fikes and Greenberg noted they may be absent.

**L. COMMISSION COMMENTS AND QUESTIONS**

Commissioner Glendening thanked Council Member Douthit for his report; expressed interest in having virtual meetings participation being referred to Commissions for the discussion.

Commissioner Greenberg noted a split zone on North Spruce Street for future cleanup.

Chair Twait requested clarification on the code for Commissioner and Council Member remote electronic participation.


**M. PENDING ITEMS – None.**

**N. ADJOURNMENT**

**O. INFORMATIONAL ITEMS – None.**

There being no further business before the Commission, the meeting was adjourned at 7:39 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of November 8, 2023.

  
 \_\_\_\_\_  
 Meghan Thibodeau  
 Deputy City Clerk

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
NOVEMBER 29, 2023 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR JEFF TWAIT, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai Planning & Zoning Commission was held on November 29, 2023, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

**1. Pledge of Allegiance**

Chair Twait led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Jeff Twait, Chair  
Gary Greenberg  
John Coston

Gwen Woodard  
Jim Glendening  
Diane Fikes

A quorum was present.

Absent:

Joe Halstead, Vice Chair

Also in attendance were:

Linda Mitchell, Planning Director  
Meghan Thibodeau, Deputy City Clerk  
Alex Douthit, City Council Liaison

**3. Approval of Agenda and Consent Agenda**

**MOTION:**

Commissioner Greenberg **MOVED** to approve the agenda and consent agenda. Commissioner Coston **SECONDED** the motion.

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

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

**UNANIMOUS CONSENT** was requested.  
There being no objection; **SO ORDERED.**

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

**B. APPROVAL OF MINUTES**

- 1. \*Regular Meeting of November 8, 2023

Approved by the consent agenda.

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

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

E. **CONSIDERATION OF PLATS**

- 1. **Resolution PZ2023-21** – Recommending Approval for Preliminary Plat – Kenai Townsite Oiler’s 2024 Addition for a Parcel Merger of Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition, a Right-of-Way Vacation of Outside Way as Dedicated on Original Townsite of Kenai Subdivision, a Utility Easement Vacation, and a 60-foot Right of Way Dedication in the Central Commercial (CC) Zoning District.

**MOTION:**

Commissioner Greenberg **MOVED** to approve Resolution PZ2023-21. Commissioner Woodard **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet, and it was noted that the applicant has requested to a merger of three parcels, a right-of-way (ROW) vacation and a ROW dedication. Clarification was provided that the request was originally submitted and approved in 1994, but unfortunately the final plat was never recorded so the applicants have submitted the same request but with a 60-foot ROW instead of 40-foot. Zoning, uses of surrounding lots and conditions of approval were reviewed; staff recommended approval subject to the following conditions:

- 1. Reduce the proposed 60-foot ROW dedication to 50 feet.
- 2. Correct the note reference from Note 8 to Note 6 for the indicated 5’ Public Street Easement Note 8.
- 3. Revise the street suffix of the proposed street name, Oilers “Avenue” to “Street”.
- 4. Kenai City Council must consent to the ROW vacation of Outside Way between Cook Avenue and Riverview Drive is not needed for a public purpose and approve the ROW vacation.
- 5. Kenai City Council adopt a resolution for the naming of the 50-foot dedicated ROW to Oilers Street.

Jason Young, a surveyor working on this project, explained the applicant’s reasons for the requests and responded to questions from the Commission.

Discussion ensued.

**MOTION:**

Commissioner Greenberg **MOVED** to amend Resolution PZ2023-21 Condition 1 to read “The proposed 60-foot ROW dedication may be reduced to 50 feet, subject to the applicant providing acceptable evidence that a 50-foot ROW covers the existing road.” Commissioner Woodard **SECONDED** the motion.

**VOTE ON AMENDMENT:**

- YEA: Glendening, Woodard, Greenberg, Coston, Fikes, Twait
- NAY: None
- ABSENT: Halstead

**MOTION PASSED WITHOUT OBJECTION.**

**VOTE ON MAIN MOTION AS AMENDED:**

- YEA: Fikes, Twait, Coston, Glendening, Greenberg, Woodard
- NAY: None
- ABSENT: Halstead

**MOTION PASSED WITHOUT OBJECTION.**



F. **PUBLIC HEARINGS** – None.

G. **UNFINISHED BUSINESS** – None.

H. **NEW BUSINESS**

1. **\*Action/Approval** - Requesting an Excused Absence for the November 8, 2023 Regular Meeting – Halstead and Woodard.

Approved by the consent agenda.

I. **REPORTS**

1. City Council – Council Member Douthit reported on the actions of the November 15, 2023 City Council Meeting.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the November 13, 2023 Kenai Peninsula Borough Planning Commission Meeting.
3. City Administration – Planning Director Mitchell reported on the following:
  - The second part-time Planning Administrative Assistant job has been posted.
  - The Kenai Peninsula Borough is offering a training on its new GIS mapping system on December 4<sup>th</sup> via Zoom.
  - Discussed with Commissioners their availability for the December 27<sup>th</sup> meeting; Commissioner Fikes noted she would not be available December 13<sup>th</sup> nor 27<sup>th</sup>, and Commissioner Coston confirmed that he could attend on the 27<sup>th</sup> via Zoom.

J. **ADDITIONAL PUBLIC COMMENT** – None.

K. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: December 13, 2023

L. **COMMISSION COMMENTS AND QUESTIONS**

Commissioner Glendening noted the good discussion, and that he is looking forward to working with the new commissioners.

Commissioner Coston stated that it was a good discussion.

Commissioner Fikes requested excused absences for December 13<sup>th</sup> and 27<sup>th</sup>.

M. **PENDING ITEMS** – None.

N. **ADJOURNMENT**

O. **INFORMATIONAL ITEMS** – None.

There being no further business before the Commission, the meeting was adjourned at 8:03 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of November 29, 2023.

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Meghan Thibodeau  
Deputy City Clerk

DRAFT

**KENAI BEAUTIFICATION COMMITTEE – SPECIAL MEETING  
NOVEMBER 14, 2023  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR SARAH DOUTHIT, PRESIDING**

**ACTION MINUTES**

**A. CALL TO ORDER**

A Special Meeting of the Beautification Committee was held on November 14, 2023, in City Hall Council Chambers, Kenai, AK, following the adjournment of the 6:00 p.m. Work Session. Chair Douthit called the meeting to order at approximately 7:02 p.m.

**1. Pledge of Allegiance**

Chair Douthit led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Sarah Douthit, Chair

Christina Warner

A quorum was not present.

Absent:

Emily Heale, Vice Chair  
Terri Wilson

Barbara Roland

Also in attendance were:

Tyler Best, Parks & Recreation Director  
Jenna Brown, Parks & Recreation Assistant Director  
Phil Daniel, City Council Liaison

**3. Agenda Approval**

**B. UNSCHEDULED PUBLIC COMMENTS - None.**

**C. NEW BUSINESS**

**1. Discussion/Recommendation** – Recommending Council Consideration of the Beautification Committee FY2025-FY2029 Capital Improvement Project Priority List

**D. ADDITIONAL PUBLIC COMMENTS - None.**

**E. NEXT MEETING ATTENDANCE NOTIFICATION – January 9, 2024**

**F. COMMISSION QUESTIONS AND COMMENTS**

**G. ADJOURNMENT**

Due to lack of a quorum, the meeting was adjourned at 7:04 p.m.

I certify the above represents accurate minutes of the Beautification Committee meeting of November 14, 2023.

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Meghan Thibodeau  
Deputy City Clerk

DRAFT

## Mission Statement:

**The goal of the Southcentral Mayors' Energy Coalition is to consider the energy needs of Southcentral Alaska and to explore options to meet those needs, while assessing costs and the availability of natural resources and communicating the Coalition's findings to our constituents. Factors include Alaska's current energy potential, future energy deficits, natural gas production in the Cook Inlet, renewable energy alternatives, and the viability of various financial incentives.**

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Fifteen years ago, a Cook Inlet gas shortage was projected, and an energy crisis loomed in southcentral Alaska. To address this crisis, Anchorage Mayor Dan Sullivan formed the Mayor's Energy Task Force in 2009, a group of mayors from Southcentral Alaska dedicated to analyzing the shortage and recommending short-term and long-term solutions. This group created an Energy Watch program to deal with emergency preparedness, worked closely with the 2010 Alaska Legislature, formed a technical working group, and eventually assisted the State and private sector in increasing Cook Inlet production by 80 percent.

Today, southcentral Alaska communities again face a looming energy shortage in the Cook Inlet basin. Governor Dunlevy created the Alaska Energy Security Task Force to create a comprehensive statewide energy plan, and this Task Force issued its final report on December 1, 2023. This summer, the Alaska Utilities produced a report, which concluded that – at current production levels – the state faces an energy crisis by 2027. State officials, producers and suppliers are all aware of the looming shortage, but local governments did not have an effective voice – until today.

Our Southcentral Mayor's Energy Coalition will be a voice for local governments and maintain close communication with these other entities in addressing the energy crisis. We will work with the Governor and pick up the good work begun ten years ago by our mayoral predecessors. To do this, we've assembled an all-star lineup:

- Dave Bronson**, Mayor of Anchorage
- Peter Micciche**, Kenai Peninsula Borough Mayor
- Edna DeVries**, Mat-Su Borough Mayor
- Glenda Ledford**, Mayor of Wasilla
- Steve Carrington**, Mayor of Palmer
- Paul Whitney**, Mayor of Soldotna
- Brian Gabriel**, Mayor of Kenai
- Ken Castner**, Mayor of Homer
- Sue McClure**, Mayor of Seward
- Dave Dickason**, Mayor of Whittier (invited)
- Carter Cole**, Mayor of Houston (invited)



Working together, the Southcentral Mayors' Energy Coalition will reconvene and stay focused on finding solutions for affordable, long-term energy in Cook Inlet.

**Contact:** Veronica Hoxie, Director of Communications, Municipality of Anchorage  
[Veronica.Hoxie@anchorageak.gov](mailto:Veronica.Hoxie@anchorageak.gov), (907) 615-1568



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Linda Mitchell, Planning Director

**DATE:** December 14, 2023

**SUBJECT:** **Lease Updates – Granted Time Extension for Required Permanent Improvements**

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City Council requested an update on leases that were granted a 12-month time extension to complete the required permanent improvements. Staff reached out to each lessee requesting an estimated timeline of improvement start date and completion date, and what actions that have taken place to demonstrate progress. Below is a brief summary and update of each lease with a time extension expiring in 2024.

### **Lot 5A, Block 1, FBO Subdivision 2018 Replat – Schilling Rentals, LLC**

Resolution No. 2023-28 granted a 12-month time extension for required permanent improvements to be completed no later than May 31, 2024. The lease required the lessee to construct steel hangar with crew quarters with an aggregate cost of at least \$1,200,000.

The Administration has requested a meeting with Schilling Rentals, LLC in January and will provide an update after this meeting.

### **Tract A-2, General Aviation Apron Subdivision No. 7 – SOAR International Ministries, Inc.**

Resolution No. 2023-44 granted a 12-month time extension for required permanent improvements to be completed no later than June 30, 2024. The lease required the lessee to construct a hangar facility for aircraft storage and maintenance, an aircraft ramp and tie-down, and parking, with an aggregate cost of at least \$2,000,000.

SOAR International Ministries, Inc. submitted a lease amendment application for additional land to build a larger hangar. Their initial request would interfere with the transient aircraft parking area and impact the access gate, utility box, and future rental car parking. A reduced amount of additional land has been agreed upon and ready to be brought forward to City Council for consideration in January. The specific date of start of construction is unknown due to increased cost. Construction is unlikely to begin prior to the improvement deadline as additional funding is needed and being sought for the project.

**Lot 5, FBO Subdivision No. 10 – Alaska Air Fuel, Inc.**

Resolution No. 2023-58 granted a 12-month time extension for required permanent improvements to be completed no later than September 30, 2024. The lease required the lessee to construct tarmac and hangar facility with offices, with an aggregate cost of at least \$1,000,000.

Staff has not received a project update since the one-year extension was granted and has made several attempts to contact Alaska Air Fuel, Inc. without any response. Staff will continue to reach out and provide an update at the following meeting.





## MEMORANDUM

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

**THROUGH:** Terry Eubank, City Manager

**FROM:** Derek Ables, Airport Manager

**DATE:** December 3, 2023

**SUBJECT:** **Airport Mid-month Report November 2023**

2020/2021 Sand/SRE Storage Building – This project has a projected completion date of December 8, 2023.

Airport Alternate - The Airport staff met with representatives from Conoco Phillips on November 30, 2023 to discuss using Kenai as an alternate. They currently operate 12 flights between Anchorage and the north slope a week with a possibility of increasing to 16 with Q400 aircraft. We discussed the logistics and availability of parking. In the future the fire department would like access to the aircraft. Conoco Phillips may be able to perform flight training to Kenai to allow this.

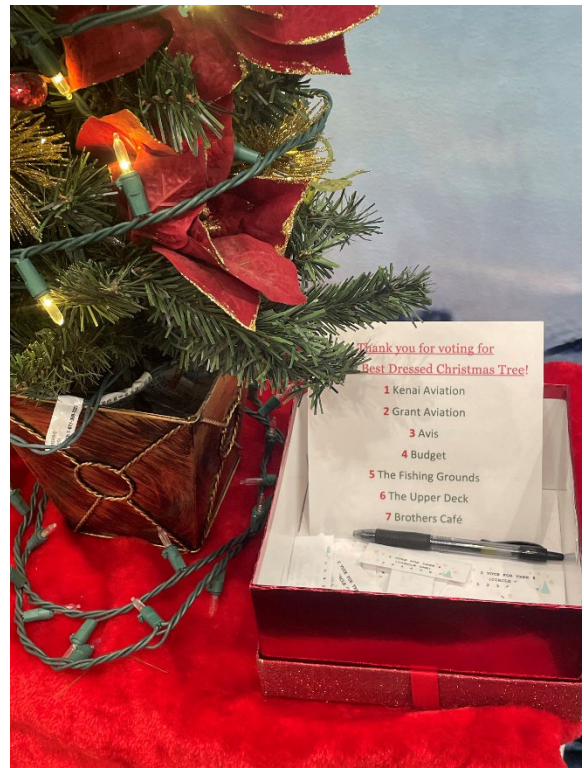
PFAS testing- Staff met with HDL and Shannon and Wilson on November 28, 2023 to discuss the PFAS sampling. Runway 02L/20R will be closed from 12:00 AM – 5:00 AM (local time) on Friday, December 15, 2023 (A total of one-night closure). A comprehensive plan was created to allow for the least amount of disruption to operations. Airport staff then held conversations with Lifemed, Guardian, Grant Aviation, and Kenai Aviation to address any concerns. This testing is required to proceed with future 02L/20R reconstruction.

### In-house Activities

- The Airport ACM was updated and approved by Matthew Stearns, Lead Airport Certification Safety Inspector, FAA, Airports Division – Alaskan Region.
- The DBE Program for the Kenai Municipal Airport was updated and uploaded to the City of Kenai Website.
- The Airport Emergency Plan was updated and approved by Matthew Stearns, Lead Airport Certification Safety Inspector, FAA, Airports Division – Alaskan Region.



- The Airport Manager and Admin assistant have obtained their know traveler numbers and are completing their Airport Security Coordinator certifications. Applications have been submitted to the TSA to allow access to the Transportations Vetting Portal.
- The 6<sup>th</sup> annual Christmas tree decorating contest is being held. The contest is an opportunity to share the holiday spirit with the community and general public. The airport tenants decorated trees and a winner will be announced December 20<sup>th</sup>.





# KENAI

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

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**THROUGH:** Dave Ross, Police Chief  
**FROM:** Jessica “JJ” Hendrickson, Animal Control Chief  
**DATE:** December 4, 2023  
**SUBJECT:** **November 2023 Monthly Report**

This month the Kenai Animal Shelter took in **41** animals. Animal intake and disposition:

DOGS:				
	INTAKE	16	DISPOSITION	14
	Waiver	11	Adopted	7
	Stray	3	Euthanized	2
	Impound	0	Claimed	3
	Protective Custody	1	Field Release	0
	Quarantine	1	Transferred	2
	Other Intakes	0	Other Dispositions	0
CATS:				
	INTAKE	21	DISPOSITION	20
	Waiver	6	Adopted	10
	Stray	15	Euthanized	6
	Impound	0	Claimed	4
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	0
	Other Intakes	0	Other Dispositions	0

OTHER ANIMALS:				
	INTAKE	4	DISPOSITION	3
	Guinea Pig	2	Rabbit	1
	Rabbit	2	Bird	0
	Other	0	Guinea Pig	2
DOA:		11	OTHER STATISTICS:	
	Dog	8	Licenses (City of Kenai Dog Licenses)	0
	Cat	3	Rabies Clinic	0
	Rabbit	0		

- 0 Animal dropped with After Hours (days we are closed but cleaning and with KPD)
- 18 Field Investigations & patrols
- 3.30 Volunteer Hours Logged
- 0 Citations
- 0 Educational Outreach
- 0 Microchip

Total Animal Contacts:

- 7 Animals are *known* borough animals
- 20 Animals are *known* City of Kenai
- 5 Animals are *known* City of Soldotna
- 0 Animals are *unknown* location

Statistical Data:

- 556 2021 YTD Intakes
- 457 2022 YTD Intakes
- 501 2023 YTD Intakes





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Dave Swarner, Finance Director

**DATE:** December 12, 2023

**SUBJECT:** Finance Department, November 2023 Mid-month Report

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The department is focused on preparation of the City's Annual Comprehensive Financial Report. This process includes closing of the FY23 financial records, fiscal year end grant reporting, completion of the annual Audit and finally financial statement preparation. We continue to provide documentation to the auditors as requested.

The RFP for our Cybersecurity Assessment is under review and expected to be posted early in the new year. It is funded by the Department of Homeland Security and Emergency Management.

The Controller position has been filled with our new Controller starting in mid-February.

Preparation will soon begin for the FY25 annual budget. Historical and future projections are provided to departments in December to assist in their budget preparation and much work takes place in putting this information together. In preparation for the budget process the department is seeking comments or requests from Council members on specific improvements they would like to see or information they would like included in the FY2025 budget process.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Tony Prior, Fire Chief  
**DATE:** December 4, 2023  
**SUBJECT:** Fire Department Mid-Month Report – November.

---

November, 2023 calls for service decreased in comparison from 2022 calls, however, overall calls for the year-to-date are up 3.1% compared to 2022. Here are the calls for service break down.

November	2022	2023	% change
Month totals	146	137	-6.2%
EMS	117	108	-7.7%
All Other	29	29	0.0%
Year total	1398	1442	3.1%

### Training:

- All EMT III's took a Pre-Hospital Trauma Life Support (PHTLS) course and were certified through National Association of Emergency Medical Technicians (NAEMT) in cooperation with the American College of Surgeons Committee on Trauma.
- EMT III's continued training on transition to AEMT with topics including: Airway Management, Medical Emergencies, OBGYN Emergencies, Psychiatric Emergencies and Pediatric Emergencies.
- All shifts refreshed on Ice Rescue practices.
- Paramedic Cory Lehl attended the EMS Symposium in Anchorage.
- Rope Rescue training conducted specific to low angle bluff incidents.
- Monthly ARFF training for all shifts.

### Projects/Grants:

- Bidding received and closed for Phase II of our Community Wildfire Protection Plan (CWPP) mitigation. Resolution to award bid will be on Council Agenda for 12/20.
- We submitted for Phase 24 of the Code Blue Grant which is designed for EMS equipment.
- We completed and submitted our Medicare Ground Ambulance Data Collection System information required by the Centers for Medicare and Medicare Services.

- We have also started to work on Supplemental Emergency Medical Transport (SEMT) for FY23 and have received confirmation that we should be expecting an interim payment for FY22 in December.
- VFA Grant will be open soon and we will be submitting for equipment to assist in Wildland Firefighting Operations.





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Stephanie Randall, Human Resources Director  
**DATE:** December 11, 2023  
**SUBJECT:** **Human Resources Activity – November 2023**

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### **Recruitment**

Human Resources has been actively recruiting to fill several vacant positions. HR worked with Finance to recruit and hire a Controller who will be joining the City in February, and worked with the Public Works Department to recruit a Shop Mechanic for the City Shop. Additionally, a new Public Safety Dispatcher was brought on board with the Police Department, and a job offer was extended to a prospective Police Officer. The Senior Center recruited and hired a Kitchen Assistant. The Human Resources Department continues to actively recruit for a Public Safety Dispatcher, a part-time Administrative Assistant for Planning and Zoning, and a Recreation Center Worker for the Parks and Recreation Department.

### **Safety/Training**

Two accidents were reported in November. Both were minor injuries with no damage to City equipment.

### **Special Projects**

Human Resources worked with the City's health and life insurance benefits consultant to provide information to employees for this year's benefits open enrollment period. This year's open enrollment was a passive enrollment, which began on November 6, and included the Medical, Prescription Drug, Vision and Dental plan offered through Premera, the Voluntary Life/AD&D and the suite of additional voluntary products offered through Lincoln and Flexible Spending Accounts (FSA's).

Human Resources continued to work with Administration and consultants from McGrath Human Resources Group to complete a Classification and Compensation study.



# KENAI

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

## MEMORANDUM

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

**THROUGH:** Terry Eubank, City Manager

**THROUGH:** Katja Wolfe, Library Director

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

**DATE:** December 12, 2023

**SUBJECT:** **Library Report for November 2023**

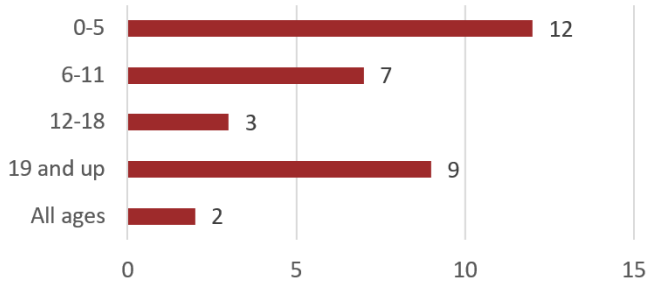
### NOVEMBER 2023 AT A GLANCE

Items Borrowed	Nov-22	Nov-23	2023 YTD
Physical	5,881	5,614	73,194
Digital	1,446	1,801	18,555
<b>Services</b>			
New Memberships	47	62	657
Room Reservations	130	123	1,570
<b>Programs</b>			
Number of Programs	37	33	412
Program Attendance	252	320	6,879
<b>Technology Sessions</b>			
Computer sessions	344	477	5,825
WiFi Sessions	7,417	5,361	101,421
Early Literacy Station Sessions	236	252	3,713

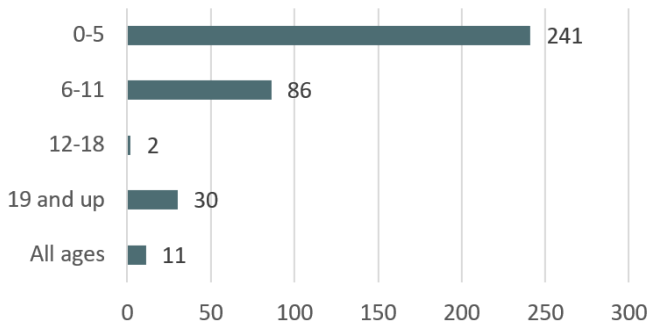


## NOVEMBER 2023 PROGRAMMING

Number of In-Person Programs Per Age Group



Total Attendance Per Age Group



### HIGHLIGHTS

#### Kids

- 10 Story Times – 173 participants
- 4 Lego® Clubs – 56 participants
- 2 American Girl Clubs – 26 participants
- Little Crafts – 18 participants
- Children’s Book Week Challenge – 54 participants

#### Teens

- Tech Lab – 9 participants

#### Adults

- 4 Tech Times – 9 participants
- Soapmaking – 7 participants
- Crafternoon – 12 participants

#### All Ages

- Basics of Chess – 8 participants

## NOVEMBER 2023 SERVICE HIGHLIGHTS

- Our study and conference rooms were used by 123 individuals/groups for a total of 234 hours.
- Seth Gray and Katja Wolfe attended the Library’s first library card signup event at Mountain View Elementary School. It was a huge success!
- Our December calendar is looking merry and bright! Check out some of these upcoming events:
  - Author Meet & Greet (December 14<sup>th</sup>)
  - Gnome Craft (December 15<sup>th</sup>)
  - Ornament Craft (December 16<sup>th</sup>)
  - Caroling (December 16<sup>th</sup>)
  - Mrs. Claus Story Time (December 18<sup>th</sup>)
  - Scavenger Hunt (starting December 18<sup>th</sup>)
  - Holiday Trivia (December 19<sup>th</sup>)





# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

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

**DATE:** December 12, 2023

**SUBJECT:** **Mid-Month Report-November**

Parks and Recreation staff started hanging Christmas lights on November 1st. The Parks crew decorates various parks, city properties, and hangs Christmas décor on the street lights. The goal is to have all the lights up by Christmas Comes to Kenai.

In addition to hanging Christmas lights, the cold weather and snow mean the park crew will start maintaining our ski trails at the Kenai Golf Course, our walking trails at Municipal Park, and Daubenspeak Pond for Ice Skating.

The Parks staff also removes snow from fire hydrants around the City. We maintain a fire hydrant adoption program (see form attached). One community member who adopted their hydrant named it "Little Pump."

### Kenai Rec. Center Visits-September

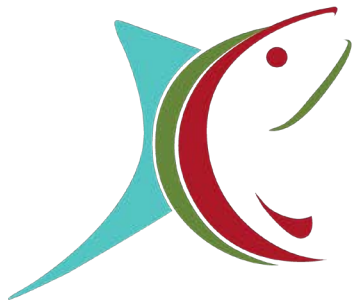
Weight Room/Cardio Room	1281
Racquetball	56
Walleyball	72
Shower/Sauna	0
Gymnasium	1423
Other	0
Gym Rental Visits	2832
<b>Total Number of Visits</b>	<b>4312</b>

Municipal Park Walking Trails



Kenia Golf Course Ski Trails





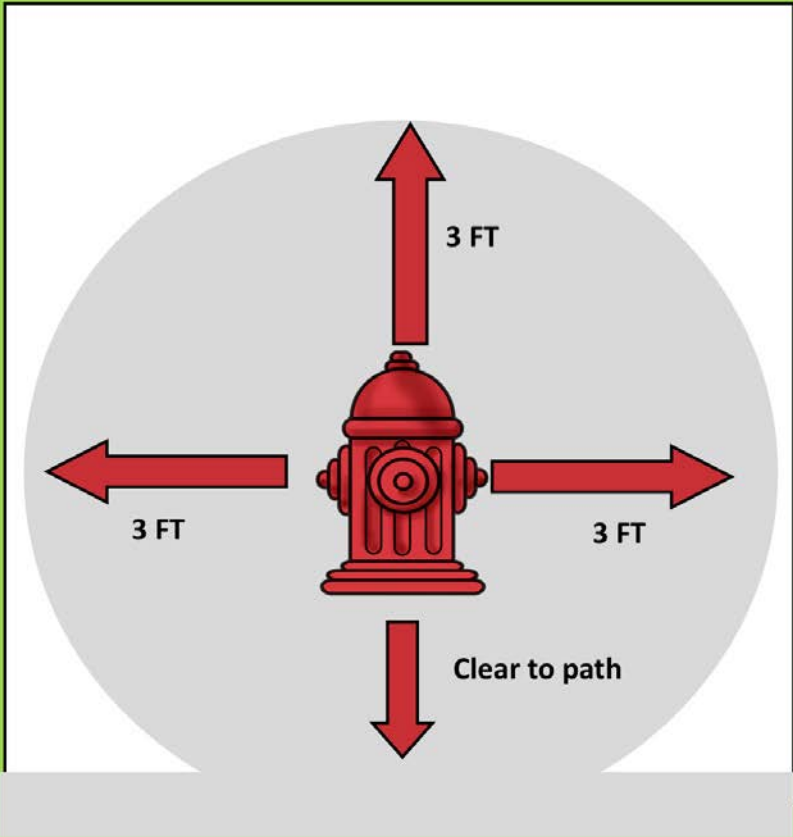
# KENAI

## City of Kenai


### Adopt-A-Hydrant Program

Do you want to serve your community? Then this may be the perfect program for you. During the Winter months, the City of Kenai has over 500 fire hydrants to maintain and to keep clear of snow. The City works hard to keep hydrants clear, but with the large snowfalls that can happen it can be difficult to maintain. We are asking for your help in this endeavor to adopt a fire hydrant. By adopting a fire hydrant, you will be helping emergency services locate and use these hydrants quicker and safer in case of winter emergencies!

**City of Kenai Adopt-A-Hydrant**



- Do not use a snowblower they can damage the hydrants
- Clear a path to the hydrant
- Clear a 3 feet around the whole hydrant!
- clear snow and ice off of the hydrant





What do you need to do?

Locate and identify a hydrant, fill out the form below and send it to the Parks and Recreation Department at [Parks@kenai.city](mailto:Parks@kenai.city) or bring it to the Kenai Recreation Center at 227 Caviar, Kenai, Alaska 99669. Questions call the parks department at 907-283-8262.

Then every time it snows, we ask that you check your hydrant and make sure it is clear of snow, as shown in the above graphic on the front page.

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

Business: (if applicable) \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Hydrant Location:

\_\_\_\_\_

\_\_\_\_\_



# KENAI

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

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Linda Mitchell, Planning Director  
**DATE:** December 12, 2023  
**SUBJECT:** Planning and Zoning – November 2023 Monthly Report

### General Information

- There has been a vacancy in the 2<sup>nd</sup> Administrative Assistant II position since November 6, 2023. The job posting will be closed on December 13<sup>th</sup> and interviews to be scheduled the following week.
- Waterfront Rezone – Introduction of Ordinance in January.

### Application Summary

Planning and Zoning received nine (9) applications in November, carried over 10 applications, and completed four (4) applications.

Staff conducted four (4) pre-application meetings in collaboration with the Fire Marshal, Building Official, and/or Public Works Director.

Applications	No. Received	Carried Over	Completed	In Progress
<b><i>Planning</i></b>				
Building Permit	2	1	2	1
Sign Permit	0	1	0	1
Conditional Use Permit	0	1	0	1
Amendment	0	0	0	0
Time Extension	0	0	0	0
Transfer	0	0	0	0
Encroachment Permit	0	0	0	0
Landscaping/Site Plan	2	1	1	2

Home Occupation Permit	0	1	1	0
Plat	2	1	0	3
Easement/Right-of-Way	0	1	0	1
Variations/Exceptions	0	0	0	0
Variance	1	0	0	1
Zoning Map/Text Amendment	0	1	0	1
City-Initiated	0	0	0	0
<b>Lands &amp; Leases</b>				
Purchase	0	0	0	0
New Lease	0	0	0	0
Renewal/Extension	0	0	0	0
Amendment	0	1	0	1
Assignment	0	0	0	0
Easements	1	0	0	1
Development Incentive	0	0	0	0
Special Use Permit	1	1	0	2
<b>Total</b>	<b>9</b>	<b>10</b>	<b>4</b>	<b>15</b>

**Code Enforcement and Compliance**

In November, Planning and Zoning received eight (8) new complaints, one (1) was the same complaint on the abandoned vehicles off Fifth Avenue and Ash Avenue, two (2) were unfounded, and six (6) cases were closed. There is a cumulative total of 21 open cases.

<b>Violations</b>	<b>No. of Open Cases</b>	<b>Carried Over</b>	<b>New</b>	<b>Closed</b>
<i>By Types</i>				
Abandoned Vehicle(s)	2	2	3	3
Building (e.g., as-built, damaged or decayed)	3	3	0	0
Conditional Use Permit	1	1	0	0
Junk and/or Refuse	4	5	1	2
Junk Vehicle(s)	5	4	1	0
Livestock	1	0	1	0
Signs	1	1	0	0
Recreational Vehicle(s)	1	0	1	0
Zoning (e.g., structures, setbacks, use)	3	4	0	1
<b>Total</b>	<b>21</b>	<b>20</b>	<b>7</b>	<b>6</b>



**List of Open Cases**

<b>Property Address</b>	<b>Date of Complaint</b>	<b>Type of Violation</b>
110 Aleene Way	5/4/2022	Junk Vehicles; Junk and/or Refuse
5264 Kenai Spur Hwy	5/12/2022	Junk and/or Refuse
<del>508 Hemlock Avenue</del>	<del>5/13/2022</del>	<del>Junk and/or Refuse</del>
9168 Kenai Spur Hwy	5/16/2022	Junk Vehicles; Junk and/or Refuse
311 Linwood Lane	6/17/2022	Junk and/or Refuse
1009 Second Avenue	8/12/2022	Zoning (Use)
305 Sterling Court	10/20/2022	Building (On-Hold)
700 Cypress Drive	10/24/2022	Junk Vehicles
345 Dolchok Lane	10/28/2022	Building; Zoning
312 Aspen Street	10/26/2022	Abandoned Vehicles
<del>41888 Kenai Spur Hwy</del>	<del>11/17/2022</del>	<del>Zoning (Use)</del>
12656 Kenai Spur Hwy	12/1/2022	Sign
4315 Lupine Drive	2/8/2023	Junk and/or Refuse
204 Lawton Drive	6/7/2023	Zoning (Home Occupation)
415 Roger Road	6/7/2023	Zoning (Home Occupation)
8525 Kenai Spur Hwy	7/5/2023	Junk Vehicle
418 Birch Street	8/1/2023	Building
108 N Spruce Street	9/19/2023	Zoning (Use)
<del>Swires Road</del>	<del>10/4/2023</del>	<del>Abandoned Vehicle</del>
1231 Lilac Street	10/17/2023	Junk and/or Refuse
590 Dolchok Lane	11/2/2023	Livestock – Structure
<del>1301 Kiana Lane</del>	<del>11/13/2023</del>	<del>Junk and/or Refuse</del>
Fifth Ave & Ash Ave	11/14/2023	Abandoned Vehicle
<del>Fifth Ave &amp; Ash Ave</del>	<del>11/15/2023</del>	<del>Abandoned Vehicle</del>
<del>Fern St &amp; Togiak St</del>	<del>11/15/2023</del>	<del>Abandoned Vehicle</del>
1330 Chisik Street	11/21/2023	Recreational Vehicle; Refuse
1508 Pine Street	11/29/2023	Junk Vehicles





### ***Before and After Highlights***



*Significant Debris and Junk Since May 2022 – 508 Hemlock Avenue*

### **Planning and Zoning Commission**

Two (2) public meetings were held in the month of November.

- **Resolution PZ2023-19** – Recommended Approval to Rezone the Properties Located at 103 Birch Street and 1202, 1204, and 1206 First Avenue from General Commercial (CG) to Suburban Residential (RS) Zoning District.
- **Action** – Granted a Home Occupation Permit to Allow a Home Day Care for up to Eight (8) Children on a Property Located at 621 Fir Drive in the Suburban Residential (RS) Zoning District.
- **Resolution PZ2023-21** – Recommended Approval for Preliminary Plat – Kenai Townsite Oiler’s 2024 Addition for a Parcel Merger of Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition, a Right-of-Way Vacation of Outside Way as Dedicated on Original Townsite of Kenai Subdivision, a Utility Easement Vacation, and a 60-foot Right of Way Dedication in the Central Commercial (CC) Zoning District.





# MEMORANDUM

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

**THROUGH:** Terry Eubank, City Manager

**FROM:** David Ross, Police Chief

**DATE:** December 7, 2023

**SUBJECT:** **Police & Communications Department Activity – November 2023**

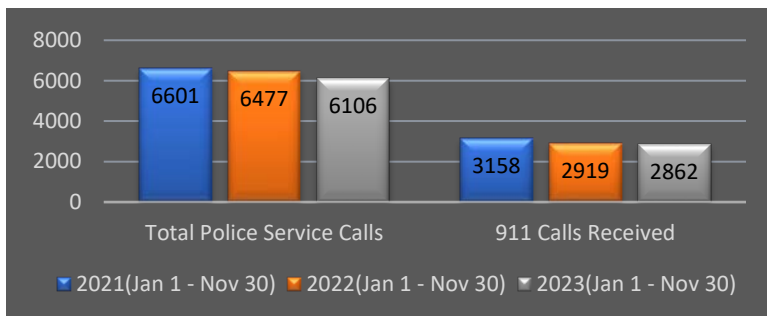
Police handled 471 calls for service in November. Officers made 34 arrests. Traffic enforcement resulted in 209 traffic contacts with 21 traffic citations issued and there were 5 DUI arrests. There were 18 reported motor vehicle collisions in November. Two of those collisions involved a moose and there were no collisions involving drugs or alcohol.

Multiple officers assisted in traffic control for the Parade of Lights in Kenai on November 24<sup>th</sup>.

The Department is still working to fill one Police Officer and one Dispatcher vacancy.

One KPD officer attended a week-long Defensive Tactics Instructor training in California. One officer attended a one-day patrol tactics training in Anchorage. One new dispatcher started field training at the Department.

The School Resource Officer (SRO) continued teaching DARE classes at Mountain View Elementary, in addition to dealing with a number of police calls in various schools. Investigator Josh Hall attended DARE training for two weeks in New Hampshire, in preparation to take over the roll of SRO in the Fall of 2024.





# KENAI

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

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** December 2023  
**SUBJECT:** Mid-Month Report; Public Works / Capital Projects

### *Airport Fund Projects:*

- Kenai Municipal Airport Sand Storage Facility – This project successfully reached Substantial Completion on November 21<sup>st</sup>, 2023 and is currently in use by Airport Operations. Orion Construction’s original contract was \$2,289,000, and after a pending final change order three is executed in late December total change order costs to date will be \$50,261.34, approximately 2.2%, the revised contract will then be \$2,339,261.34.

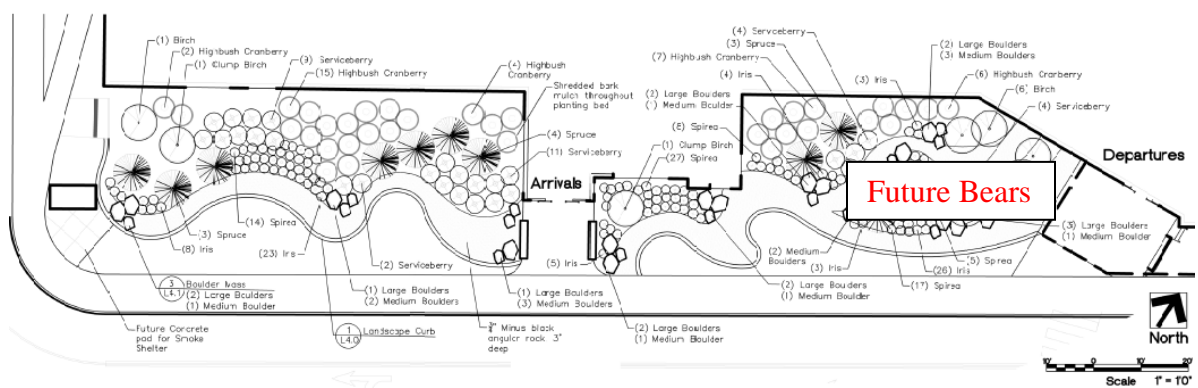


- Kenai Municipal Airport Runway Rehabilitation Project – This project known as Task 4 within HDL Engineering Consultants LLC term service agreement with the City shall provided an initial assessment of the current condition of the airport runway. This included geotech work, coring numerous locations of the runway. On August 4<sup>th</sup>, 2021 HDL Engineering and staff successfully completed geotech borings of the runway after hours. On October 13<sup>th</sup>, 2021 HDL Engineering, City staff and the FAA discussed the findings of the geotech report. On December 6, 2021 the City received the draft Engineer’s Design Report (EDR) along with the draft Geotechnical Report. Ordinance 3278-2022 was approved on April 20<sup>th</sup>, 2022 to secure



HDLs services through Bid Phase with a contract amendment of \$781,833 executed on May 6, 2022, bringing the total cost of design to \$1,031,833. Project was stalled at 35% Design as Environmental Compliance requirements were being clarified. Project is currently tracking for Runway Rehab Construction in 2025 with the Taxiways 2026 the following year, however this may slide a year, dependent upon FAA funding. Staff meeting was held in Anchorage with FAA Counterparts to discuss project on 3/8/23. March 27, 2023 staff meeting with DEC to discuss path forward for design services. Project is now moving forward again with Environmental Services toward a 65% design effort. Council approved a purchase order increase to HDL Engineering at the June 7<sup>th</sup>, 2023 to allow the environmental work to move forward. Airport Manager and Public Works Director met with HDL on 8/9/23 and reviewed the environmental documents status. On October 6, 2023 received email confirmation that DEC has approved the environmental work plan for the project. On November 1, 2023 council approved a PO increase to cover the costs associated with performing the work identified in the environmental work plan. *Shannon & Wilson, the company performing these services is due to be on site December 15<sup>th</sup>, weather dependent. Engineers, Airport Operations, Flight Services, Terminal Tenants, have all been in communication in support of completing this work.*

- Kenai Municipal Airport (KMA) Terminal Landscaping – Earthscape LLC currently working under a design agreement at a cost of \$28,255 has completed their contracted efforts. The bronze bear elements could be placed within the landscape in the area indicated below if and when funding comes available for their purchase and installation. The other elements of the work can be bid for installation in the spring of 2024.



- Kenai Municipal Airport (KMA) Operations Building HVAC Controls Upgrade & Boiler Replacement – This project was released for RFP on July 19, 2022 with proposals due on August 16, 2022. MBA Consulting Engineers was the successful proposer awarded under Resolution 2022-63 approved by Council at the September 7, 2022 Council Meeting. Contract Documents were fully executed with MBA on October 31, 2022 for the contracted amount of \$47,726. November 10, 2022 will be the first site meeting with staff and engineering team. Design work is anticipated to continue through the winter months. 95% design documents were received on January 30, 2023. Project cost estimate is over budgeted amounts and staff is coordinating with design team to refine documents. Introducing Ordinance at the 8/16/23



council meeting to appropriate additional funding in support of the project. An FAA grant is in the process, meeting was held on 11/7/23 with HDL Engineering to provide a cost to perform the required environmental compliance services required with a grant application. Construction Documents are being revised to include grant funding requirements. *The environmental document for this project is now complete, FAA grant funds are expected to be available in March 2024. Project will not be released for bids until we are directed to by the FAA.*

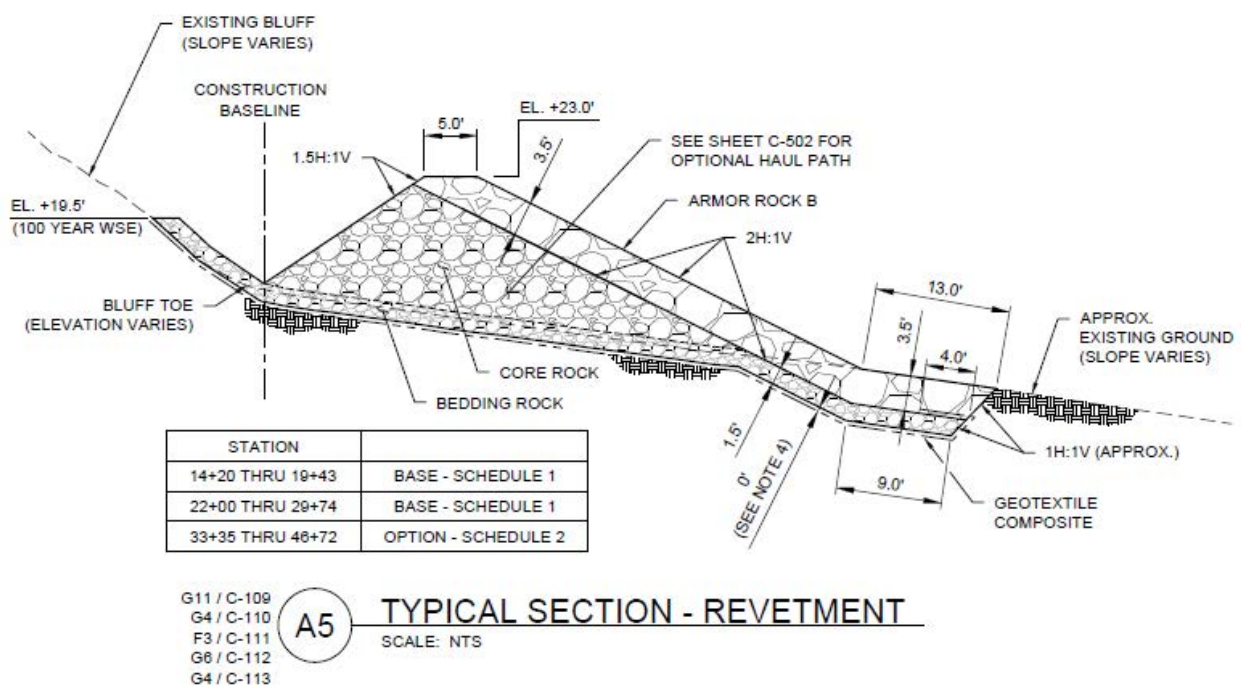
- Kenai Municipal Airport (KMA) Apron Crack Seal and Seal Coat – Staff received a design proposal from HDL Engineering to evaluate and develop bid ready construction documents in support of this project. Staff is coordinating with the FAA on grant approval. Council approved Resolution 2023-64 at the November 1<sup>st</sup>, 2023 Council meeting which awarded the design to HDL Engineering. HDL staff was on site the week of November 6<sup>th</sup> evaluating existing apron conditions. Design will continue through the winter with Bid documents anticipated for March 2024.

### **General Fund Projects:**

- USACE Kenai Bluff Bank Stabilization Project – This project encompasses approximately 5000 lineal feet of coastal bluff starting at the mouth of the Kenai river extending upriver along the northern river bank. The bluff in this area varies from 55'-70' above the toe. A protective armored rock berm with a crest elevation of approximately 12' in height is planned. The project is approaching execution of a Project Partnership Agreement (PPA) tentatively scheduled for September 25, 2023. Tentative release of an Invitation to Bid (ITB) for Construction is currently tracking for November 20, 2023. Construction is anticipated to continue through the 2024 & 2025 construction seasons. Milestones to date listed below.
  - Director's Report April 10, 2019 USACE approved Project Feasibility
  - Section 221 Agreement MOU July 7, 2020 allows City to conduct design prior to DA
  - Design Agreement (DA) September 14, 2020 executed but not federally funded
  - Section 221 Agreement MOU February 11, 2021 allows City to construct prior to PPA
  - Design Contract executed with HDR Engineering July 6, 2021
  - City's 35% Design submission submitted to USACE on January 25, 2022
  - City's 65% Design submission submitted to USACE on April 28, 2022
  - Preliminary Engineering Design (PED) funding arrives on May 17, 2022
  - Value Engineering (VE) Workshop held with USACE / Design team June 21-24, 2022
  - PED / Construction Federal Funding arrives July 28, 2022
  - Advanced Technical Review (ATR) begins October 3, 2022
  - City of Kenai receives FEMA notification of enrollment in National Flood Insurance Program December 19, 2022, a condition of receiving Federal funding.
  - Water Resources Development Act (WRDA 2022) late December 2022, this Bill has cost repercussions for the project which ultimately change the cost share between the City and USACE from 65% / 35% to 90% USACE / 10% City.
  - Project Cost Certification received January 27, 2023, confirming sufficient funding
  - USACE Headquarters Agreement draft PPA June 6, 2023 received by City



- City provides USACE Financial Self-Certification in support of PPA June 15, 2023
- City's 95% Design Submission after completion of all USACE back checks June 30, 2023
- Project Partnership Agreement (PPA) was successfully signed on September 25, 2023!
- *Received Real Estate Certification and Right of Entry Approval from USACE on November 3, 2023. This was a big step which allows for contracting to continue forward with the project.*
- *This project was formally released through USACE for Construction Bids on 11/29/23 with a Pre-Bid Meeting conducted on 12/12/23. Project is tracking towards bids being received in early January 2024.*
- Diagram below is from the current set of drawings and represents a typical section of the revetment.



- Community Wildfire Prevention Plan (CWPP) Mitigation – This is Phase One of our mitigation efforts. Doug Koch Professional Tree Service was contracted with the City on February 28, 2023 in the amount of \$282,000 to mitigate 105 acres within the no name creek drainage extending from Redoubt Avenue down to the City's North Beach through Municipal Park. To date the project has completed and invoiced \$218,764.45 of work. The project has proceeded well and remains on time and on budget. Final completion is anticipated within the next 60-90 days. Most of the remaining work involves hand felling of trees in steeper areas near the creek.
- Recreation Center Improvements – This project will replace the facilities roof system as well as numerous mechanical roof top HVAC units. Formal Invitation to Bid was released on February 23, 2023 with bids due on March 23, 2023. Orion Construction was the successful bidder with a total bid of \$1,425,700 as presented to Council through Resolution 2023-25



adopted at the April 5<sup>th</sup>, 2023 Council meeting. Construction will continue into the fall of 2023. Update: Mechanical HVAC Roof top units remain on order, expected in late December. Project is proceeding well and on schedule. Change Order 1 was executed on August 16, 2023 in the total amount of \$18,548.96, which included four items including replacement of the facilities electrical meter base at HEA's request. Total contract to date \$1,444,248.96 with \$170,026.75 remaining to be completed.

- Multi-purpose Facility – The Building Maintenance Department completed all of the pressure washing and rust prevention coatings in house. That portion of the project was completed on time and on budget and allowed for ice to go back in on schedule. Staff continues to work on ventilation solutions as well as some UV Heat lamps to replace the natural gas heaters suspended from the ceiling near the seating areas. Once a scope of work is finalized by the department these additional items will be released for bids. Currently roughly \$71,000 of the \$155,000 in funding has been expended. A Proposal Quote Request (PQR) was released on June 30<sup>th</sup> with quotes due on July 13<sup>th</sup>. MBA Consulting Engineers was the only respondent at a cost of \$30,580. Design work will cover ventilation, lighting, bleacher radiant heating and will take place through November. Contract documents were fully executed on September 8, 2023.
- Cemetery Expansion – This project is located at the corner of First Ave and Float Plane Rd and will provide for additional burial space as the existing adjacent cemetery has reached capacity. The Public Works Department using in house personnel has already cleared, leveled and graded the site, and placed and compacted a gravel sub-base for the parking area. Staff has successfully surveyed in 64 adult plot sites and 12 infant plot sites. These sites are available through the Clerk's office. Cemetery Phase 2 Fencing was released for bids on July 26<sup>th</sup> with bids due on August 9<sup>th</sup>. Council will see legislation for a contract award at the August 16<sup>th</sup>, 2023 meeting. AAA Fence, Inc was the successful bidder at a cost of \$147,595, their contract was fully executed on September 8, 2023. *All fencing materials have now been installed, final closeout docs received and final invoices are in process for payment. Fence was installed as contracted, no changes to work necessary.* Staff will coordinate with Parks and Rec and the design team to finalize project needs for next year. Parking lot paving will not be completed until next construction season along with HEA power being brought into the property.
- Softball Shelter Dugouts – Larsen Engineering has been awarded the design work for the dugouts. Design requirements are being discussed with the engineer, however this project is moving slowly as staff and engineer are heavily involved in other projects. Project will move forward shortly as staff time becomes available.
- Lilac Ln. Roadway Improvements – RFP was released on 8/8/23 for Professional Civil Engineering and CA Services to develop bid ready construction documents for this project. Proposals are due on 8/28/23. Council will see legislation to award a professional services agreement at either the 9/6/23 or 9/20/23 council meeting. Design work will take place over the winter for a summer 2024 construction date. This project is located between the Spur



Highway and Cook Inlet Dr. Resolution 2023-54 was approved by Council at the September 6, 2023 Council meeting. Nelson Engineering is now actively working on the project design. Test holes have been completed and a site survey is underway. Total contract for design is currently \$38,840. *35% design documents were received on 11/17/23 for staff review, project is continuing 65% design and is on track to be released for Construction bids in March 2024.*

- Cemetery Creek Culvert Replacement - RFP was released on 8/8/23 for Professional Civil Engineering and CA Services to develop 35% design documents for this project. Proposals are due on 8/28/23. This project is in coordination with the US Fish & Wildlife. Work involves replacement of several aging culverts with fish passage type culverts. 35% design documents will be used to apply for grant funding. Two proposals were received by the Department with PND Engineer's receiving the highest scoring proposal at a total cost of \$29,577. PND is now under contract. 9/28/23 a site meet was conducted with PND, City staff, & US Fish & Wildlife to discuss and review the project. 10/11/23-10/12/23 surveyors are on site developing an existing conditions field survey. Coordination with the USFW on grant funding opportunities is underway. *On November 13, 2023 staff received the draft Hydrologic and Hydraulic (H&H) Report from PND Engineers. On December 1, 2023 the complete draft 35% design documents were received. On December 8, 2023 meeting with USFW, Engineering team and PW staff was held to review the documents. USFW have requested some additional information to be included in the design above our contracted scope of work with PND Engineers. On December 12, 2023 we received an amendment request of \$4,838 to cover the costs associated with the additional work. The additional design effort will extend the final deliverable into the mid-January 2024. These documents we will use to apply for grants in the first quarter of 2024. The project is proceeding well and as expected.*
- Community Wildfire Prevention Plan (CWPP) Mitigation Phase Two – Doug Koch Professional Tree Service was the low bidder on this project that was released for bids on November 1, 2023 with bids due on November 29, 2023. His bid in the amount of \$177,700 to mitigate 84.75 acres within the Cemetery Creek drainage extending from Float Plane Basin down to the Lee Shore Center. Resolution 2023-67 is in the 12/20/23 Council Packet to award the project. Work will continue throughout the next year.

#### **Water & Sewer Fund Projects:**

- Lift Station Renovations – Resolution 2021-58 awarded HDL Engineering agreement in the amount of \$59,560 to provide bid ready construction documents for three lift stations. These locations included the stations at mile posts 13 and 14, which are near the soccer fields and Spur / Redoubt Ave respectively, as well as a station on Lawton Drive. These locations are intended to receive new pumps and pump control panels as part of this project. After determination of which lift stations would receive renovations to start, a design meeting was held on 12/3/21 to discuss pump and control panel design. Basis of design memo received on January 6, 2022. Design documents are approaching 95%. Design is finally approaching completion. Challenges with our current SCADA team required some changes to different lift





station controllers which has now been resolved. *Supplemental funding will be needed to complete these three locations, staff is working on finalizing those estimated costs, with upcoming legislation to be expected. Construction expected for summer 2024.*

- Wastewater Plant Digester Blowers Replacements – HDL Engineering was authorized to proceed on design documents for this project through passage of Resolution 2022-29 on May 18, 2022. Design Agreement is currently in the amount of \$382,513 and will provide bid ready construction documents for the replacement of two 40+ year old blowers at the WWTP. The Department received 35% Design Study Report on September 23, 2022 and the project is currently moving toward 65% design documents. A grant for this project has been applied for through Senator Murkowski's office through the Congressional Directed Spending (CDS) program. We are awaiting word on if we were successful in receiving grant funds. This is a high priority project for the department and is anticipated to provide further energy savings similar to the aeration basin blower replacement project completed a few years ago. Final 65% plan reviews are being conducted on site with HDL on 12/19/22, bid documents are expected to be ready 5/1/23 and if funding is in place will be bid immediately, if not will be delayed until funding arrives. Environmental review process is delayed as we are not sure of the grant requirements at this time, and may not know until a future grant is executed. Until then this will be a shovel ready project waiting on funding. May 5<sup>th</sup> a Community Grants Webinar was held to discuss the pending grant requirements, the Public Works Director and HDL Engineering participated in the webinar. Consultants are reviewing requirements and hope to have the design moving forward shortly. Project will not be able to be bid until funding formally arrives. *Design team is actively working with granting agency. Construction expected for summer 2024.*
- Water Treatment Plant Pumphouse – This project will construct a new pumphouse building and provide replacement distribution pumps for the City's Water System. On August 1, 2023 received letter that the State of Alaska Department of Environmental Conservation (ADEC) has awarded the City of Kenai a \$1,200,000 loan through the state's revolving fund program and that the loan would receive 100% forgiveness in support of this project. Resolution 2023-56 was approved by Council at the September 20, 2023 Council Meeting to allow access to these funds. Staff is working on grant application requirements. *Ordinance 3384-2023 is being introduced 12/20/23 to move funding into place for the design work to proceed.*
- WWTP & WTP Electronic Access Gate & Controls – On August 13, 2023 HDL Engineering provided a proposal under their term agreement to begin design work on the Electronic Access Gates projects at both the Water and Wastewater Plants. The project identified as Task 13 under their agreement has a proposed design cost of \$24,902. Design work will continue over the winter months for construction to take place summer 2024.

### **Senior Citizens Fund Projects:**

- Senior Center Front Entry Modifications – Capital Project Manager is developing scope of work for this project to address operation of automatic entry doors.



### ***Congregate Housing Fund Projects:***

- Vintage Pointe Boiler Replacement – A RFP for design services was released on October 6, 2022 with proposals due on November 3, 2022. Design work will continue into the winter with a construction bid release expected at the end of the first quarter 2023. This project will replace outdated boiler heat systems for the facility as well as providing a direction on backup power generation to support the heating system when grid power is unavailable. No proposals were received, the Department is requesting approval to enter negotiations with RSA Engineering in the hopes of moving the project forward. RSA Engineering is under contract and is expected to start design in early January 2023. On February 3, 2023 RSA Engineering provided draft 65% Design Documents. Staff is currently reviewing. Engineering has a planned site visit for February 15, 2023 scheduled. We are anticipating bid documents being ready for an April Construction Bid release. 100% Design Documents were received from the RSA Engineering on April 14<sup>th</sup>. Council approved Resolution 2023-30 on May 3<sup>rd</sup> to reallocate funds for the project. Invitation to Bid was released on August 2, 2023 with bids due on August 23, 2023. Council approved Resolution 2023-53 at the September 6, 2023 meeting which awarded construction agreement to Orion Construction in the total amount of \$503,850. Contract has now been executed and submittals are actively in progress in support of the project. Boiler work is not expected to take place until spring when work will be less impactful on residents.

### ***Other Projects Information:***

- DOT Kenai Spur Highway to Sports Lake Rd – This project continues to wait for appropriation of state funds. Reached out to DOT staff on September 13, 2023, no new information provided at this time.
- DOT Bridge Access Road Bike Path – Council passed Resolution 2021-53 on August 4, 2021 authorizing the City Manager execute a memorandum of agreement with DOT for design, construction, and maintenance of the Kenai Bridge Access Road Pathway project. In speaking with representatives from DOT the state has not provided funding as yet for this project to move forward. To date the City has appropriated \$294,947 in support of this project which is intended to provide a 1.2 mile path connecting the paths between the Spur Highway and Beaver Loop. Total cost of project per DOT estimates equals \$3,266,301. Per communications with the DOT, design funding is in place and they are waiting on final signatures for the Reimbursable Services Agreement (RSA) with DNR. Once the RSA is approved they will be able to begin design work. Process is expected to be completed by the end of January. Update: Formal kickoff meeting took place on March 30<sup>th</sup> with the City Manager and Public Works Director in attendance. From appearances this design process will be a slow one, we are not anticipating seeing construction on the path this calendar year. Will continue to update as more information becomes available. Update: A site meeting will be taking place between the City, DNR, & DOT on 6/9/22 to review the project. HDL Engineering appears to be conducting surveying services in support of the project, crews were in the area on



6/7/22. On June 29, 2022 the City Manager & Public Works Director met with DOT representatives and discussed projects. State funding continues to be an issue. Reached out to DOT staff on September 13, 2023, no new information provided at this time.





# KENAI

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

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**THROUGH:** Kathy Romain, Senior Center Director  
**FROM:** Astrea Piersee, Administrative Assistant III  
**DATE:** December 11, 2023  
**SUBJECT:** November 2023 Monthly Report

November ushered in its anticipated cold and snowy weather, yet it brought a plethora of opportunities for seniors to engage in various activities. The center hosted its second annual Vintage Collectibles and Craft Show with much success. A luncheon and festivities, honoring Veterans was held in commemoration of Veterans Day. With support from Hilcorp’s funding and volunteers, the Kenai Senior Center provided 189 meals to local seniors. This tradition has become quite the social event for the Thanksgiving holiday. Rounding out the month of November a final highlight was a “cheese tasting” held at Lucy’s Market. Seniors had fun learning a little history about the origins of cheese as well as experiencing samples of the different cheeses.

	2023	2022
Home Delivered Meals	2327	1795
Individuals	98	192
Dining Room (Congregate) Meals	1450	932
Individuals	137	207
Transportation (1-way rides)	159	239
Individuals	20	24
Grocery Shopping Assistance	11/17	14/67
Writers Group	31	21
Caregiver Support Group	18	12
Growing Stronger Exercise	246	168
Tai Chi Class	37	48
TOPS Weight Loss Class	47	53
Bluegrass & Music Sessions	46	99
Card Games	54	69
Wii Bowling	24	16
Arts & Crafts	35	30
Total Event Sign-ins *	1660	1706
Individuals *	179	233
Vintage Pointe Manor Vacancies	0	1

\*(not including home meals clients)



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**FROM:** Terry Eubank, City Manager  
**DATE:** December 12, 2023  
**SUBJECT:** **Quarterly Financial Report – September 30, 2023**

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Attached is a relatively easily produced quarterly financial report for the General Fund, Personal Use Fishery Fund, Airport Fund, Water/Sewer Fund, and Senior Fund as of September 30, 2023.

This report is essentially on a cash basis, so there are accounts that may not look reasonable. In the General Fund for example, sales and property tax revenue only includes payments made to the City by the Borough through August. The third calendar quarter 2023 sales tax filings and tax payments are not in at this point and we will not be received for this quarter until the end of October or early November.

State and Federal is below budget in all funds because of PERS aid. The State doesn't actually give us any money. Instead they make an 'on-behalf' payment to the pension system. Similarly, we have not booked expenditures for the PERS the State is covering, so the Non-Departmental department is way under budget. At year-end we will record revenue and expenditures for these items.

**Quarterly General Fund  
Expenditure Report  
For Quarter Ended September 30, 2023**

	FY2023 <u>Actual</u>	Original * FY2024 <u>Budget</u>	Amended <u>Budget</u>	YTD <u>Actual</u>	Variance	%
<b>REVENUES</b>						
Appropriation of Fund Balance	\$ -	\$ 605,267	\$ 653,959	\$ 271,694	\$ (382,265)	41.55%
Taxes	14,134,685	14,320,890	14,320,890	3,338,035	(10,982,855)	23.31%
Licenses/Permits and Ambulance	1,310,312	1,113,650	1,113,650	203,745	(909,905)	18.30%
State/Federal	596,247	489,040	489,040	54,072	(434,968)	11.06%
Dock/Multipurpose/Miscellaneous	243,131	198,000	198,000	35,877	(162,123)	18.12%
Fines and Forfeitures	117,959	74,200	74,200	11,028	(63,172)	14.86%
Interest and Miscellaneous	710,616	826,438	828,938	397,640	(431,298)	47.97%
Transfers/Central Admin Fees	<u>1,948,766</u>	<u>2,011,109</u>	<u>2,011,109</u>	<u>533,775</u>	<u>(1,477,334)</u>	<u>26.54%</u>
<b>Total Revenues</b>	<b><u>19,061,716</u></b>	<b><u>19,638,594</u></b>	<b><u>19,689,786</u></b>	<b><u>4,845,866</u></b>	<b><u>(14,843,920)</u></b>	<b><u>24.61%</u></b>
<b>EXPENDITURES &amp; TRANSFERS</b>						
General Government						
01 City Clerk	\$ 363,865	\$ 368,599	\$ 368,599	\$ 75,922	\$ 292,677	79.40%
11 Legislative	154,636	175,687	175,687	31,186	144,501	82.25%
12 Legal	362,210	434,325	434,325	86,593	347,732	80.06%
13 City Manager	503,562	574,159	573,809	98,560	475,249	82.82%
14 Human Resources	146,292	244,100	244,839	46,137	198,702	81.16%
15 Finance	867,746	956,647	956,647	205,152	751,495	78.56%
16 Land Administration	24,775	63,400	63,400	30	63,370	99.95%
18 Non-Departmental	825,656	1,073,465	1,072,727	667,028	405,699	37.82%
19 Planning and Zoning	218,752	313,763	327,513	43,695	283,818	86.66%
20 Safety	<u>1,550</u>	<u>5,900</u>	<u>5,900</u>	<u>330</u>	<u>5,570</u>	<u>94.41%</u>
Total General Government	<u>3,469,044</u>	<u>4,210,047</u>	<u>4,223,447</u>	<u>1,254,633</u>	<u>2,968,814</u>	<u>70.29%</u>
Public Safety						
21 Police	3,588,735	3,863,607	3,863,607	791,661	3,071,946	79.51%
22 Fire	3,488,927	3,746,081	3,746,081	820,392	2,925,689	78.10%
23 Communications	930,882	985,445	985,445	200,651	784,794	79.64%
29 Animal Control	<u>483,320</u>	<u>506,600</u>	<u>509,100</u>	<u>136,699</u>	<u>372,401</u>	<u>73.15%</u>
Total Public Safety	<u>8,491,864</u>	<u>9,101,733</u>	<u>9,104,233</u>	<u>1,949,403</u>	<u>7,154,830</u>	<u>78.59%</u>
Public Works						
31 Public Works Administration	169,606	199,815	199,815	34,075	165,740	82.95%
32 Shop	698,556	780,848	780,848	142,299	638,549	81.78%
33 Streets	971,668	1,113,284	1,148,226	158,322	989,904	86.21%
34 Buildings	394,075	489,584	489,584	73,609	415,975	84.96%
35 Street Lighting	203,814	231,339	231,339	40,540	190,799	82.48%
60 Dock	<u>32,584</u>	<u>64,065</u>	<u>64,065</u>	<u>4,884</u>	<u>59,181</u>	<u>92.38%</u>
Total Public Works	<u>2,470,303</u>	<u>2,878,935</u>	<u>2,913,877</u>	<u>453,729</u>	<u>2,460,148</u>	<u>84.43%</u>
Parks and Recreation & Culture						
03 Visitor Center	147,631	157,191	157,541	25,902	131,639	83.56%
40 Library	955,669	979,319	979,319	214,806	764,513	78.07%
# Parks, Recreation & Beautification	<u>1,234,626</u>	<u>1,366,590</u>	<u>1,366,590</u>	<u>282,845</u>	<u>1,083,745</u>	<u>79.30%</u>
Total Parks and Recreation & Culture	<u>2,337,926</u>	<u>2,503,099</u>	<u>2,503,449</u>	<u>523,553</u>	<u>1,979,896</u>	<u>79.09%</u>
Total Operating Expenditures	<u>16,769,137</u>	<u>18,693,814</u>	<u>18,745,006</u>	<u>4,181,318</u>	<u>14,563,688</u>	<u>77.69%</u>
Transfer to other funds						
Street Improvement Capital Project Fund	1,087,000	174,320	174,320	174,320	-	0.00%
Kenai Recreation Center Capital Project Fund	490,000	75,000	75,000	75,000	-	0.00%
Public Safety Capital Project Fund	120,000	95,512	95,512	95,512	-	0.00%
Municipal Facility Improvement Cap Proj Fund	80,000	-	-	-	-	-
Multipurpose Facility Capital Proj. Fund	-	94,847	94,847	94,847	-	0.00%
Visitor Center Improvement Capital Proj. Fund	100,000	-	-	-	-	-
Information Technology Capital Proj. Fund	-	-	-	-	-	-
City Hall Improvement Capital Proj. Fund	-	50,000	50,000	50,000	-	0.00%
Animal Shelter Capital Project Fund	-	-	-	-	-	-
Public Safety Building Capital Proj. Fund	-	-	-	-	-	-
Kenai Fine Arts Center Imp. Cap. Proj. Fund	-	-	-	-	-	-
Kenai Cemetery Imp. Capital Project Fund	-	-	-	-	-	-
Kenai Senior Center Imp. Capital Project Fund	-	-	-	-	-	-
Park Improvement Capital Project Fund	120,000	125,000	125,000	125,000	-	0.00%
Senior Citizen Special Revenue Fund	241,562	199,476	199,476	49,869	149,607	75.00%
Debt Service	<u>130,250</u>	<u>130,625</u>	<u>130,625</u>	<u>-</u>	<u>130,625</u>	<u>100.00%</u>
Total Transfer to other funds	<u>2,368,812</u>	<u>944,780</u>	<u>944,780</u>	<u>664,548</u>	<u>280,232</u>	<u>29.66%</u>
<b>Total Expenditures &amp; Transfers</b>	<b><u>19,137,949</u></b>	<b><u>19,638,594</u></b>	<b><u>19,689,786</u></b>	<b><u>4,845,866</u></b>	<b><u>14,843,920</u></b>	<b><u>75.39%</u></b>
<b>Net Revenues over(under) Expenditures</b>	<b><u>\$ (76,233)</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	

\* Note: The original budget includes outstanding encumbrances at 6/30/2023.

**Quarterly General Fund  
Expenditure Report  
For Quarter Ended September 30, 2023**

	FY2023 <u>Actual</u>	Original * FY2024 <u>Budget</u>	Amended <u>Budget</u>	YTD <u>Actual</u>	<u>Variance</u>	<u>%</u>
<b><u>REVENUES</u></b>						
Appropriation of Fund Balance	\$ -	\$ 7,370	\$ 7,370	\$ -	\$ (7,370)	-100.00%
Beach Parking	153,977	177,482	177,482	157,840	(19,642)	-11.07%
Beach Camping	200,802	191,463	191,463	216,085	24,622	12.86%
Dock Launch & Park	106,548	110,565	110,565	100,849	(9,716)	-8.79%
Dock Parking Only	12,540	12,495	12,495	12,460	(35)	-0.28%
Participant Drop-off Fee	4,971	4,707	4,707	6,275	1,568	33.31%
Interest Earnings	4,755	750	750	-	(750)	-100.00%
PERS Grant	694	1,169	1,169	-	(1,169)	-100.00%
Credit Card Fees	(11,320)	(11,500)	(11,500)	(11,289)	211	-1.83%
Transfer from Other Funds	-	-	-	-	-	0.00%
<b>Total Revenue</b>	<b><u>472,967</u></b>	<b><u>494,501</u></b>	<b><u>494,501</u></b>	<b><u>482,220</u></b>	<b><u>(12,281)</u></b>	<b><u>-2.48%</u></b>
<b><u>EXPENDITURES &amp; TRANSFERS</u></b>						
Public Safety	\$ 114,046	\$ 178,544	\$ 178,544	\$ 114,260	\$ 64,284	36.00%
Streets	33,921	39,059	39,059	10,459	28,600	73.22%
Boating Facility	67,949	47,686	47,686	33,620	14,066	29.50%
Parks, Recreation & Beautification	204,667	229,212	229,212	162,214	66,998	29.23%
<b>Total Operating Expenditures</b>	<b><u>420,583</u></b>	<b><u>494,501</u></b>	<b><u>494,501</u></b>	<b><u>320,553</u></b>	<b><u>173,948</u></b>	<b><u>35.18%</u></b>
Transfers to Other Funds	125,000	-	-	-	-	#DIV/0!
<b>Total Expenditures &amp; Transfers</b>	<b><u>545,583</u></b>	<b><u>494,501</u></b>	<b><u>494,501</u></b>	<b><u>320,553</u></b>	<b><u>173,948</u></b>	<b><u>35.18%</u></b>
<b>Net Revenues over Expenditures</b>	<b><u>\$ (72,616)</u></b>	<b><u>\$ 0</u></b>	<b><u>\$ 0</u></b>	<b><u>\$ 161,667</u></b>	<b><u>\$ (161,667)</u></b>	

\* Note: The original budget includes outstanding encumbrances at 6/30/2023.

**Quarterly General Fund  
Expenditure Report  
For Quarter Ended September 30, 2023**

	FY2023 <u>Actual</u>	Original * FY2024 <u>Budget</u>	Amended <u>Budget</u>	YTD <u>Actual</u>	<u>Variance</u>	<u>%</u>
<b>REVENUES</b>						
Appropriation of Fund Balance	\$ -	\$ 423,432	\$ 898,432	\$ 336,190	\$ (562,242)	0.00%
State/Federal	1,249,807	26,317	26,317	-	(26,317)	0.00%
Interest , Leases & Fees	843,537	926,354	926,354	465,796	(460,558)	50.28%
Terminal Revenues	949,391	994,948	994,948	260,846	(734,102)	26.22%
Landing Fees	365,551	451,094	451,094	101,704	(349,390)	22.55%
Transfers In	<u>1,028,764</u>	<u>1,053,635</u>	<u>1,053,635</u>	<u>-</u>	<u>(1,053,635)</u>	<u>0.00%</u>
<b>Total Revenues</b>	<b><u>4,437,050</u></b>	<b><u>3,875,780</u></b>	<b><u>4,350,780</u></b>	<b><u>1,164,536</u></b>	<b><u>(3,186,244)</u></b>	<b><u>26.77%</u></b>
<b>EXPENDITURES &amp; TRANSFERS</b>						
Terminal Area	\$ 568,901	\$ 616,724	\$ 616,724	\$ 125,287	\$ 491,437	79.69%
Airfield	1,889,546	2,160,579	2,160,579	434,437	1,726,142	79.89%
Administration	332,670	368,204	368,204	90,894	277,310	75.31%
Other Buildings & Areas	165,156	175,605	175,605	44,916	130,689	74.42%
Training Facility	<u>108,706</u>	<u>207,793</u>	<u>232,793</u>	<u>19,002</u>	<u>213,791</u>	<u>91.84%</u>
Total Expenditures	<u>3,064,979</u>	<u>3,528,905</u>	<u>3,553,905</u>	<u>714,536</u>	<u>2,839,369</u>	<u>79.89%</u>
Transfer to other funds						
Airport Improvement Capital Projects	<u>2,251,842</u>	<u>346,875</u>	<u>796,875</u>	<u>450,000</u>	<u>346,875</u>	<u>0.00%</u>
Total Transfer to other funds	<u>2,251,842</u>	<u>346,875</u>	<u>796,875</u>	<u>450,000</u>	<u>346,875</u>	<u>43.53%</u>
<b>Total Expenditures &amp; Transfers</b>	<b><u>5,316,821</u></b>	<b><u>3,875,780</u></b>	<b><u>4,350,780</u></b>	<b><u>1,164,536</u></b>	<b><u>3,186,244</u></b>	<b><u>73.23%</u></b>
<b>Net Revenues over Expenditures</b>	<b><u>\$ (879,771)</u></b>	<b><u>\$ (0)</u></b>	<b><u>\$ (0)</u></b>	<b><u>\$ -</u></b>	<b><u>\$ 0</u></b>	

\* Note: The original budget includes outstanding encumbrances at 6/30/2023.



**Quarterly General Fund  
Expenditure Report  
For Quarter Ended September 30, 2023**

	FY2023 <u>Actual</u>	Original * FY2024 <u>Budget</u>	Amended <u>Budget</u>	YTD <u>Actual</u>	Variance	%
<b>REVENUES</b>						
Appropriation of Fund Balance	\$ -	\$ 523,742	\$ 523,742	\$ 289,698	\$ (234,044)	55.31%
State/Federal	18,073	22,525	22,525	-	(22,525)	0.00%
Water/Sewer Fees	2,983,878	3,279,029	3,279,029	890,066	(2,388,963)	27.14%
Penalty and Interest	41,583	40,950	40,950	9,918	(31,032)	24.22%
Interest and Miscellaneous	83,981	40,000	40,000	1,547	(38,453)	3.87%
Transfers In	-	-	-	-	-	0.00%
<b>Total Revenues</b>	<b><u>3,127,515</u></b>	<b><u>3,906,246</u></b>	<b><u>3,906,246</u></b>	<b><u>1,191,229</u></b>	<b><u>(2,715,017)</u></b>	<b><u>30.50%</u></b>
<b>EXPENDITURES &amp; TRANSFERS</b>						
Water	\$ 889,643	\$ 1,273,814	\$ 1,273,814	\$ 201,578	\$ 1,072,236	84.18%
Sewer	453,824	683,560	683,560	99,835	583,725	85.39%
Wastewater Treatment Plant	<u>1,073,800</u>	<u>1,268,902</u>	<u>1,268,902</u>	<u>209,846</u>	<u>1,059,056</u>	<u>83.46%</u>
Total Expenditures	<u>2,417,267</u>	<u>3,226,276</u>	<u>3,226,276</u>	<u>511,259</u>	<u>2,715,017</u>	<u>84.15%</u>
Transfer to other funds -						
Water & Sewer Capital Projects	<u>740,000</u>	<u>679,970</u>	<u>679,970</u>	<u>679,970</u>	-	-
Total Transfer to other funds	<u>740,000</u>	<u>679,970</u>	<u>679,970</u>	<u>679,970</u>	-	-
<b>Total Expenditures &amp; Transfers</b>	<b><u>3,157,267</u></b>	<b><u>3,906,246</u></b>	<b><u>3,906,246</u></b>	<b><u>1,191,229</u></b>	<b><u>2,715,017</u></b>	<b><u>69.50%</u></b>
<b>Net Revenues over Expenditures</b>	<b><u>\$ (29,752)</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	

\* Note: The original budget includes outstanding encumbrances at 6/30/2022.

**Quarterly General Fund  
Expenditure Report  
For Quarter Ended September 30, 2023**

	FY2023 <u>Actual</u>	Original * FY2024 <u>Budget</u>	Amended <u>Budget</u>	YTD <u>Actual</u>	<u>Variance</u>	<u>%</u>
<b>REVENUES</b>						
Appropriation of Fund Balance	\$ -	\$ 43,986	\$ 43,986	\$ 102,409	\$ 58,423	232.82%
State Grants	260,288	261,497	261,497	-	(261,497)	0.00%
Federal Grants	-	-	-	-	-	-
USDA Grant	22,022	22,000	22,000	5,517	(16,483)	25.08%
Choice Waiver	68,497	75,000	75,000	22,090	(52,910)	29.45%
KPB Grant	186,143	186,143	186,143	-	(186,143)	0.00%
United Way	-	-	-	-	-	#DIV/0!
Rents & Leases	7,398	7,000	7,000	6,176	(824)	88.23%
Miscellaneous Donations	19,749	28,500	28,500	1,658	(26,842)	5.82%
Donations - Senior Connection	100,000	100,000	100,000	120	(99,880)	0.12%
Meal Donations	87,969	94,650	94,650	23,590	(71,060)	24.92%
Ride Donations	5,581	6,500	6,500	1,460	(5,040)	22.46%
Transfer from General Fund - Operations	241,562	199,476	199,476	49,869	(149,607)	25.00%
Other	185	300	300	497	197	165.67%
<b>Total Revenues</b>	<b><u>999,394</u></b>	<b><u>1,025,052</u></b>	<b><u>1,025,052</u></b>	<b><u>213,386</u></b>	<b><u>(811,666)</u></b>	<b><u>20.82%</u></b>
<b>EXPENDITURES &amp; TRANSFERS</b>						
Senior Citizen Access	\$ 219,553	\$ 221,833	\$ 221,833	\$ 49,249	\$ 172,584	77.80%
Congregate Meals	130,016	131,025	131,025	30,688	100,337	76.58%
Home Meals	459,299	491,082	491,082	95,005	396,077	80.65%
Senior Transportation	97,582	109,744	109,744	23,964	85,780	78.16%
Choice Waiver	89,432	71,368	71,368	14,480	56,888	79.71%
<b>Total Expenditures</b>	<b><u>995,882</u></b>	<b><u>1,025,052</u></b>	<b><u>1,025,052</u></b>	<b><u>213,386</u></b>	<b><u>811,666</u></b>	<b><u>79.18%</u></b>
Transfer to other funds -	-	-	-	-	-	-
<b>Total Transfer to other funds</b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>
<b>Total Expenditures &amp; Transfers</b>	<b><u>995,882</u></b>	<b><u>1,025,052</u></b>	<b><u>1,025,052</u></b>	<b><u>213,386</u></b>	<b><u>811,666</u></b>	<b><u>79.18%</u></b>
<b>Net Revenues over Expenditures</b>	<b><u>\$ 3,512</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>-</u></b>

\* Note: The original budget includes outstanding encumbrances at 6/30/2023.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Terry Eubank, City Manager

**DATE:** November 17, 2023

**SUBJECT:** September 2023 Quarterly Investment Report

### City of Kenai Investment Portfolio

At June 30, 2023 the City had investments with a market value of \$25,161,256. That is down from \$33,664,282 at June 30, 2023. The City’s portfolio is yielding 4.03% that is up from 3.74% at June 30, 2023. The Federal Reserve increased the federal funds rate once this quarter, 0.25% on July 26<sup>th</sup>. A rise in interest rates has an inverse effect on the portfolio’s market value. Fair market value adjustments to the portfolio through September 30, 2023 are a negative \$954,755. As of June 30, 2023, the portfolios fair market value adjustment was a negative \$983,755. Significant debate remains about the future of interest rates but for now the Federal Reserve has paused its aggressive path of increases and inflation has moderated a bit.

### City’s Investment Portfolio

US Agency Securities	\$19,309,662
AML Investment Pool	3,089,297
Wells Fargo Money Market	9,185,375
FDIC Insured Certificates of Deposit	2,861,787
Bank Balance	<u>715,135</u>
Total	<u>\$ 35,161,256</u>

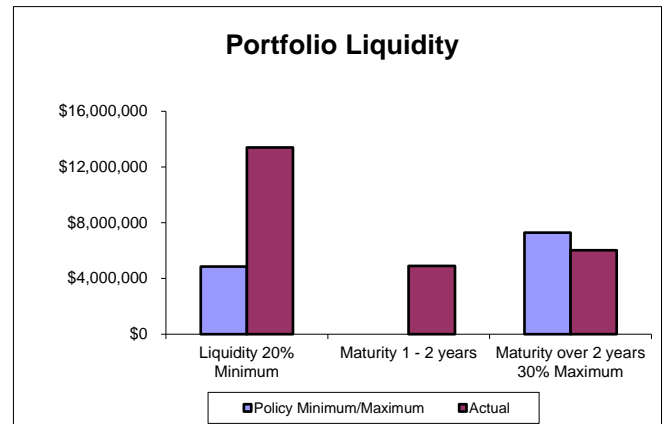
### Permanent Fund Investments

The third quarter 2023 saw continued volatility in the equity markets. Returns for the third quarter of 2023 were (3.06)% but year to date returns are 3.52% and the one year return is 10.29%. Since inception the portfolio has returned 6.84%. As of September 30, 2023, the portfolio value was \$31,340,506, comprised of \$25,994,288, 82.94% Airport Land Sale Permanent Fund, \$3,354,787, 10.70% General Land Sale Permanent Fund monies, \$1,106,558, 3.53% Kenai Senior Connection monies, \$178,316, 0.56% Kenai Community Foundation holdings, and 2.25% Tamara Cone Memorial Trust Permanent Fund, \$706,557.

## CITY OF KENAI INVESTMENT PORTFOLIO SUMMARY September 30, 2023

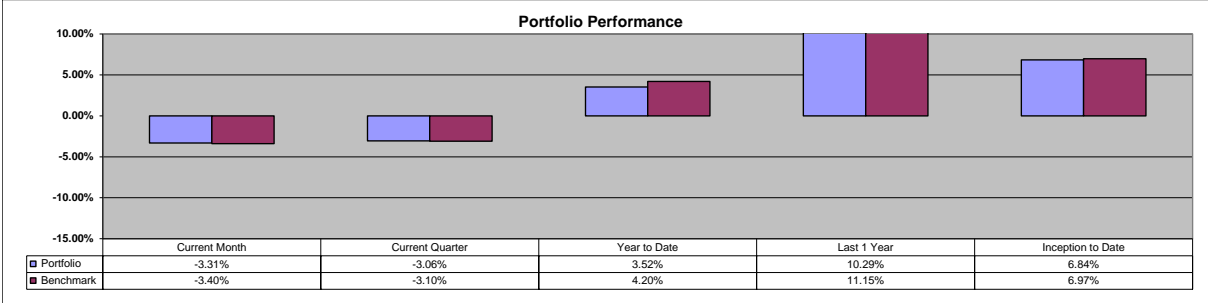
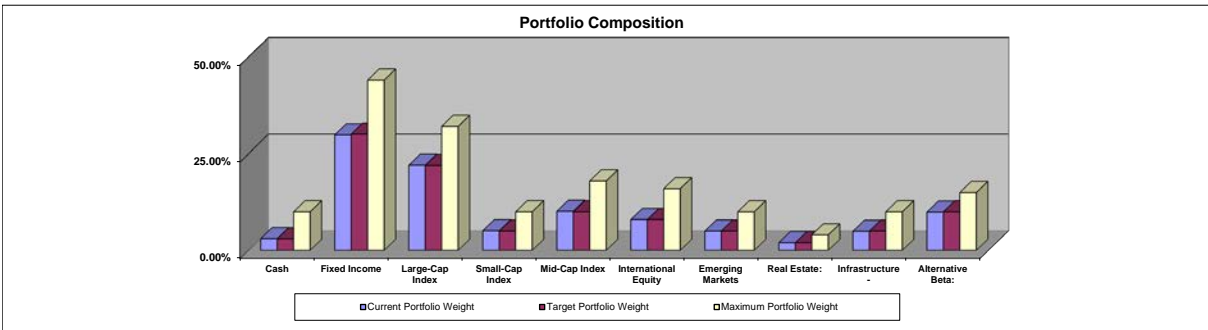
	<b>September 30, 2023</b>	<b>Current Yield</b>
	<u>Fair Market Value</u>	
<b>Cash &amp; Cash Equivalents</b>		
Wells Fargo Checking	\$ 715,135	0.01%
Wells Fargo Secured Money Market	9,185,375	5.31%
FDIC Insured Certificates of Deposit	2,861,787	2.63%
Alaska Municipal League Investment Pool	<u>3,089,297</u>	<u>5.31%</u>
<b>Total Cash &amp; Cash Equivalents</b>	<b>15,851,594</b>	<b>4.59%</b>
<b>Government Securities</b>		
Maturities Less than 1 Year	5,615,977	3.19%
Maturities 1 to 2 Years	7,078,575	4.41%
Maturities Greater than 2 Years	<u>6,615,110</u>	<u>2.98%</u>
<b>Total Government Securities</b>	<u>19,309,662</u>	<u>3.57%</u>
<b>Total Portfolio</b>	<b>\$ 35,161,256</b>	<b>4.03%</b>

Investment Portfolio - Purchase Price	\$ 36,145,011
Investment Portfolio - Fair Value 9/30/23	<u>35,161,256</u>
Fair Value Adjustment - 06/30/23	(983,755)
Fair Value Adjustment thru - 6/30/2023	<u>28,942</u>
<b>Cummulative Change in Fair Value</b>	<b>\$ <u>(954,813)</u></b>

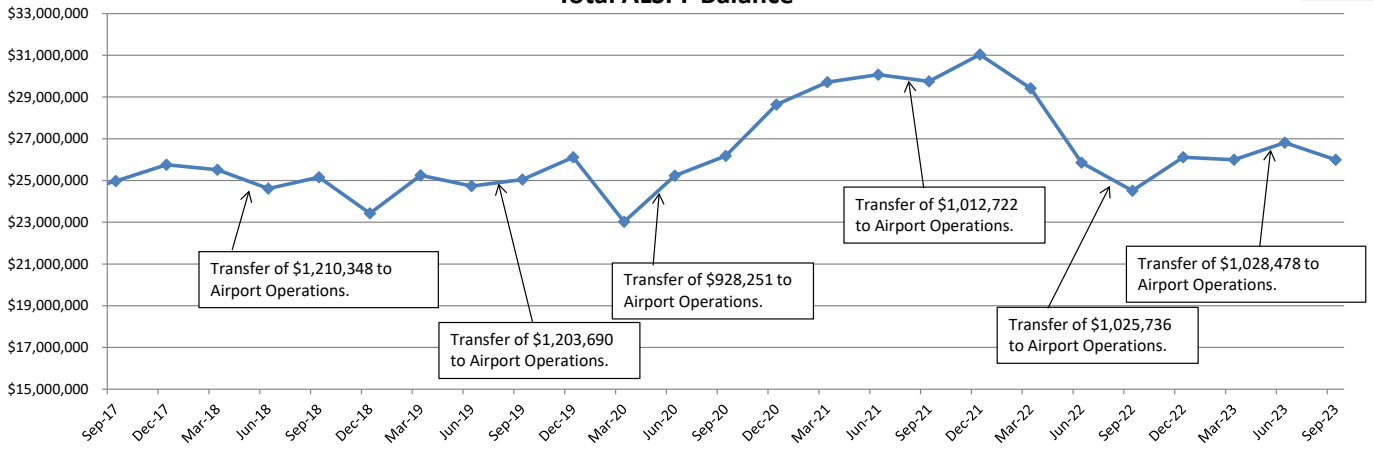




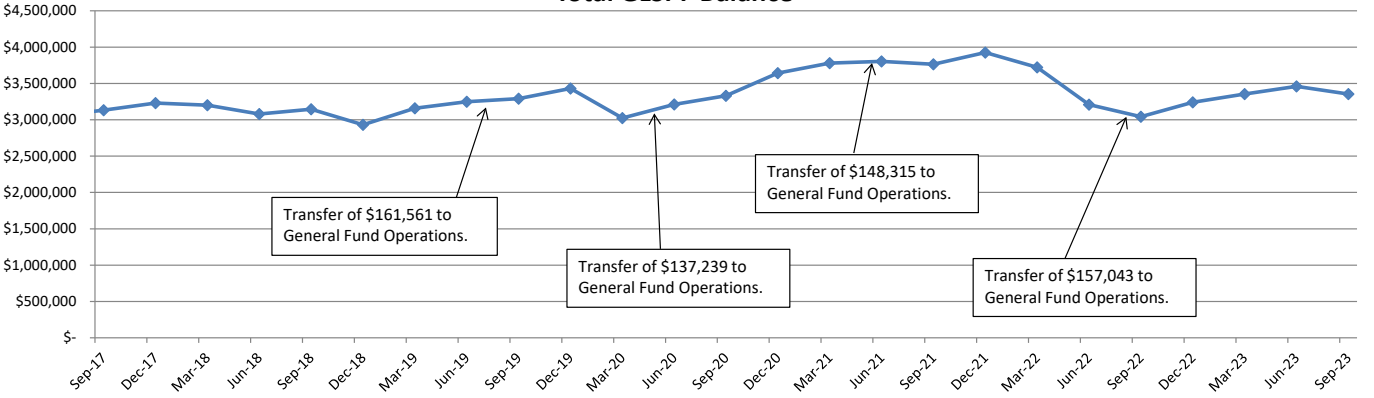
	Fair Market Value					Current or Average	Current Portfolio	Target	Portfolio
	30-Sep-22	31-Dec-22	31-Mar-23	30-Jun-23	30-Sep-23	Yield	Weight	Weight	Maximum
<b>Cash</b>									
Cash & Cash Equivalents	1,119,889	1,354,864	793,407	913,140	948,884	5.31%	3.04%	3.00%	10.00%
<b>Fixed Income</b>									
Investment Grade Government & Corporate Securities									
Government Securities	5,818,997	5,861,565	6,340,844	6,612,561	6,319,451	5.16%	20.16%		
Corporate Securities Investment Grade	<u>1,938,710</u>	<u>1,895,021</u>	<u>1,934,718</u>	<u>1,976,261</u>	<u>1,769,098</u>	<u>6.04%</u>	<u>5.64%</u>		
Total Investment Grade Government & Corporate Securities	7,757,707	7,756,586	8,275,562	8,588,822	8,088,549	5.38%	25.80%	26.00%	36.00%
Domestic Fixed Income Exchange Traded Funds -									
Vanguard Short-term TIPS	-	-	326,850	464,858	-		0.00%		
High Yield Domestic -									
SPDR Portfolio High Yield Bonds	25,945	26,563	27,323	27,157	-		0.00%		
Vanguard Hi Yield Corporate Fund Admiral Shares	<u>1,070,708</u>	<u>1,180,923</u>	<u>1,253,182</u>	<u>1,235,782</u>	<u>1,250,762</u>		<u>3.99%</u>		
Total High Yield Domestic	<u>1,096,653</u>	<u>1,207,486</u>	<u>1,280,505</u>	<u>1,262,939</u>	<u>1,250,762</u>		<u>3.99%</u>	<u>4.00%</u>	<u>8.00%</u>
Total Fixed Income	8,854,360	8,964,072	9,882,917	10,316,619	9,339,311	5.38%	29.79%	30.00%	44.00%
<b>Equities:</b>									
Domestic Equities:									
Large-Cap Index	6,166,612	6,616,990	7,135,090	7,270,411	6,921,490		22.08%	22.00%	32.00%
Small-Cap Index	1,342,552	1,457,267	1,509,958	1,552,414	1,595,049		5.09%	5.00%	10.00%
Mid-Cap Index	<u>2,725,621</u>	<u>3,006,935</u>	<u>3,046,448</u>	<u>3,151,357</u>	<u>3,179,061</u>		<u>10.14%</u>	<u>10.00%</u>	<u>18.00%</u>
Total Domestic Equities	10,234,785	11,081,192	11,691,496	11,974,182	11,695,600		37.31%	37.00%	60.00%
International Equities:									
International Equity	2,019,501	2,348,427	2,566,238	2,564,393	2,506,111		8.00%	8.00%	16.00%
Emerging Markets	<u>1,279,558</u>	<u>1,390,306</u>	<u>1,543,374</u>	<u>1,543,073</u>	<u>1,569,042</u>		<u>5.01%</u>	<u>5.00%</u>	<u>10.00%</u>
Total International Equities	3,299,059	3,738,733	4,109,612	4,107,466	4,075,153		<u>13.01%</u>	13.00%	26.00%
Real Estate:									
JP Morgan Beta Builders MSCI Reit	<u>485,048</u>	<u>505,104</u>	<u>591,337</u>	<u>581,769</u>	<u>626,986</u>		<u>2.00%</u>		
Total Real Estate	485,048	505,104	591,337	581,769	626,986		2.00%	2.00%	4.00%
Infrastructure -									
Flexshares Stoxx Global Broad Infrastructure	<u>1,312,464</u>	<u>1,448,683</u>	<u>1,577,254</u>	<u>1,573,411</u>	<u>1,546,153</u>		<u>4.93%</u>	<u>5.00%</u>	<u>10.00%</u>
Total Equities	<u>15,331,356</u>	<u>16,773,712</u>	<u>17,969,699</u>	<u>18,236,828</u>	<u>17,943,892</u>		<u>57.25%</u>	<u>57.00%</u>	<u>100.00%</u>
<b>Alternative Beta:</b>									
Blackrock Systematic Multi-Strategy	1,709,314	1,691,801	1,535,944	1,249,468	1,556,892		4.97%		
IQ Hedge Multi-Strategy Tracker	-	-	479,219	577,240	781,321		2.49%		
Core Alternative ETF	<u>1,703,463</u>	<u>1,810,987</u>	<u>1,159,701</u>	<u>1,040,448</u>	<u>770,206</u>		<u>2.46%</u>		
Total Alternative Beta	3,412,777	3,502,788	3,174,864	2,867,156	3,108,419		<u>9.92%</u>	<u>10.00%</u>	<u>15.00%</u>
Total Portfolio	<u>28,718,382</u>	<u>30,595,436</u>	<u>31,820,887</u>	<u>32,333,743</u>	<u>31,340,506</u>	<u>3.52%</u>	<u>100.00%</u>	<u>100.00%</u>	<u>169.00%</u>
Total ALSPF Balance	24,510,683	26,112,716	25,994,288	26,818,093	25,994,288				
Total GLSPF Balance	3,042,450	3,241,306	3,354,788	3,461,107	3,354,787				
Total Kenai Community Foundation	161,714	172,284	178,316	183,967	178,316				
Total Kenai Senior Connection	1,003,535	1,069,127	1,106,558	1,141,627	1,106,558				
Total Cone Memorial Trust Permanent Fund	-	-	-	728,949	706,557				



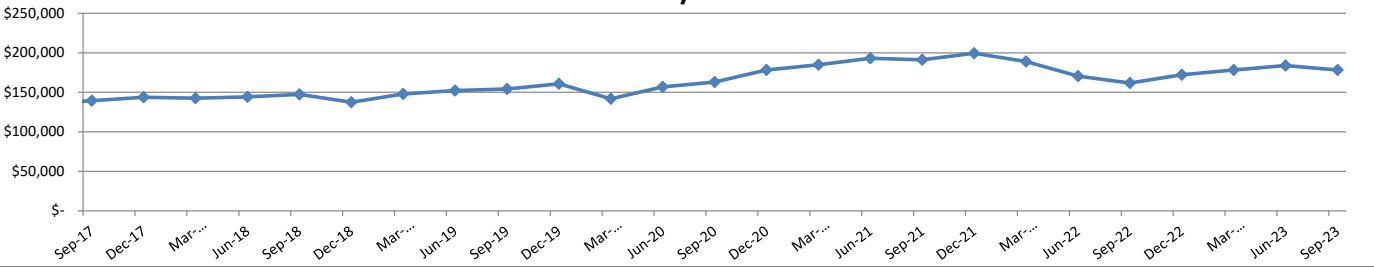
**Total ALSPF Balance**



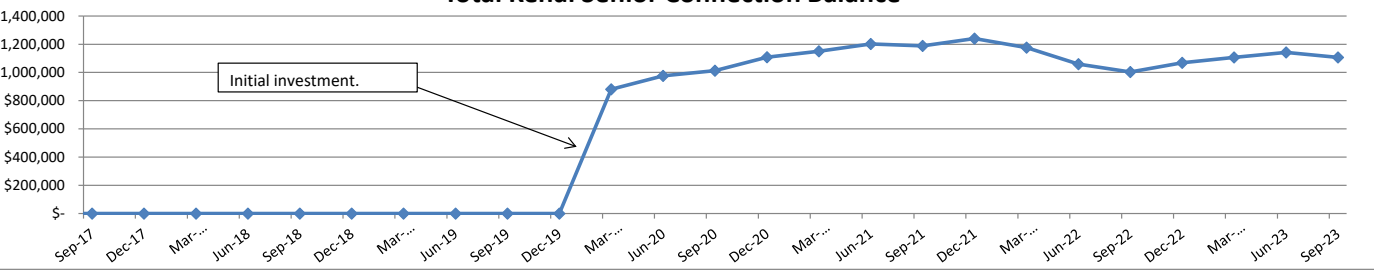
**Total GLSPF Balance**



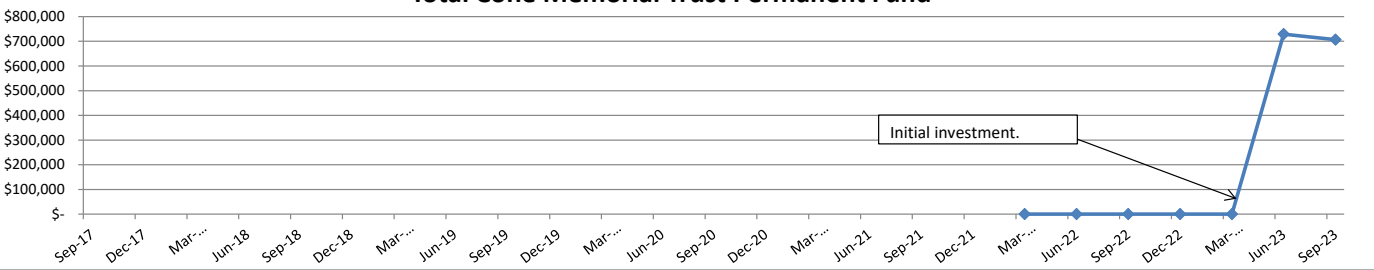
**Total Kenai Community Foundation Balance**



**Total Kenai Senior Connection Balance**



**Total Cone Memorial Trust Permanent Fund**





ALASKA PERMANENT  
CAPITAL MANAGEMENT

Registered Investment Adviser

# CITY OF KENAI PERMANENT FUNDS Investment Report

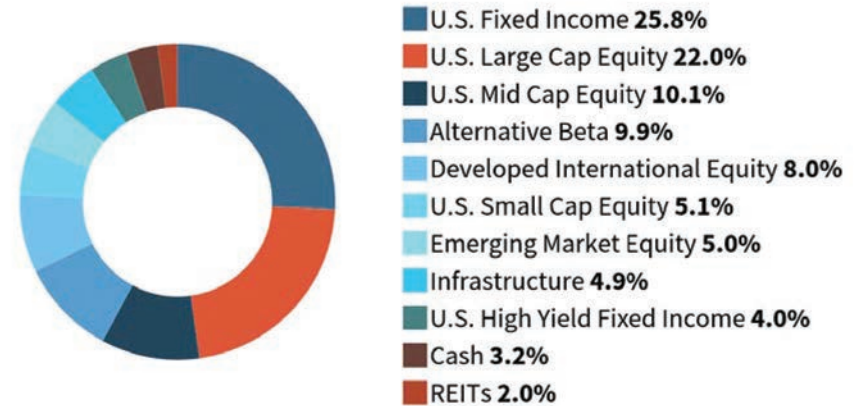
September 2023



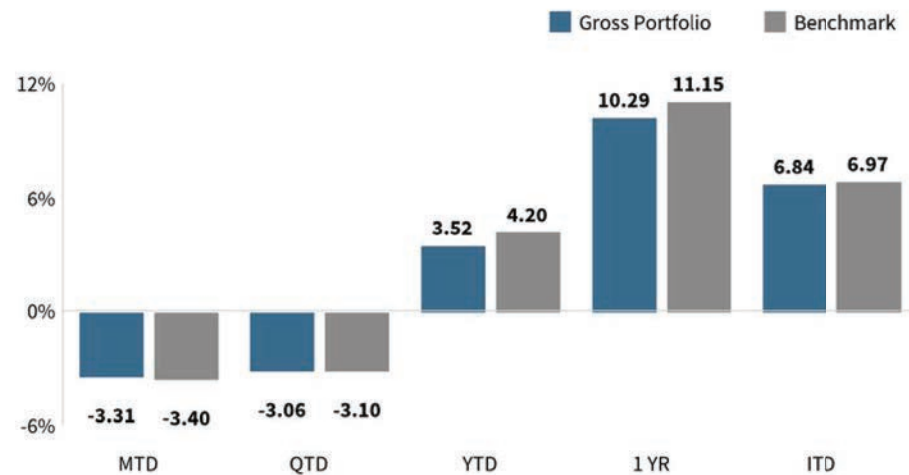
# Portfolio Overview

BEGINNING VALUE + ACCRUED	<b>\$32,412,172</b>
TRANSFERS IN/OUT	<b>-\$452</b>
REALIZED GAINS	<b>\$316,921</b>
CHANGE IN MARKET VALUE	<b>-\$1,490,655</b>
INTEREST INCOME	<b>\$42,910</b>
DIVIDEND INCOME	<b>\$68,354</b>
ENDING VALUE + ACCRUED	<b>\$31,349,251</b>

## Portfolio Composition



## Investment Performance



Performance is annualized for periods greater than one year. Inception to date performance begins October 01, 2008. Past performance is not indicative of future results.

# Portfolio Summary and Target

	MARKET VALUE (\$)	ASSETS (%)	TARGET (%)	RANGE
<b>RISK CONTROL</b>				
U.S. Fixed Income	8,084,215	26%	26%	6% to 36%
Cash	1,006,229	3%	3%	0% to 10%
<b>Risk Control Total</b>	<b>9,090,444</b>	<b>29%</b>		
<b>RISK ASSET</b>				
U.S. High Yield Fixed Income	1,244,281	4%	4%	0% to 8%
U.S. Large Cap Equity	6,893,303	22%	22%	12% to 32%
U.S. Mid Cap Equity	3,166,841	10%	10%	0% to 18%
U.S. Small Cap Equity	1,589,065	5%	5%	0% to 10%
Developed International Equity	2,501,932	8%	8%	4% to 16%
Emerging Market Equity	1,575,924	5%	5%	0% to 10%
<b>Risk Asset Total</b>	<b>16,971,345</b>	<b>54%</b>		
<b>ALTERNATIVES</b>				
REITs	626,850	2%	2%	0% to 4%
Alternative Beta	3,111,340	10%	10%	0% to 15%
Infrastructure	1,549,272	5%	5%	0% to 10%
<b>Alternatives Total</b>	<b>5,287,461</b>	<b>17%</b>		
<b>TOTAL PORTFOLIO</b>	<b>31,349,251</b>	<b>100%</b>		

We urge you compare the account statement we provide with the account statement you receive from your custodian. We cannot guarantee the accuracy of this information for tax purposes. Please verify all information from trade confirmations.

Past performance is not indicative of future results.

# Disclosures

## S&P 500 Total Return Index

The S&P 500® Index is the Standard & Poor's Composite Index and is widely regarded as a single gauge of large cap U.S. equities. It is market cap weighted and includes 500 leading companies, capturing approximately 80% coverage of available market capitalization.

## S&P MidCap 400 Total Return Index

The S&P MidCap 400 Index, more commonly known as the S&P 400, is a stock market index from S&P Dow Jones Indices. The index serves as a barometer for the U.S. mid-cap equities sector and is the most widely followed mid-cap index.

## S&P Small Cap 600 Total Return Index

The S&P SmallCap 600® seeks to measure the small-cap segment of the U.S. equity market. The index is designed to track companies that meet specific inclusion criteria to ensure that they are liquid and financially viable.

## MSCI EAFE Net Total Return USD Index

The MSCI EAFE Index (Europe, Australasia, Far East) is a free float-adjusted market capitalization-weighted index that is designed to measure the equity market performance of developed markets, excluding the United States and Canada. The MSCI EAFE Index consists of the following 21 developed market countries: Australia, Austria, Belgium, Denmark, Finland, France, Germany, Hong Kong, Ireland, Israel, Italy, Japan, the Netherlands, New Zealand, Norway, Portugal, Singapore, Spain, Sweden, Switzerland and the United Kingdom.

## MSCI Emerging Net Total Return USD Index

The MSCI Emerging Markets Index is a free float-adjusted market capitalization-weighted index that is designed to measure equity market performance of emerging markets. The MSCI Emerging Markets Index consists of the following 26 emerging market country indices: Argentina, Brazil, Chile, China, Colombia, Czech Republic, Egypt, Greece, Hungary, India, Indonesia, Korea, Malaysia, Mexico, Peru, Philippines, Poland, Qatar, Russia, Saudi Arabia, South Africa, Taiwan, Thailand, Turkey and United Arab Emirates.

## STOXX Global Broad Infrastructure Index Net Return USD

The STOXX Global Broad Infrastructure Index is derived from the STOXX. Developed and Emerging Markets Total Market Index (TMI) and offers a diversified representation of companies that generate more than 50% of their revenue from selected infrastructure sectors. STOXX partnered with Revere Data, which defines 17 subsectors for the infrastructure industry. These 17 subsectors are rolled into five supersectors - Communications, Energy, Government Outsourcing/Social, Transportation and Utilities.

## S&P USA REIT USD Total Return Index

The S&P United States REIT Index defines and measures the investable universe of publicly traded real estate investment trusts domiciled in the United States.

## Bloomberg Commodity Index Total Return

The Bloomberg Commodity Index provides broad-based exposure to commodities, and no single commodity or commodity sector dominates the index. Rather than being driven by micro-economic events affecting one commodity market or sector, the diversified commodity exposure of the index potentially reduces volatility in comparison with non-diversified commodity investments.

## Wilshire Liquid Alternative Total Return Index

The Wilshire Liquid Alternative Index<sup>SM</sup> measures the collective performance of the five Wilshire Liquid Alternative strategies that make up the Wilshire Liquid Alternative Universe. Created in 2014, with a set of time series of data beginning on December 31, 1999, the Wilshire Liquid Alternative Index (WLIQA) is designed to provide a broad measure of the liquid alternative market by combining the performance of the Wilshire Liquid Alternative Equity Hedge Index (WLIQAEH), Wilshire Liquid Alternative Global Macro Index (WLIQAGM), Wilshire Liquid Alternative Relative Value Index (WLIQARV), Wilshire Liquid Alternative Multi-Strategy Index (WLIQAMS), and Wilshire Liquid Alternative Event Driven Index (WLIQAED).

## Bloomberg US Agg Total Return Value Unhedged USD

The Bloomberg U.S. Aggregate Index measures the performance of investment grade, U.S. dollar-denominated, fixed-rate taxable bond market, including Treasuries, government-related and corporate securities, MBS (agency fixed-rate and hybrid ARM pass-throughs), ABS, and CMBS. It rolls up into other flagship indices, such as the multi-currency Global Aggregate Index and the U.S. Universal Index, which includes high yield and emerging markets debt.

## Bloomberg VLI: High Yield Total Return Index Value Unhedged USD

The Bloomberg VLI: High Yield Total Return Index is a component of the US Corp High Yield Index that is designed to track a more liquid component of the USD-denominated, high yield, fixed-rate corporate bond market.

## Bloomberg GLA xUSD Float Adj RIC Capped Index TR Index Value Hedged USD

The Bloomberg Barclays Global Aggregate ex-USD Float-Adjusted RIC Capped Index is a customized subset of the Global Aggregate Index that meets the same diversification guidelines that a fund must pass to qualify as a regulated investment company (RIC). This multi-currency benchmark includes fixed-rate treasury, government-related, corporate and securitized bonds from developed and emerging markets issuers while excluding USD denominated debt. The Global Aggregate ex-USD Float Adjusted RIC Capped Index is largely comprised of two major regional aggregate components: the Pan-European Aggregate and the Asian-Pacific Aggregate Index.

## FTSE 3 Month Treas Bill Local Currency

The FTSE 3 Month US T Bill Index Series is intended to track the daily performance of 3 month US Treasury bills. The indices are designed to operate as a reference rate for a series of funds.

# Disclosures

## **Bloomberg Muni 1-15 Year Blend (1-17) Total Return Index Value**

The Bloomberg Municipal 1-15 Year Index measures the performance of USD-denominated long-term, tax-exempt bond market with maturities of 1-15 years, including state and local general obligation bonds, revenue bonds, insured bonds, and prerefunded bonds.

## **Bloomberg Intermediate US Govt/Credit TR Index Value Unhedged**

The Bloomberg U.S. Government Intermediate Index measures the performance of the U.S. Treasury and U.S. agency debentures with maturities of 1-10 years. It is a component of the U.S. Government/Credit Index and the U.S. Aggregate Index.

## **Bloomberg 1-5 Yr Gov/Credit Total Return Index Value Unhedged**

The Bloomberg US 1-5 year Government/Credit Float-Adjusted Bond Index is a float-adjusted version of the US 1-5 year Government/Credit Index, which tracks the market for investment grade, US dollar-denominated, fixed-rate treasuries, government-related and corporate securities.

## **FTSE High Dividend Yield Total Return Index**

The FTSE High Dividend Yield Index is designed to represent the performance of companies with relatively high forecast dividend yields

## **WisdomTree U.S. MidCap Dividend Index Total Return**

The WisdomTree U.S. MidCap Dividend Index is a fundamentally weighted index that measures the performance of the mid-capitalization segment of the US dividend-paying market. The Index is comprised of the companies that compose the top 75% of the market capitalization of the WisdomTree U.S. Dividend Index after the 300 largest companies have been removed. The index is dividend weighted annually to reflect the proportionate share of the aggregate cash dividends each component company is projected to pay in the coming year, based on the most recently declared dividend per share.

## **WisdomTree U.S. SmallCap Dividend Index Total Return**

The WisdomTree U.S. SmallCap Dividend Index is a fundamentally weighted index measuring the performance of the small-capitalization segment of the US dividend-paying market. The Index is comprised of the companies that compose the bottom 25% of the market capitalization of the WisdomTree U.S. Dividend Index after the 300 largest companies have been removed. The index is dividend weighted annually to reflect the proportionate share of the aggregate cash dividends each component company is projected to pay in the coming year, based on the most recently declared dividend per share.

## **Bloomberg U.S. Long Government/Credit Unhedged USD**

The Bloomberg U.S. Government Credit Long Index measures the performance of the non-securitized component of the U.S. Aggregate Index with maturities of 10 years and greater, including Treasuries, government-related issues, and corporates. It is a subset of the U.S. Aggregate Index.

## **Bloomberg Intermediate US Govt/Credit TR Index Value Unhedged**

The Bloomberg U.S. Government Credit Intermediate Index measures the performance of the non-securitized component of the U.S. Aggregate Index with maturities of 1-10 years, including Treasuries, government-related issues, and corporates. It is a subset of the U.S. Aggregate Index.

## **Bloomberg Municipal Bond 5 Year (4-6) Total Return Index Unhedged USD**

An index designed to measure the performance of tax-exempt U.S. investment grade municipal bonds with remaining maturities between four and six years. Index returns assume reinvestment of distributions, but do not reflect any applicable sales charges or management fees.

## **MSCI ACWI IMI Net Total Return USD Index**

The MSCI ACWI Investable Market Index (IMI) captures large, mid and small cap representation across 23 Developed Markets (DM) and 24 Emerging Markets (EM) countries. The MSCI AXWI IMI includes the following 23 developed market countries : Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Hong Kong, Ireland, Israel, Italy, Japan, Netherlands, New Zealand, Norway, Portugal, Singapore, Spain, Sweden, Switzerland, United Kingdom, and United States. The MSCI AXWI IMI includes the following 24 emerging market countries: : Brazil, Chile, China, Colombia, Czech Republic, Egypt, Greece, Hungary, India, Indonesia, Korea, Kuwait, Malaysia, Mexico, Peru, Philippines, Poland, Qatar, Saudi Arabia, South Africa, Taiwan, Thailand, Turkey and United Arab Emirates.

## **Bloomberg 1-3 Yr Gov Total Return Index Value Unhedged USD**

The Bloomberg U.S. Government/Credit 1-3 Year Index is an unmanaged index considered representative of performance of short-term U.S. corporate bonds and U.S. government bonds with maturities from one to three years.

## **Bloomberg 1-5 Yr Gov TR Index**

Bloomberg Barclays Municipal 1-5 Yr TR USD includes all medium and larger issues of U.S. government, investment-grade corporate, and investment-grade international dollar-denominated bonds that have maturities of between 1 and 5 years and are publicly issued.

## **ICE BofA US 3-Month Treasury Bill Index**

The ICE BofA 3 Month U.S. Treasury Index measures the performance of a single issue of outstanding treasury bill which matures closest to, but not beyond, three months from the rebalancing date. The issue is purchased at the beginning of the month and held for a full month; at the end of the month that issue is sold and rolled into a newly selected issue.

## **Bloomberg US Treasury TIPS 0-5 Years Total Return Index Unhedged USD**

Bloomberg US Treasury Inflation-Protected Securities (TIPS) 0-5 Year Index is a market value-weighted index that measures the performance of inflation-protected securities issued by the US Treasury that have a remaining average life between 0 and 5 years.

## **Bloomberg U.S. Treasury Bellwethers: 1 Year**

The Bloomberg U.S. Treasury Bellwethers 2 Yr. Index is an unmanaged index representing the on-the-run (most recently auctioned) U.S. Treasury bond with 1 years' maturity.



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**Standard Supplemental Reports**  
**CITY OF KENAI PERMANENT FUNDS (350286)**  
**[07-01-2023]--[09-30-2023]**  
**07/01/2023 - 09/30/2023**

Dated: 11/16/2023  
Locked Down

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# Portfolio Appraisal

## CITY OF KENAI PERMANENT FUNDS (350286)

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### U.S. Fixed Income

#### Agency

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
50,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP 2.49% 05/19/2036	3133EMA44	78.94	39,469.50	50,000.00	50,000.00	73.00	36,956.55	456.50	0.1%	5.48	1,245.00
45,000.00	FEDERAL HOME LOAN BANKS 2.40% 02/17/2032	3130AQRW5	85.94	38,672.55	45,000.00	45,000.00	80.71	36,449.57	132.00	0.1%	5.28	1,080.00
125,000.00	FEDERAL HOME LOAN BANKS 0.60% 08/27/2025	3130AJZ36	99.90	124,875.00	125,000.00	125,000.00	91.72	114,714.71	70.83	0.4%	5.21	750.00
125,000.00	FEDERAL HOME LOAN BANKS 1.63% 03/12/2027	3130AJ4B2	104.27	130,335.00	125,000.00	125,000.00	89.72	112,258.83	107.20	0.4%	4.90	2,031.25
45,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP 2.50% 04/14/2036	3133EMVU3	79.15	35,618.40	45,000.00	45,000.00	73.26	33,490.18	521.88	0.1%	5.47	1,125.00
---	---	---	---	<b>368,970.45</b>	<b>390,000.00</b>	<b>390,000.00</b>	---	<b>333,869.83</b>	<b>1,288.41</b>	<b>1.1%</b>	<b>5.18</b>	<b>6,231.25</b>

### U.S. Fixed Income

#### Corporate Bonds

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
70,000.00	NNN REIT INC 4.80% 10/15/2048	637417AM8	126.03	88,222.40	70,000.00	70,000.00	78.02	56,159.83	1,549.33	0.2%	6.61	3,360.00
75,000.00	NUTRIEN LTD 3.95% 05/13/2050	67077MAX6	99.74	74,803.50	75,000.00	75,000.00	69.80	53,484.05	1,135.63	0.2%	6.30	2,962.50
70,000.00	ANHEUSER- BUSCH INBEV WORLDWIDE INC 4.00% 04/13/2028	035240AL4	114.31	80,016.30	70,000.00	70,000.00	94.74	67,625.51	1,306.67	0.2%	5.32	2,800.00
100,000.00	HOME DEPOT INC 4.88% 02/15/2044	437076BD3	115.63	115,627.00	100,000.00	100,000.00	89.42	90,045.62	622.92	0.3%	5.76	4,875.00
60,000.00	KIMCO REALTY OP LLC 3.20% 04/01/2032	49446RAZ2	99.17	59,501.40	60,000.00	60,000.00	80.62	49,334.76	960.00	0.2%	6.16	1,920.00
50,000.00	PHILLIPS 66 4.88% 11/15/2044	718546AL8	126.49	63,243.00	50,000.00	50,000.00	85.53	43,687.18	920.83	0.1%	6.10	2,437.50
100,000.00	ENBRIDGE INC 3.70% 07/15/2027	29250NAR6	101.13	101,135.00	100,000.00	100,000.00	92.71	93,493.41	781.11	0.3%	5.87	3,700.00
60,000.00	BORGWARNER INC 2.65% 07/01/2027	099724AL0	107.34	64,402.80	60,000.00	60,000.00	89.32	53,989.50	397.50	0.2%	5.86	1,590.00



# Portfolio Appraisal

## CITY OF KENAI PERMANENT FUNDS (350286)

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Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
50,000.00	TELUS CORP 4.30% 06/15/2049	87971MBK8	121.52	60,762.10	50,000.00	50,000.00	72.90	37,083.96	633.06	0.1%	6.48	2,150.00
27,000.00	CENOVUS ENERGY INC 5.25% 06/15/2037	15135UAP4	119.59	32,290.38	27,000.00	27,000.00	88.85	24,407.98	417.38	0.1%	6.49	1,417.50
50,000.00	GENERAL DYNAMICS CORP 3.50% 04/01/2027	369550BL1	106.12	53,060.00	50,000.00	50,000.00	94.37	48,058.35	875.00	0.2%	5.28	1,750.00
110,000.00	MAGELLAN MIDSTREAM PARTNERS LP 3.95% 03/01/2050	559080AP1	109.07	119,975.90	110,000.00	110,000.00	66.70	73,736.26	362.08	0.2%	6.64	4,345.00
100,000.00	REYNOLDS AMERICAN INC 4.45% 06/12/2025	761713BG0	108.47	108,467.00	100,000.00	100,000.00	97.22	98,562.36	1,347.36	0.3%	6.19	4,450.00
100,000.00	CITIGROUP INC 3.70% 01/12/2026	172967KG5	101.65	101,647.00	100,000.00	100,000.00	95.17	95,979.24	811.94	0.3%	5.99	3,700.00
70,000.00	ESSEX PORTFOLIO LP 4.00% 03/01/2029	29717PAT4	111.75	78,224.30	70,000.00	70,000.00	90.89	63,857.73	233.33	0.2%	5.99	2,800.00
100,000.00	BANK OF AMERICA CORP 4.44% 01/20/2048	06051GGG8	106.31	106,308.00	100,000.00	100,000.00	79.95	80,830.26	876.26	0.3%	6.10	4,443.00
35,000.00	DARDEN RESTAURANTS INC 3.85% 05/01/2027	237194AL9	110.59	38,705.80	35,000.00	35,000.00	93.66	33,342.28	561.46	0.1%	5.83	1,347.50
100,000.00	RYDER SYSTEM INC 2.90% 12/01/2026	78355HKP3	90.81	90,807.00	100,000.00	100,000.00	91.33	92,294.77	966.67	0.3%	5.94	2,900.00
100,000.00	INTEL CORP 3.90% 03/25/2030	458140BR0	113.48	113,484.00	100,000.00	100,000.00	91.20	91,262.60	65.00	0.3%	5.53	3,900.00
100,000.00	CARDINAL HEALTH INC 4.90% 09/15/2045	14149YBD9	111.47	111,470.00	100,000.00	100,000.00	80.01	80,229.68	217.78	0.3%	6.64	4,900.00
100,000.00	SYSCO CORP 4.45% 03/15/2048	871829BH9	120.54	120,536.00	100,000.00	100,000.00	77.47	77,671.98	197.78	0.2%	6.26	4,450.00
100,000.00	JPMORGAN CHASE & CO 3.88% 02/01/2024	46625HJT8	105.18	105,181.00	100,000.00	100,000.00	99.26	99,902.73	645.83	0.3%	6.07	3,875.00
100,000.00	MORGAN STANLEY 3.88% 04/29/2024	61746BDQ6	103.71	103,711.00	100,000.00	100,000.00	98.76	100,392.11	1,636.11	0.3%	6.07	3,875.00
65,000.00	AERCAP IRELAND CAPITAL DAC 5.75% 06/06/2028	00774MBC8	99.03	64,370.15	65,000.00	65,000.00	97.74	64,722.91	1,193.92	0.2%	6.31	3,737.50
100,000.00	WELLS FARGO & CO 3.30% 09/09/2024	94974BGA2	99.88	99,882.00	100,000.00	100,000.00	97.51	97,707.87	201.67	0.3%	6.05	3,300.00
---	---	---	---	<b>2,155,833.03</b>	<b>1,992,000.00</b>	<b>1,992,000.00</b>	---	<b>1,767,862.93</b>	<b>18,916.61</b>	<b>5.6%</b>	<b>6.08</b>	<b>80,985.50</b>

# Portfolio Appraisal

# CITY OF KENAI PERMANENT FUNDS (350286)

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## U.S. Fixed Income

### MBS

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
22,431.75	FN MA3871 3.00% 12/01/2049	31418DJR4	101.91	22,859.33	100,000.00	22,431.75	83.49	18,785.23	56.08	0.1%	5.54	672.95
22,237.44	FN CB3918 4.50% 06/01/2052	3140QPK89	96.58	21,476.50	25,000.00	22,237.44	92.59	20,672.65	83.39	0.1%	5.69	1,000.68
60,074.45	FN MA4562 2.00% 03/01/2052	31418EB82	83.87	50,387.43	65,000.00	60,074.45	75.91	45,703.53	100.12	0.1%	5.48	1,201.49
36,072.31	FH RA1343 3.00% 09/01/2049	3133KGP44	104.69	37,763.16	100,000.00	36,072.31	83.92	30,361.09	90.18	0.1%	5.47	1,082.17
57,962.79	FN MA4978 5.00% 04/01/2053	31418EQ86	99.34	57,582.41	60,000.00	57,962.79	94.37	54,938.22	241.51	0.2%	5.91	2,898.14
37,991.43	FN MA3305 3.50% 03/01/2048	31418CU77	103.02	39,137.13	225,000.00	37,991.43	87.18	33,232.78	110.81	0.1%	5.60	1,329.70
142,923.39	FN MA4398 2.00% 08/01/2051	31418D3G5	78.81	112,641.48	165,000.00	142,923.39	76.14	109,066.34	238.21	0.3%	5.51	2,858.47
44,026.15	FH G61893 3.00% 07/01/2047	31335CC69	101.14	44,528.30	150,000.00	44,026.15	84.16	37,164.52	110.07	0.1%	5.69	1,320.78
43,012.28	FH C91270 4.50% 10/01/2029	3128P7MT7	105.67	45,451.87	2,000,000.00	43,012.28	93.53	40,389.08	161.30	0.1%	7.50	1,935.55
35,979.19	FN FS0822 2.00% 03/01/2052	3140XF4G3	88.61	31,880.94	40,000.00	35,979.19	76.39	27,543.32	59.97	0.1%	5.41	719.58
86,202.00	FN MA4383 2.00% 07/01/2036	31418D2R2	90.54	78,043.12	115,000.00	86,202.00	85.75	74,061.35	143.67	0.2%	5.40	1,724.04
84,321.51	FN AL3180 3.00% 01/01/2043	3138EKRA5	100.20	84,492.80	374,582.00	84,321.51	85.05	71,925.54	210.80	0.2%	5.81	2,529.65
51,687.44	FH G16255 2.50% 07/01/2032	3128MFE46	99.70	51,533.99	190,000.00	51,687.44	90.70	46,985.84	107.68	0.1%	5.47	1,292.19
108,074.41	FH RA8415 5.50% 01/01/2053	3133KQK47	101.52	109,714.62	115,000.00	108,074.41	97.83	106,229.52	495.34	0.3%	5.89	5,944.09
148,916.21	FN MA4492 2.00% 12/01/2051	31418D7E6	78.73	117,236.61	165,000.00	148,916.21	76.01	113,441.34	248.19	0.4%	5.50	2,978.32
65,052.01	FN CB1783 2.50% 10/01/2051	3140QL6V3	92.13	59,929.16	75,000.00	65,052.01	80.09	52,235.60	135.53	0.2%	5.41	1,626.30
31,818.40	FN AS8483 3.00% 12/01/2046	3138WJM96	102.95	32,757.97	125,000.00	31,818.40	84.19	26,867.71	79.55	0.1%	5.66	954.55
235,619.63	FH QC4235 2.50% 07/01/2051	3133ANV43	102.31	241,068.30	300,000.00	235,619.63	80.07	189,145.93	490.87	0.6%	5.41	5,890.49
90,040.30	FN AT2324 3.00% 05/01/2043	3138WPSN5	100.20	90,223.21	335,507.00	90,040.30	85.67	77,364.43	225.10	0.2%	5.61	2,701.21

# Portfolio Appraisal

## CITY OF KENAI PERMANENT FUNDS (350286)

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Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
20,638.39	FN MA3276 3.50% 02/01/2048	31418CUA0	105.75	21,825.10	125,000.00	20,638.39	87.18	18,052.08	60.20	0.1%	5.61	722.34
132,344.84	FH V80057 3.00% 05/01/2043	3132L5B28	100.23	132,655.01	450,000.00	132,344.84	88.11	116,935.92	330.86	0.4%	5.15	3,970.35
20,725.65	FN MA3834 3.00% 11/01/2049	31418DHL9	101.90	21,119.10	100,000.00	20,725.65	83.73	17,405.66	51.81	0.1%	5.50	621.77
38,855.93	FH SD8129 2.50% 02/01/2051	3132DWA60	84.93	33,000.23	60,000.00	38,855.93	79.60	31,011.63	80.95	0.1%	5.57	971.40
51,142.14	FN BP6826 2.50% 05/01/2050	3140KESQ2	104.98	53,691.24	100,000.00	51,142.14	79.62	40,828.15	106.55	0.1%	5.66	1,278.55
2,802.19	FH G14203 4.00% 04/01/2026	3128MC3L7	104.56	2,930.03	256,397.00	2,802.19	97.65	2,745.65	9.34	0.0%	6.38	112.09
28,696.98	FH QA5517 3.00% 12/01/2049	3133A0DW1	102.31	29,360.58	100,000.00	28,696.98	83.49	24,032.19	71.74	0.1%	5.53	860.91
56,404.83	FN BD2453 3.00% 01/01/2047	3140F9WP6	99.89	56,343.10	139,000.00	56,404.83	84.91	48,033.93	141.01	0.2%	5.53	1,692.14
199,220.42	FN BR1668 2.00% 03/01/2051	3140KY2A1	99.54	198,294.35	250,000.00	199,220.42	76.10	151,934.59	332.03	0.5%	5.56	3,984.41
36,741.65	FH QE9566 5.00% 09/01/2052	3133BKT X7	98.78	36,293.86	40,000.00	36,741.65	94.39	34,834.78	153.09	0.1%	5.96	1,837.08
83,478.44	FN MA4475 2.50% 11/01/2041	31418D6M9	103.58	86,465.39	100,000.00	83,478.44	82.32	68,895.37	173.91	0.2%	6.01	2,086.96
74,589.32	FH G08722 3.50% 09/01/2046	3128MJYU8	102.09	76,145.22	477,000.00	74,589.32	87.53	65,505.27	217.55	0.2%	5.61	2,610.63
11,147.10	FN MA3638 4.00% 04/01/2049	31418DBG6	103.09	11,491.98	101,000.00	11,147.10	90.07	10,077.45	37.16	0.0%	5.62	445.88
250,197.02	FN MA4414 2.50% 09/01/2051	31418D3Y6	86.05	215,286.72	300,000.00	250,197.02	79.60	199,685.18	521.24	0.6%	5.49	6,254.93
83,462.97	FH RB5095 2.00% 01/01/2041	3133KYUU1	103.84	86,664.54	115,000.00	83,462.97	81.13	67,850.52	139.10	0.2%	5.71	1,669.26
55,592.81	FH RA4518 3.50% 02/01/2051	3133KLAT4	91.20	50,700.20	90,000.00	55,592.81	86.77	48,402.27	162.15	0.2%	5.48	1,945.75
56,355.32	FN 995373 4.50% 02/01/2039	31416BXA1	106.72	60,141.65	4,000,000.00	56,355.32	94.28	53,343.02	211.33	0.2%	5.73	2,535.99
13,864.67	FH SD1884 5.00% 11/01/2052	3132DPCV8	100.30	13,906.91	15,000.00	13,864.67	94.41	13,147.50	57.77	0.0%	5.96	693.23
141,770.25	FN AJ1405 4.00% 09/01/2041	3138ASR38	104.48	148,127.66	1,500,000.00	141,770.25	92.23	131,234.23	472.57	0.4%	5.50	5,670.81
74,668.03	FH SB8503 2.00% 08/01/2035	3132D6NU0	102.81	76,768.07	125,000.00	74,668.03	86.23	64,509.50	124.45	0.2%	5.46	1,493.36
24,110.75	FN MA3960 3.00% 03/01/2050	31418DMJ8	102.31	24,668.31	100,000.00	24,110.75	83.37	20,161.57	60.28	0.1%	5.50	723.32

# Portfolio Appraisal

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Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
72,765.35	FN CA7738 2.50% 11/01/2050	3140QFS42	105.64	76,869.76	115,000.00	72,765.35	80.05	58,402.56	151.59	0.2%	5.40	1,819.13
41,321.99	FN MA2930 4.00% 03/01/2047	31418CHG2	103.56	42,794.16	344,000.00	41,321.99	90.39	37,490.44	137.74	0.1%	5.61	1,652.88
43,873.89	FH J30401 3.00% 01/01/2030	31307LNS3	101.30	44,442.84	301,000.00	43,873.89	93.36	41,070.78	109.68	0.1%	6.00	1,316.22
---	---	---	---	<b>2,928,694.36</b>	<b>14,028,486.00</b>	<b>3,019,214.05</b>	---	<b>2,541,704.27</b>	<b>7,302.48</b>	<b>8.1%</b>	<b>5.59</b>	<b>87,629.76</b>

## U.S. Fixed Income

### U.S. Treasuries

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
160,000.00	UNITED STATES TREASURY 2.88% 05/15/2032	91282CEP2	99.71	159,535.94	160,000.00	160,000.00	87.78	142,187.50	1,737.50	0.5%	4.61	4,600.00
20,000.00	UNITED STATES TREASURY 2.63% 02/15/2029	9128286B1	106.94	21,388.28	20,000.00	20,000.00	90.45	18,157.68	67.05	0.1%	4.65	525.00
180,000.00	UNITED STATES TREASURY 4.00% 02/29/2028	91282CGP0	101.49	182,685.94	180,000.00	180,000.00	97.42	175,972.56	613.19	0.6%	4.65	7,200.00
75,000.00	UNITED STATES TREASURY 1.63% 11/15/2050	912810SS8	95.70	71,776.95	75,000.00	75,000.00	52.38	39,741.59	460.34	0.1%	4.77	1,218.75
105,000.00	UNITED STATES TREASURY 0.38% 11/30/2025	91282CAZ4	92.33	96,947.66	105,000.00	105,000.00	90.58	95,239.36	132.33	0.3%	5.01	393.75
115,000.00	UNITED STATES TREASURY 3.00% 09/30/2025	9128285C0	100.99	116,136.52	115,000.00	115,000.00	96.09	110,517.24	9.43	0.4%	5.08	3,450.00
145,000.00	UNITED STATES TREASURY 2.88% 05/15/2052	912810TG3	87.50	126,879.88	145,000.00	145,000.00	70.94	104,433.98	1,574.61	0.3%	4.74	4,168.75
170,000.00	UNITED STATES TREASURY 1.50% 11/30/2024	912828YV6	102.28	173,871.48	170,000.00	170,000.00	95.64	163,446.03	856.97	0.5%	5.39	2,550.00
55,000.00	UNITED STATES TREASURY 0.88% 01/31/2024	91282CDV0	98.65	54,256.64	55,000.00	55,000.00	98.52	54,264.67	81.08	0.2%	5.35	481.25
15,000.00	UNITED STATES TREASURY 1.88% 11/15/2051	912810TB4	95.26	14,288.67	15,000.00	15,000.00	55.77	8,471.08	106.23	0.0%	4.74	281.25
85,000.00	UNITED STATES TREASURY 3.88% 08/15/2040	912810QK7	128.02	108,819.93	85,000.00	85,000.00	88.72	75,831.61	420.67	0.2%	4.86	3,293.75

# Portfolio Appraisal

## CITY OF KENAI PERMANENT FUNDS (350286)

Base Currency: USD As of 09/30/2023

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Dated: 11/16/2023

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
100,000.00	UNITED STATES TREASURY 0.38% 04/15/2024	91282CBV2	99.53	99,527.34	100,000.00	100,000.00	97.31	97,485.66	173.16	0.3%	5.46	375.00
75,000.00	UNITED STATES TREASURY 2.75% 06/30/2025	912828XZ8	99.71	74,780.27	75,000.00	75,000.00	96.00	72,521.23	521.23	0.2%	5.16	2,062.50
50,000.00	UNITED STATES TREASURY 0.38% 07/31/2027	91282CAD3	95.14	47,568.36	50,000.00	50,000.00	84.94	42,500.34	31.59	0.1%	4.71	187.50
95,000.00	UNITED STATES TREASURY 2.88% 05/15/2043	912810RB6	76.58	72,749.22	95,000.00	95,000.00	74.03	71,361.33	1,031.64	0.2%	4.96	2,731.25
25,000.00	UNITED STATES TREASURY 2.75% 08/15/2042	912810QX9	110.86	27,715.82	25,000.00	25,000.00	73.22	18,392.49	87.81	0.1%	4.95	687.50
70,000.00	UNITED STATES TREASURY 0.63% 08/15/2030	91282CAE1	84.59	59,215.63	70,000.00	70,000.00	76.73	53,769.94	55.88	0.2%	4.61	437.50
50,000.00	UNITED STATES TREASURY 3.25% 06/30/2029	91282CEV9	100.53	50,263.67	50,000.00	50,000.00	92.92	46,871.60	410.67	0.1%	4.67	1,625.00
15,000.00	UNITED STATES TREASURY 0.25% 11/15/2023	91282CAW1	96.76	14,514.26	15,000.00	15,000.00	99.39	14,922.76	14.16	0.0%	5.05	37.50
35,000.00	UNITED STATES TREASURY 1.88% 02/15/2032	91282CDY4	90.94	31,829.49	35,000.00	35,000.00	81.22	28,510.38	83.81	0.1%	4.60	656.25
120,000.00	UNITED STATES TREASURY 0.25% 07/31/2025	91282CAB7	96.66	115,992.97	120,000.00	120,000.00	91.55	109,906.79	50.54	0.4%	5.13	300.00
105,000.00	UNITED STATES TREASURY 1.75% 11/15/2029	912828YS3	93.71	98,400.59	105,000.00	105,000.00	85.05	89,993.27	694.06	0.3%	4.58	1,837.50
50,000.00	UNITED STATES TREASURY 2.00% 08/15/2051	912810SZ2	100.88	50,439.45	50,000.00	50,000.00	57.73	28,994.90	127.72	0.1%	4.75	1,000.00
55,000.00	UNITED STATES TREASURY 1.63% 05/15/2031	91282CCB5	100.89	55,489.84	55,000.00	55,000.00	81.17	44,982.12	337.58	0.1%	4.58	893.75
40,000.00	UNITED STATES TREASURY 3.00% 08/15/2052	912810TJ7	90.09	36,037.50	40,000.00	40,000.00	72.91	29,315.76	153.26	0.1%	4.73	1,200.00
10,000.00	UNITED STATES TREASURY 3.38% 08/15/2042	912810TK4	96.23	9,623.44	10,000.00	10,000.00	81.08	8,150.92	43.10	0.0%	4.93	337.50
40,000.00	UNITED STATES TREASURY 3.50% 01/31/2030	91282CGJ4	100.61	40,243.75	40,000.00	40,000.00	93.73	37,729.62	235.87	0.1%	4.65	1,400.00

# Portfolio Appraisal

## CITY OF KENAI PERMANENT FUNDS (350286)

Base Currency: USD As of 09/30/2023

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Dated: 11/16/2023

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
100,000.00	UNITED STATES TREASURY 3.13% 11/15/2028	9128285M8	103.28	103,277.34	100,000.00	100,000.00	93.11	94,289.74	1,180.37	0.3%	4.65	3,125.00
140,000.00	UNITED STATES TREASURY 1.13% 02/15/2031	91282CBL4	99.68	139,551.56	140,000.00	140,000.00	78.84	110,582.40	201.15	0.4%	4.53	1,575.00
45,000.00	UNITED STATES TREASURY 2.88% 05/15/2049	912810SH2	104.41	46,986.33	45,000.00	45,000.00	71.34	32,593.36	488.67	0.1%	4.84	1,293.75
20,000.00	UNITED STATES TREASURY 2.25% 02/15/2052	912810TD0	83.97	16,794.53	20,000.00	20,000.00	61.41	12,338.72	57.47	0.0%	4.74	450.00
15,000.00	UNITED STATES TREASURY 1.25% 05/15/2050	912810SN9	100.74	15,110.74	15,000.00	15,000.00	47.19	7,148.95	70.82	0.0%	4.78	187.50
75,000.00	UNITED STATES TREASURY 1.63% 05/15/2026	912828R36	98.43	73,822.27	75,000.00	75,000.00	92.03	69,483.78	460.34	0.2%	4.89	1,218.75
65,000.00	UNITED STATES TREASURY 2.75% 08/15/2032	91282CFF3	95.15	61,846.48	65,000.00	65,000.00	86.59	56,514.23	228.29	0.2%	4.61	1,787.50
125,000.00	UNITED STATES TREASURY 0.88% 11/15/2030	91282CAV3	97.64	122,045.90	125,000.00	125,000.00	77.78	97,639.69	413.13	0.3%	4.56	1,093.75
35,000.00	UNITED STATES TREASURY 2.88% 04/30/2029	91282CEM9	96.88	33,908.98	35,000.00	35,000.00	91.31	32,380.47	421.09	0.1%	4.66	1,006.25
25,000.00	UNITED STATES TREASURY 3.13% 02/15/2043	912810QZ4	97.13	24,283.20	25,000.00	25,000.00	77.38	19,443.53	99.78	0.1%	4.95	781.25
10,000.00	UNITED STATES TREASURY 0.63% 05/15/2030	912828ZQ6	100.79	10,079.30	10,000.00	10,000.00	77.39	7,762.67	23.61	0.0%	4.62	62.50
10,000.00	UNITED STATES TREASURY 3.63% 02/15/2053	912810TN8	97.77	9,777.34	10,000.00	10,000.00	82.77	8,322.86	46.30	0.0%	4.71	362.50
75,000.00	UNITED STATES TREASURY 4.00% 02/15/2026	91282CGL9	100.28	75,208.01	75,000.00	75,000.00	97.88	73,789.40	383.15	0.2%	4.96	3,000.00
200,000.00	UNITED STATES TREASURY 3.63% 03/31/2028	91282CGT2	100.14	200,287.51	200,000.00	200,000.00	95.88	191,769.81	19.81	0.6%	4.65	7,250.00
100,000.00	UNITED STATES TREASURY 0.25% 05/15/2024	91282CCC3	99.86	99,855.47	100,000.00	100,000.00	96.81	96,906.93	94.43	0.3%	5.48	250.00
100,000.00	UNITED STATES TREASURY 3.38% 05/15/2033	91282CHC8	96.46	96,462.89	100,000.00	100,000.00	90.72	91,993.55	1,274.80	0.3%	4.58	3,375.00

# Portfolio Appraisal

## CITY OF KENAI PERMANENT FUNDS (350286)

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Dated: 11/16/2023

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
70,000.00	UNITED STATES TREASURY 3.63% 05/15/2053	912810TR9	94.26	65,981.25	70,000.00	70,000.00	82.83	58,938.15	958.46	0.2%	4.71	2,537.50
70,000.00	UNITED STATES TREASURY 3.88% 05/15/2043	912810TS7	96.62	67,630.86	70,000.00	70,000.00	86.95	61,891.75	1,024.56	0.2%	4.92	2,712.50
120,000.00	UNITED STATES TREASURY 3.50% 04/30/2028	91282CHA2	97.80	117,360.94	120,000.00	120,000.00	95.31	116,132.61	1,757.61	0.4%	4.65	4,200.00
120,000.00	UNITED STATES TREASURY 3.63% 05/15/2026	91282CHB0	98.16	117,787.50	120,000.00	120,000.00	96.94	117,968.07	1,643.07	0.4%	4.88	4,350.00
50,000.00	UNITED STATES TREASURY 3.75% 05/31/2030	91282CHF1	99.41	49,705.08	50,000.00	50,000.00	94.94	48,098.87	630.12	0.2%	4.64	1,875.00
75,000.00	UNITED STATES TREASURY 3.63% 05/31/2028	91282CHE4	98.69	74,018.55	75,000.00	75,000.00	95.86	72,808.21	913.68	0.2%	4.62	2,718.75
80,000.00	UNITED STATES TREASURY 4.13% 06/15/2026	91282CHH7	99.00	79,196.88	80,000.00	80,000.00	98.14	79,486.27	973.77	0.3%	4.86	3,300.00
20,000.00	UNITED STATES TREASURY 3.75% 06/30/2030	91282CHJ3	98.70	19,739.06	20,000.00	20,000.00	94.92	19,173.91	189.54	0.1%	4.63	750.00
12,000.00	UNITED STATES TREASURY 4.13% 08/15/2053	912810TT5	93.09	11,171.25	12,000.00	12,000.00	90.83	10,962.60	63.22	0.0%	4.70	495.00
20,000.00	UNITED STATES TREASURY 3.88% 08/15/2033	91282CHT1	95.26	19,052.34	20,000.00	20,000.00	94.50	18,998.98	98.98	0.1%	4.57	775.00
50,000.00	UNITED STATES TREASURY 4.38% 08/31/2028	91282CHX2	98.54	49,267.58	50,000.00	50,000.00	99.00	49,686.30	186.30	0.2%	4.60	2,187.50
---	---	---	---	<b>3,811,188.63</b>	<b>3,887,000.00</b>	<b>3,887,000.00</b>	---	<b>3,440,778.21</b>	<b>24,014.00</b>	<b>11.0%</b>	<b>4.82</b>	<b>96,651.25</b>

### U.S. High Yield Fixed Income

#### Open-End Fund

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
242,549.85	VANGUARD HY CORP ADM	VVEAX	5.50	1,333,793.90	242,549.85	242,549.85	5.13	1,244,280.72	0.00	4.0%	---	---
---	---	---	---	<b>1,333,793.90</b>	<b>242,549.85</b>	<b>242,549.85</b>	---	<b>1,244,280.72</b>	<b>0.00</b>	<b>4.0%</b>	---	<b>0.00</b>

Cash  
CASH

# Portfolio Appraisal

## CITY OF KENAI PERMANENT FUNDS (350286)

Base Currency: USD As of 09/30/2023

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Dated: 11/16/2023

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
0.00	Cash	USD	1.00	0.00	0.00	0.00	1.00	0.00	0.00	0.0%	0.00	0.00
61,799.28	Receivable	USD	1.00	61,799.28	61,799.28	61,799.28	1.00	61,799.28	0.00	0.2%	0.00	0.00
---	---	---	---	<b>61,799.28</b>	<b>61,799.28</b>	<b>61,799.28</b>	---	<b>61,799.28</b>	<b>0.00</b>	<b>0.2%</b>	<b>0.00</b>	<b>0.00</b>

### Cash

#### MMFUND

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
944,429.76	ALLSPRING:GO VT MM I	GVIXX	1.00	944,429.76	944,429.76	944,429.76	1.00	944,429.76	0.00	3.0%	5.23	49,110.35
---	---	---	---	<b>944,429.76</b>	<b>944,429.76</b>	<b>944,429.76</b>	---	<b>944,429.76</b>	<b>0.00</b>	<b>3.0%</b>	<b>5.23</b>	<b>49,110.35</b>

### U.S. Large Cap Equity

#### ETF

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
16,132.00	SPDR S&P 500 ETF	SPY	322.04	5,195,204.29	16,132.00	16,132.00	427.31	6,893,302.57	0.00	22.0%	---	159,217.89
---	---	---	---	<b>5,195,204.29</b>	<b>16,132.00</b>	<b>16,132.00</b>	---	<b>6,893,302.57</b>	<b>0.00</b>	<b>22.0%</b>	---	<b>159,217.89</b>

### U.S. Mid Cap Equity

#### ETF

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
10,152.00	ISHARES:CORE S&P MD-CP	IJH	195.22	1,981,858.60	10,152.00	10,152.00	249.36	2,531,460.61	0.00	8.1%	---	39,851.40
7,898.00	INVESCO S&P MIDCAP QLTY	XMHQ	79.51	627,938.39	7,898.00	7,898.00	80.45	635,380.87	0.00	2.0%	---	---
---	---	---	---	<b>2,609,796.99</b>	<b>18,050.00</b>	<b>18,050.00</b>	---	<b>3,166,841.48</b>	<b>0.00</b>	<b>10.1%</b>	---	<b>39,851.40</b>

### U.S. Small Cap Equity

#### ETF

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
13,446.00	ISHARES:CORE S&P SM-CP	IJR	86.42	1,161,999.92	13,446.00	13,446.00	94.31	1,268,034.11	0.00	4.0%	---	20,862.31
7,692.00	PACER US SC CSH CWS 100	CALF	35.49	272,984.75	7,692.00	7,692.00	41.74	321,031.00	0.00	1.0%	---	---
---	---	---	---	<b>1,434,984.67</b>	<b>21,138.00</b>	<b>21,138.00</b>	---	<b>1,589,065.11</b>	<b>0.00</b>	<b>5.1%</b>	---	<b>20,862.31</b>

### Developed International Equity

#### ETF



# Portfolio Appraisal

## CITY OF KENAI PERMANENT FUNDS (350286)

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Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
38,945.00	ISHARES:CORE MSCI EAFE	IEFA	67.09	2,612,834.71	38,945.00	38,945.00	64.24	2,501,931.68	0.00	8.0%	---	62,928.77
---	---	---	---	<b>2,612,834.71</b>	<b>38,945.00</b>	<b>38,945.00</b>	---	<b>2,501,931.68</b>	<b>0.00</b>	<b>8.0%</b>	---	<b>62,928.77</b>

### Emerging Market Equity

#### ETF

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
32,970.00	ISHARES:CORE MSCI EMMKTS	IEMG	60.82	2,005,337.25	32,970.00	32,970.00	47.80	1,575,923.53	0.00	5.0%	---	37,818.19
---	---	---	---	<b>2,005,337.25</b>	<b>32,970.00</b>	<b>32,970.00</b>	---	<b>1,575,923.53</b>	<b>0.00</b>	<b>5.0%</b>	---	<b>37,818.19</b>

### Infrastructure

#### ETF

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
31,924.00	FLEXSHS:STOX X GL BRD INF	NFRA	52.82	1,686,185.38	31,924.00	31,924.00	48.53	1,549,271.72	0.00	4.9%	---	---
---	---	---	---	<b>1,686,185.38</b>	<b>31,924.00</b>	<b>31,924.00</b>	---	<b>1,549,271.72</b>	<b>0.00</b>	<b>4.9%</b>	---	<b>0.00</b>

### REITs

#### ETF

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
5,380.00	JPMORGAN:BB MSCI US REIT	BBRE	85.07	457,650.98	5,380.00	5,380.00	77.76	418,348.80	0.00	1.3%	---	16,265.16
5,941.00	PACER INDUSTRIAL RE	INDS	40.53	240,805.91	5,941.00	5,941.00	35.10	208,501.18	0.00	0.7%	---	---
---	---	---	---	<b>698,456.90</b>	<b>11,321.00</b>	<b>11,321.00</b>	---	<b>626,849.98</b>	<b>0.00</b>	<b>2.0%</b>	---	<b>16,265.16</b>

### Alternative Beta

#### ETF

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
27,906.00	CORE ALTERNATIVE	CCOR	30.02	837,638.37	27,906.00	27,906.00	27.66	771,986.00	0.00	2.5%	---	9,439.21
26,018.00	INDEXIQ:HGD MLT-STR TRCK	QAI	29.68	772,254.81	26,018.00	26,018.00	30.07	782,461.44	0.00	2.5%	---	29,610.55
---	---	---	---	<b>1,609,893.18</b>	<b>53,924.00</b>	<b>53,924.00</b>	---	<b>1,554,447.45</b>	<b>0.00</b>	<b>5.0%</b>	---	<b>39,049.76</b>

### Alternative Beta

#### Open-End Fund

# Portfolio Appraisal

## CITY OF KENAI PERMANENT FUNDS (350286)

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Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
158,381.70	BLACKROCK:SY S MLTI STR I	BIMBX	10.08	1,596,193.21	158,381.70	158,381.70	9.83	1,556,892.16	0.00	5.0%	---	---
---	---	---	---	<b>1,596,193.21</b>	<b>158,381.70</b>	<b>158,381.70</b>	---	<b>1,556,892.16</b>	<b>0.00</b>	<b>5.0%</b>	---	<b>0.00</b>

### Summary

Quantity	Description	Identifier	Original Cost	Total Cost	Original Units	Current Units	Market Price	Market Value + Accrued	Accrued Interest	% of Market Value + Accrued	Yield To Maturity	Estimated Annual Income
---	---	---	---	<b>31,053,595.98</b>	<b>21,929,050.59</b>	<b>10,919,778.64</b>	---	<b>31,349,250.69</b>	<b>51,521.50</b>	<b>100.0%</b>	<b>5.31</b>	<b>696,601.60</b>

\* Grouped by: APCM Asset Type -> Custom Security Type Classifier. \* Groups Sorted by: APCM Asset Type -> Custom Security Type Classifier. \* Weighted by: Quantity (With Summary), except Book Yield by Base Book Value + Accrued. \* Holdings Displayed by: Position.  
 \* Quantity = [Quantity (With Summary)]. \* Description = IF(Empty([Final Maturity])OR([Manual Asset Class]='Cash'), [Original Description], concat([Original Description],',', TEXTNUMBER([Coupon Rate],0.00),'% ',TEXTDATE([Legal Final Maturity],MM/dd/yyyy))). \* Identifier = IF([Fixed Income]=TRUE, [CUSIP],[Ticker]). \* Original Cost = [Original Price (With Summary)]. \* Market Price = [Market Price (With Summary)]. \* Yield To Maturity = IF(TEXTBOOLEAN([Fixed Income], 'Yes,No')='No', [Book Yield], IF([Reporting - Report Type]='Operating',[Book Yield],[Yield to Maturity - Portfolio Yield])), Summary Calculation: Weighted Average.

# Transaction Summary

## CITY OF KENAI PERMANENT FUNDS (350286)

Base Currency: USD 07/01/2023 - 09/30/2023

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Dated: 11/16/2023

\* Does not Lock Down.

### Coupon

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
Agency	08/17/2023	08/17/2023	3130AQRW5	FEDERAL HOME LOAN BANKS 2.40% 02/17/2032	0.00	540.00	0.00
Agency	08/27/2023	08/27/2023	3130AJZ36	FEDERAL HOME LOAN BANKS 0.60% 08/27/2025	0.00	375.00	0.00
Agency	09/12/2023	09/12/2023	3130AJ4B2	FEDERAL HOME LOAN BANKS 1.63% 03/12/2027	0.00	1,015.63	0.00
Corporate Bonds	07/01/2023	07/01/2023	099724AL0	BORGWARNER INC 2.65% 07/01/2027	0.00	795.00	0.00
Corporate Bonds	07/12/2023	07/12/2023	172967KG5	CITIGROUP INC 3.70% 01/12/2026	0.00	1,850.00	0.00
Corporate Bonds	07/15/2023	07/15/2023	29250NAR6	ENBRIDGE INC 3.70% 07/15/2027	0.00	1,850.00	0.00
Corporate Bonds	07/20/2023	07/20/2023	06051GGG8	BANK OF AMERICA CORP 4.44% 01/20/2048	0.00	2,221.50	0.00
Corporate Bonds	08/01/2023	08/01/2023	46625HJT8	JPMORGAN CHASE & CO 3.88% 02/01/2024	0.00	1,937.50	0.00
Corporate Bonds	08/15/2023	08/15/2023	437076BD3	HOME DEPOT INC 4.88% 02/15/2044	0.00	2,437.50	0.00
Corporate Bonds	08/16/2023	08/16/2023	06406FAD5	BANK OF NEW YORK MELLON CORP 2.20% 08/16/2023	0.00	1,100.00	0.00
Corporate Bonds	09/01/2023	09/01/2023	29717PAT4	ESSEX PORTFOLIO LP 4.00% 03/01/2029	0.00	1,400.00	0.00
Corporate Bonds	09/01/2023	09/01/2023	559080AP1	MAGELLAN MIDSTREAM PARTNERS LP 3.95% 03/01/2050	0.00	2,172.50	0.00
Corporate Bonds	09/09/2023	09/09/2023	94974BGA2	WELLS FARGO & CO 3.30% 09/09/2024	0.00	1,650.00	0.00
Corporate Bonds	09/15/2023	09/15/2023	871829BH9	SYSCO CORP 4.45% 03/15/2048	0.00	2,225.00	0.00
Corporate Bonds	09/15/2023	09/15/2023	14149YBD9	CARDINAL HEALTH INC 4.90% 09/15/2045	0.00	2,450.00	0.00
Corporate Bonds	09/25/2023	09/25/2023	458140BR0	INTEL CORP 3.90% 03/25/2030	0.00	1,950.00	0.00
MBS	07/01/2023	07/01/2023	3133KLAT4	FH RA4518 3.50% 02/01/2051	0.00	166.50	0.00
MBS	07/01/2023	07/01/2023	3133KQK47	FH RA8415 5.50% 01/01/2053	0.00	506.29	0.00
MBS	07/01/2023	07/01/2023	3133KGP44	FH RA1343 3.00% 09/01/2049	0.00	92.80	0.00
MBS	07/01/2023	07/01/2023	3138WJM96	FN AS8483 3.00% 12/01/2046	0.00	81.48	0.00
MBS	07/01/2023	07/01/2023	31418EQ86	FN MA4978 5.00% 04/01/2053	0.00	246.01	0.00
MBS	07/01/2023	07/01/2023	3138EKRA5	FN AL3180 3.00% 01/01/2043	0.00	221.16	0.00
MBS	07/01/2023	07/01/2023	3132DWA60	FH SD8129 2.50% 02/01/2051	0.00	82.66	0.00
MBS	07/01/2023	07/01/2023	3138ASR38	FN AJ1405 4.00% 09/01/2041	0.00	490.25	0.00
MBS	07/01/2023	07/01/2023	3140F9WV6	FN BD2453 3.00% 01/01/2047	0.00	144.66	0.00
MBS	07/01/2023	07/01/2023	31418D3G5	FN MA4398 2.00% 08/01/2051	0.00	242.67	0.00
MBS	07/01/2023	07/01/2023	3128MFE46	FH G16255 2.50% 07/01/2032	0.00	113.40	0.00
MBS	07/01/2023	07/01/2023	31418D2R2	FN MA4383 2.00% 07/01/2036	0.00	148.31	0.00
MBS	07/01/2023	07/01/2023	3138WPSN5	FN AT2324 3.00% 05/01/2043	0.00	232.51	0.00
MBS	07/01/2023	07/01/2023	31307LNS3	FH J30401 3.00% 01/01/2030	0.00	116.42	0.00
MBS	07/01/2023	07/01/2023	3140KY2A1	FN BR1668 2.00% 03/01/2051	0.00	340.20	0.00
MBS	07/01/2023	07/01/2023	31418DHL9	FN MA3834 3.00% 11/01/2049	0.00	53.18	0.00
MBS	07/01/2023	07/01/2023	31335CC69	FH G61893 3.00% 07/01/2047	0.00	112.70	0.00
MBS	07/01/2023	07/01/2023	3133ANV43	FH QC4235 2.50% 07/01/2051	0.00	498.80	0.00
MBS	07/01/2023	07/01/2023	3132L5B28	FH V80057 3.00% 05/01/2043	0.00	347.04	0.00
MBS	07/01/2023	07/01/2023	31416BXA1	FN 995373 4.50% 02/01/2039	0.00	219.76	0.00
MBS	07/01/2023	07/01/2023	3128P7MT7	FH C91270 4.50% 10/01/2029	0.00	169.30	0.00
MBS	07/01/2023	07/01/2023	3133BKT X7	FH QE9566 5.00% 09/01/2052	0.00	156.42	0.00
MBS	07/01/2023	07/01/2023	3132D6NU0	FH SB8503 2.00% 08/01/2035	0.00	129.19	0.00

# Transaction Summary

## CITY OF KENAI PERMANENT FUNDS (350286)

Base Currency: USD 07/01/2023 - 09/30/2023

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Dated: 11/16/2023

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
MBS	07/01/2023	07/01/2023	31418DBG6	FN MA3638 4.00% 04/01/2049	0.00	38.07	0.00
MBS	07/01/2023	07/01/2023	31418CU77	FN MA3305 3.50% 03/01/2048	0.00	114.02	0.00
MBS	07/01/2023	07/01/2023	31418D7E6	FN MA4492 2.00% 12/01/2051	0.00	252.04	0.00
MBS	07/01/2023	07/01/2023	31418EB82	FN MA4562 2.00% 03/01/2052	0.00	101.54	0.00
MBS	07/01/2023	07/01/2023	31418DJR4	FN MA3871 3.00% 12/01/2049	0.00	57.41	0.00
MBS	07/01/2023	07/01/2023	3128MJYU8	FH G08722 3.50% 09/01/2046	0.00	224.14	0.00
MBS	07/01/2023	07/01/2023	3140XF4G3	FN FS0822 2.00% 03/01/2052	0.00	61.49	0.00
MBS	07/01/2023	07/01/2023	3140QL6V3	FN CB1783 2.50% 10/01/2051	0.00	138.90	0.00
MBS	07/01/2023	07/01/2023	3133A0DW1	FH QA5517 3.00% 12/01/2049	0.00	73.51	0.00
MBS	07/01/2023	07/01/2023	3140KESQ2	FN BP6826 2.50% 05/01/2050	0.00	107.41	0.00
MBS	07/01/2023	07/01/2023	3140QPK89	FN CB3918 4.50% 06/01/2052	0.00	86.04	0.00
MBS	07/01/2023	07/01/2023	3140QFS42	FN CA7738 2.50% 11/01/2050	0.00	155.00	0.00
MBS	07/01/2023	07/01/2023	31418CHG2	FN MA2930 4.00% 03/01/2047	0.00	140.98	0.00
MBS	07/01/2023	07/01/2023	3128MC3L7	FH G14203 4.00% 04/01/2026	0.00	10.92	0.00
MBS	07/01/2023	07/01/2023	31418CUA0	FN MA3276 3.50% 02/01/2048	0.00	61.76	0.00
MBS	07/01/2023	07/01/2023	3133KYUU1	FH RB5095 2.00% 12/01/2040	0.00	142.46	0.00
MBS	07/01/2023	07/01/2023	3132DPCV8	FH SD1884 5.00% 11/01/2052	0.00	59.71	0.00
MBS	07/01/2023	07/01/2023	31418D3Y6	FN MA4414 2.50% 09/01/2051	0.00	532.54	0.00
MBS	07/01/2023	07/01/2023	31418DMJ8	FN MA3960 3.00% 03/01/2050	0.00	61.67	0.00
MBS	07/01/2023	07/01/2023	31418D6M9	FN MA4475 2.50% 11/01/2041	0.00	178.75	0.00
MBS	08/01/2023	08/01/2023	3133KLAT4	FH RA4518 3.50% 02/01/2051	0.00	166.19	0.00
MBS	08/01/2023	08/01/2023	3133KQK47	FH RA8415 5.50% 01/01/2053	0.00	503.01	0.00
MBS	08/01/2023	08/01/2023	3133KGP44	FH RA1343 3.00% 09/01/2049	0.00	92.03	0.00
MBS	08/01/2023	08/01/2023	3138WJM96	FN AS8483 3.00% 12/01/2046	0.00	80.74	0.00
MBS	08/01/2023	08/01/2023	31418EQ86	FN MA4978 5.00% 04/01/2053	0.00	244.28	0.00
MBS	08/01/2023	08/01/2023	3138EKRA5	FN AL3180 3.00% 01/01/2043	0.00	215.94	0.00
MBS	08/01/2023	08/01/2023	3132DWA60	FH SD8129 2.50% 02/01/2051	0.00	82.09	0.00
MBS	08/01/2023	08/01/2023	3138ASR38	FN AJ1405 4.00% 09/01/2041	0.00	484.39	0.00
MBS	08/01/2023	08/01/2023	3140F9WP6	FN BD2453 3.00% 01/01/2047	0.00	143.54	0.00
MBS	08/01/2023	08/01/2023	31418D3G5	FN MA4398 2.00% 08/01/2051	0.00	241.09	0.00
MBS	08/01/2023	08/01/2023	3128MFE46	FH G16255 2.50% 07/01/2032	0.00	110.79	0.00
MBS	08/01/2023	08/01/2023	31418D2R2	FN MA4383 2.00% 07/01/2036	0.00	146.61	0.00
MBS	08/01/2023	08/01/2023	3138WPSN5	FN AT2324 3.00% 05/01/2043	0.00	231.65	0.00
MBS	08/01/2023	08/01/2023	31307LNS3	FH J30401 3.00% 01/01/2030	0.00	114.07	0.00
MBS	08/01/2023	08/01/2023	3140KY2A1	FN BR1668 2.00% 03/01/2051	0.00	335.13	0.00
MBS	08/01/2023	08/01/2023	31418DHL9	FN MA3834 3.00% 11/01/2049	0.00	52.65	0.00
MBS	08/01/2023	08/01/2023	31335CC69	FH G61893 3.00% 07/01/2047	0.00	111.89	0.00
MBS	08/01/2023	08/01/2023	3133ANV43	FH QC4235 2.50% 07/01/2051	0.00	497.84	0.00
MBS	08/01/2023	08/01/2023	3132L5B28	FH V80057 3.00% 05/01/2043	0.00	338.53	0.00
MBS	08/01/2023	08/01/2023	31416BXA1	FN 995373 4.50% 02/01/2039	0.00	216.64	0.00
MBS	08/01/2023	08/01/2023	3128P7MT7	FH C91270 4.50% 10/01/2029	0.00	166.13	0.00
MBS	08/01/2023	08/01/2023	3133BKT7	FH QE9566 5.00% 09/01/2052	0.00	155.02	0.00
MBS	08/01/2023	08/01/2023	3132D6NU0	FH SB8503 2.00% 08/01/2035	0.00	127.48	0.00
MBS	08/01/2023	08/01/2023	31418DBG6	FN MA3638 4.00% 04/01/2049	0.00	37.77	0.00
MBS	08/01/2023	08/01/2023	31418CU77	FN MA3305 3.50% 03/01/2048	0.00	112.62	0.00
MBS	08/01/2023	08/01/2023	31418D7E6	FN MA4492 2.00% 12/01/2051	0.00	250.75	0.00
MBS	08/01/2023	08/01/2023	31418EB82	FN MA4562 2.00% 03/01/2052	0.00	101.07	0.00
MBS	08/01/2023	08/01/2023	31418DJR4	FN MA3871 3.00% 12/01/2049	0.00	56.90	0.00
MBS	08/01/2023	08/01/2023	3128MJYU8	FH G08722 3.50% 09/01/2046	0.00	222.80	0.00
MBS	08/01/2023	08/01/2023	3140XF4G3	FN FS0822 2.00% 03/01/2052	0.00	61.02	0.00

# Transaction Summary

## CITY OF KENAI PERMANENT FUNDS (350286)

Base Currency: USD 07/01/2023 - 09/30/2023

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Dated: 11/16/2023

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
MBS	08/01/2023	08/01/2023	3140QL6V3	FN CB1783 2.50% 10/01/2051	0.00	137.77	0.00
MBS	08/01/2023	08/01/2023	3133A0DW1	FH QA5517 3.00% 12/01/2049	0.00	72.93	0.00
MBS	08/01/2023	08/01/2023	3140KESQ2	FN BP6826 2.50% 05/01/2050	0.00	107.12	0.00
MBS	08/01/2023	08/01/2023	3140QPK89	FN CB3918 4.50% 06/01/2052	0.00	84.39	0.00
MBS	08/01/2023	08/01/2023	3140QFS42	FN CA7738 2.50% 11/01/2050	0.00	153.98	0.00
MBS	08/01/2023	08/01/2023	31418CHG2	FN MA2930 4.00% 03/01/2047	0.00	139.81	0.00
MBS	08/01/2023	08/01/2023	3128MC3L7	FH G14203 4.00% 04/01/2026	0.00	10.35	0.00
MBS	08/01/2023	08/01/2023	31418CUA0	FN MA3276 3.50% 02/01/2048	0.00	61.17	0.00
MBS	08/01/2023	08/01/2023	3133KYUU1	FH RB5095 2.00% 12/01/2040	0.00	141.26	0.00
MBS	08/01/2023	08/01/2023	3132DPCV8	FH SD1884 5.00% 11/01/2052	0.00	59.20	0.00
MBS	08/01/2023	08/01/2023	31418D3Y6	FN MA4414 2.50% 09/01/2051	0.00	528.77	0.00
MBS	08/01/2023	08/01/2023	31418DMJ8	FN MA3960 3.00% 03/01/2050	0.00	61.18	0.00
MBS	08/01/2023	08/01/2023	31418D6M9	FN MA4475 2.50% 11/01/2041	0.00	176.86	0.00
MBS	09/01/2023	09/01/2023	3133KLAT4	FH RA4518 3.50% 02/01/2051	0.00	165.25	0.00
MBS	09/01/2023	09/01/2023	3133KQK47	FH RA8415 5.50% 01/01/2053	0.00	500.31	0.00
MBS	09/01/2023	09/01/2023	3133KGP44	FH RA1343 3.00% 09/01/2049	0.00	91.05	0.00
MBS	09/01/2023	09/01/2023	3138WJM96	FN AS8483 3.00% 12/01/2046	0.00	80.19	0.00
MBS	09/01/2023	09/01/2023	31418EQ86	FN MA4978 5.00% 04/01/2053	0.00	243.04	0.00
MBS	09/01/2023	09/01/2023	3138EKRA5	FN AL3180 3.00% 01/01/2043	0.00	213.10	0.00
MBS	09/01/2023	09/01/2023	3132DWA60	FH SD8129 2.50% 02/01/2051	0.00	81.55	0.00
MBS	09/01/2023	09/01/2023	3138ASR38	FN AJ1405 4.00% 09/01/2041	0.00	478.69	0.00
MBS	09/01/2023	09/01/2023	3140F9WP6	FN BD2453 3.00% 01/01/2047	0.00	141.79	0.00
MBS	09/01/2023	09/01/2023	31418D3G5	FN MA4398 2.00% 08/01/2051	0.00	239.58	0.00
MBS	09/01/2023	09/01/2023	3128MFE46	FH G16255 2.50% 07/01/2032	0.00	109.65	0.00
MBS	09/01/2023	09/01/2023	31418D2R2	FN MA4383 2.00% 07/01/2036	0.00	145.17	0.00
MBS	09/01/2023	09/01/2023	3138WPSN5	FN AT2324 3.00% 05/01/2043	0.00	226.15	0.00
MBS	09/01/2023	09/01/2023	31307LNS3	FH J30401 3.00% 01/01/2030	0.00	111.87	0.00
MBS	09/01/2023	09/01/2023	3140KY2A1	FN BR1668 2.00% 03/01/2051	0.00	332.78	0.00
MBS	09/01/2023	09/01/2023	31418DHL9	FN MA3834 3.00% 11/01/2049	0.00	52.28	0.00
MBS	09/01/2023	09/01/2023	31335CC69	FH G61893 3.00% 07/01/2047	0.00	111.14	0.00
MBS	09/01/2023	09/01/2023	3133ANV43	FH QC4235 2.50% 07/01/2051	0.00	491.88	0.00
MBS	09/01/2023	09/01/2023	3132L5B28	FH V80057 3.00% 05/01/2043	0.00	334.01	0.00
MBS	09/01/2023	09/01/2023	31416BXA1	FN 995373 4.50% 02/01/2039	0.00	212.60	0.00
MBS	09/01/2023	09/01/2023	3128P7MT7	FH C91270 4.50% 10/01/2029	0.00	163.74	0.00
MBS	09/01/2023	09/01/2023	3133BKTX7	FH QE9566 5.00% 09/01/2052	0.00	154.38	0.00
MBS	09/01/2023	09/01/2023	3132D6NU0	FH SB8503 2.00% 08/01/2035	0.00	125.91	0.00
MBS	09/01/2023	09/01/2023	31418DBG6	FN MA3638 4.00% 04/01/2049	0.00	37.41	0.00
MBS	09/01/2023	09/01/2023	31418CU77	FN MA3305 3.50% 03/01/2048	0.00	111.73	0.00
MBS	09/01/2023	09/01/2023	31418D7E6	FN MA4492 2.00% 12/01/2051	0.00	249.45	0.00
MBS	09/01/2023	09/01/2023	31418EB82	FN MA4562 2.00% 03/01/2052	0.00	100.60	0.00
MBS	09/01/2023	09/01/2023	31418DJR4	FN MA3871 3.00% 12/01/2049	0.00	56.52	0.00
MBS	09/01/2023	09/01/2023	3128MJYU8	FH G08722 3.50% 09/01/2046	0.00	219.79	0.00
MBS	09/01/2023	09/01/2023	3140XF4G3	FN FS0822 2.00% 03/01/2052	0.00	60.46	0.00
MBS	09/01/2023	09/01/2023	3140QL6V3	FN CB1783 2.50% 10/01/2051	0.00	136.73	0.00
MBS	09/01/2023	09/01/2023	3133A0DW1	FH QA5517 3.00% 12/01/2049	0.00	72.39	0.00
MBS	09/01/2023	09/01/2023	3140KESQ2	FN BP6826 2.50% 05/01/2050	0.00	106.83	0.00
MBS	09/01/2023	09/01/2023	3140QPK89	FN CB3918 4.50% 06/01/2052	0.00	84.24	0.00
MBS	09/01/2023	09/01/2023	3140QFS42	FN CA7738 2.50% 11/01/2050	0.00	153.16	0.00
MBS	09/01/2023	09/01/2023	31418CHG2	FN MA2930 4.00% 03/01/2047	0.00	138.67	0.00
MBS	09/01/2023	09/01/2023	3128MC3L7	FH G14203 4.00% 04/01/2026	0.00	9.91	0.00

# Transaction Summary

## CITY OF KENAI PERMANENT FUNDS (350286)

Base Currency: USD 07/01/2023 - 09/30/2023

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Dated: 11/16/2023

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
MBS	09/01/2023	09/01/2023	31418CUA0	FN MA3276 3.50% 02/01/2048	0.00	60.77	0.00
MBS	09/01/2023	09/01/2023	3133KYUU1	FH RB5095 2.00% 12/01/2040	0.00	140.18	0.00
MBS	09/01/2023	09/01/2023	3132DPCV8	FH SD1884 5.00% 11/01/2052	0.00	58.09	0.00
MBS	09/01/2023	09/01/2023	31418D3Y6	FN MA4414 2.50% 09/01/2051	0.00	525.37	0.00
MBS	09/01/2023	09/01/2023	31418DMJ8	FN MA3960 3.00% 03/01/2050	0.00	60.74	0.00
MBS	09/01/2023	09/01/2023	31418D6M9	FN MA4475 2.50% 11/01/2041	0.00	175.49	0.00
U.S. Treasuries	07/15/2023	07/15/2023	912828ZY9	UNITED STATES TREASURY 0.13% 07/15/2023	0.00	12.50	0.00
U.S. Treasuries	07/31/2023	07/31/2023	91282CGJ4	UNITED STATES TREASURY 3.50% 01/31/2030	0.00	700.00	0.00
U.S. Treasuries	07/31/2023	07/31/2023	91282CAD3	UNITED STATES TREASURY 0.38% 07/31/2027	0.00	93.75	0.00
U.S. Treasuries	07/31/2023	07/31/2023	91282CDV0	UNITED STATES TREASURY 0.88% 01/31/2024	0.00	240.63	0.00
U.S. Treasuries	07/31/2023	07/31/2023	91282CAB7	UNITED STATES TREASURY 0.25% 07/31/2025	0.00	150.00	0.00
U.S. Treasuries	08/15/2023	08/15/2023	912810TN8	UNITED STATES TREASURY 3.63% 02/15/2053	0.00	181.25	0.00
U.S. Treasuries	08/15/2023	08/15/2023	912810QK7	UNITED STATES TREASURY 3.88% 08/15/2040	0.00	1,646.88	0.00
U.S. Treasuries	08/15/2023	08/15/2023	912810SZ2	UNITED STATES TREASURY 2.00% 08/15/2051	0.00	500.00	0.00
U.S. Treasuries	08/15/2023	08/15/2023	91282CDY4	UNITED STATES TREASURY 1.88% 02/15/2032	0.00	328.13	0.00
U.S. Treasuries	08/15/2023	08/15/2023	912810QX9	UNITED STATES TREASURY 2.75% 08/15/2042	0.00	343.75	0.00
U.S. Treasuries	08/15/2023	08/15/2023	9128286B1	UNITED STATES TREASURY 2.63% 02/15/2029	0.00	262.50	0.00
U.S. Treasuries	08/15/2023	08/15/2023	912810TK4	UNITED STATES TREASURY 3.38% 08/15/2042	0.00	168.75	0.00
U.S. Treasuries	08/15/2023	08/15/2023	912810QZ4	UNITED STATES TREASURY 3.13% 02/15/2043	0.00	390.63	0.00
U.S. Treasuries	08/15/2023	08/15/2023	912810TJ7	UNITED STATES TREASURY 3.00% 08/15/2052	0.00	600.00	0.00
U.S. Treasuries	08/15/2023	08/15/2023	91282CAE1	UNITED STATES TREASURY 0.63% 08/15/2030	0.00	218.75	0.00
U.S. Treasuries	08/15/2023	08/15/2023	91282CFF3	UNITED STATES TREASURY 2.75% 08/15/2032	0.00	893.75	0.00
U.S. Treasuries	08/15/2023	08/15/2023	91282CBL4	UNITED STATES TREASURY 1.13% 02/15/2031	0.00	787.50	0.00
U.S. Treasuries	08/15/2023	08/15/2023	912810TQ1	UNITED STATES TREASURY 3.88% 02/15/2043	0.00	387.50	0.00
U.S. Treasuries	08/15/2023	08/15/2023	912810TD0	UNITED STATES TREASURY 2.25% 02/15/2052	0.00	225.00	0.00
U.S. Treasuries	08/15/2023	08/15/2023	91282CGL9	UNITED STATES TREASURY 4.00% 02/15/2026	0.00	1,500.00	0.00
U.S. Treasuries	08/31/2023	08/31/2023	91282CGP0	UNITED STATES TREASURY 4.00% 02/29/2028	0.00	3,600.00	0.00
U.S. Treasuries	09/30/2023	09/30/2023	91282CGT2	UNITED STATES TREASURY 3.63% 03/31/2028	0.00	3,625.00	0.00
U.S. Treasuries	09/30/2023	09/30/2023	9128285C0	UNITED STATES TREASURY 3.00% 09/30/2025	0.00	1,725.00	0.00
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Buy

# Transaction Summary

## CITY OF KENAI PERMANENT FUNDS (350286)

Base Currency: USD 07/01/2023 - 09/30/2023

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Dated: 11/16/2023

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
Alternative Beta	07/03/2023	07/05/2023	09260C307	BLACKROCK:SYS MLTI STR I	4,485.51	43,240.35	0.00
Alternative Beta	08/03/2023	08/07/2023	45409B107	INDEXIQ:HGD MLT-STR TRCK	10,780.00	325,553.84	0.00
Alternative Beta	08/04/2023	08/07/2023	09260C307	BLACKROCK:SYS MLTI STR I	33,382.34	325,143.98	0.00
Developed International Equity	09/27/2023	09/29/2023	46432F842	ISHARES:CORE MSCI EAFE	672.00	42,823.87	0.00
Emerging Market Equity	09/27/2023	09/29/2023	46434G103	ISHARES:CORE MSCI EMMKTS	243.00	11,487.80	0.00
Infrastructure	09/27/2023	09/29/2023	33939L795	FLEXSHS:STOXX GL BRD INF	1,018.00	49,216.23	0.00
REITs	09/27/2023	09/29/2023	46641Q738	JPMORGAN:BB MSCI US REIT	238.00	18,241.75	0.00
REITs	09/27/2023	09/29/2023	69374H766	PACER INDUSTRIAL RE	395.00	13,740.31	0.00
U.S. High Yield Fixed Income	07/03/2023	07/05/2023	922031760	VANGUARD HY CORP ADM	12,497.53	65,237.09	0.00
U.S. Large Cap Equity	09/27/2023	09/29/2023	78462F103	SPDR S&P 500 ETF	99.00	41,918.18	0.00
U.S. Mid Cap Equity	09/27/2023	09/29/2023	46137V472	INVESCO S&P MIDCAP QLTY	7,898.00	627,938.39	0.00
U.S. Small Cap Equity	09/27/2023	09/29/2023	464287804	ISHARES:CORE S&P SM-CP	529.00	49,427.64	0.00
U.S. Treasuries	07/13/2023	07/14/2023	912810TS7	UNITED STATES TREASURY 3.88% 05/15/2043	40,000.00	38,876.56	252.72
U.S. Treasuries	09/21/2023	09/22/2023	91282CHT1	UNITED STATES TREASURY 3.88% 08/15/2033	20,000.00	19,052.34	80.03
U.S. Treasuries	09/21/2023	09/22/2023	912810TT5	UNITED STATES TREASURY 4.13% 08/15/2053	12,000.00	11,171.25	51.11
U.S. Treasuries	09/27/2023	09/28/2023	91282CHX2	UNITED STATES TREASURY 4.38% 08/31/2028	50,000.00	49,267.58	168.27
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### Open-End Fund Payment

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
Alternative Beta	07/20/2023	07/20/2023	09260C307	BLACKROCK:SYS MLTI STR I	0.00	2,199.42	0.00
U.S. High Yield Fixed Income	07/31/2023	07/31/2023	922031760	VANGUARD HY CORP ADM	0.00	6,558.52	0.00
U.S. High Yield Fixed Income	08/31/2023	08/31/2023	922031760	VANGUARD HY CORP ADM	0.00	6,638.58	0.00
U.S. High Yield Fixed Income	09/29/2023	09/29/2023	922031760	VANGUARD HY CORP ADM	0.00	6,618.50	0.00
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### Sell

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
Alternative Beta	08/03/2023	08/07/2023	53656F847	CORE ALTERNATIVE	11,573.00	324,666.34	0.00
Alternative Beta	09/27/2023	09/29/2023	45409B107	INDEXIQ:HGD MLT-STR TRCK	991.00	29,674.26	0.00
Alternative Beta	09/27/2023	09/29/2023	53656F847	CORE ALTERNATIVE	1,124.00	31,386.33	0.00
Alternative Beta	09/28/2023	09/29/2023	09260C307	BLACKROCK:SYS MLTI STR I	8,964.74	88,392.34	0.00
TIPS	08/03/2023	08/07/2023	922020805	VANGUARD ST IPSI ETF	10,207.00	481,399.10	0.00
U.S. High Yield Fixed Income	09/28/2023	09/29/2023	922031760	VANGUARD HY CORP ADM	5,495.71	28,193.00	0.00
U.S. Mid Cap Equity	09/27/2023	09/29/2023	464287507	ISHARES:CORE S&P MD-CP	2,202.00	542,097.89	0.00
U.S. Small Cap Equity	09/27/2023	09/29/2023	69374H857	PACER US SC CSH CWS 100	238.00	9,769.65	0.00
U.S. Treasuries	07/13/2023	07/14/2023	91282CAE1	UNITED STATES TREASURY 0.63% 08/15/2030	40,000.00	32,126.56	102.90
U.S. Treasuries	08/03/2023	08/04/2023	912810TS7	UNITED STATES TREASURY 3.88% 05/15/2043	20,000.00	18,399.22	170.58
U.S. Treasuries	08/03/2023	08/04/2023	91282CAP6	UNITED STATES TREASURY 0.13% 10/15/2023	90,000.00	89,078.91	34.12
U.S. Treasuries	09/21/2023	09/22/2023	912810TQ1	UNITED STATES TREASURY 3.88% 02/15/2043	20,000.00	17,787.50	80.03
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# Transaction Summary

## CITY OF KENAI PERMANENT FUNDS (350286)

Base Currency: USD 07/01/2023 - 09/30/2023

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Dated: 11/16/2023

### Equity Dividend

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
Alternative Beta	09/20/2023	09/22/2023	53656F847	CORE ALTERNATIVE	0.00	2,356.68	0.00
Infrastructure	09/15/2023	09/21/2023	33939L795	FLEXSHS:STOXX GL BRD INF	0.00	9,894.00	0.00
REITs	09/19/2023	09/22/2023	46641Q738	JPMORGAN:BB MSCI US REIT	0.00	3,749.85	0.00
REITs	09/21/2023	09/27/2023	69374H766	PACER INDUSTRIAL RE	0.00	5,780.56	0.00
TIPS	07/03/2023	07/07/2023	922020805	VANGUARD ST IPSI ETF	0.00	3,563.26	0.00
U.S. Large Cap Equity	09/15/2023	10/31/2023	78462F103	SPDR S&P 500 ETF	0.00	25,382.95	0.00
U.S. Mid Cap Equity	09/26/2023	10/02/2023	464287507	ISHARES:CORE S&P MD-CP	0.00	14,061.64	0.00
U.S. Small Cap Equity	09/21/2023	09/27/2023	69374H857	PACER US SC CSH CWS 100	0.00	1,196.84	0.00
U.S. Small Cap Equity	09/26/2023	10/02/2023	464287804	ISHARES:CORE S&P SM-CP	0.00	5,931.28	0.00
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### Money Market Funds

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
Cash	07/31/2023	07/31/2023	94975P405	ALLSPRING:GOVT MM I	0.00	2,447.12	0.00
Cash	08/31/2023	08/31/2023	94975P405	ALLSPRING:GOVT MM I	0.00	3,926.00	0.00
Cash	09/29/2023	09/29/2023	94975P405	ALLSPRING:GOVT MM I	0.00	4,454.91	0.00
---	---	---	<b>94975P405</b>	---	<b>0.00</b>	<b>10,828.03</b>	<b>0.00</b>

### Custody Fee

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
Cash	08/02/2023	08/02/2023	CCYUSD	US DOLLAR	0.00	501.72	0.00
Cash	08/21/2023	08/21/2023	CCYUSD	US DOLLAR	0.00	594.68	0.00
Cash	09/20/2023	09/20/2023	CCYUSD	US DOLLAR	0.00	451.75	0.00
---	---	---	<b>CCYUSD</b>	---	<b>0.00</b>	<b>1,548.15</b>	<b>0.00</b>

### Maturity

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
Corporate Bonds	08/16/2023	08/16/2023	06406FAD5	BANK OF NEW YORK MELLON CORP 2.20% 08/16/2023	100,000.00	100,000.00	0.00
U.S. Treasuries	07/15/2023	07/15/2023	912828ZY9	UNITED STATES TREASURY 0.13% 07/15/2023	20,000.00	20,000.00	0.00
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### Corporate Action Sell

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
Corporate Bonds	09/21/2023	09/21/2023	15135UAP4	CENOVUS ENERGY INC 5.25% 06/15/2037	43,000.00	39,655.03	595.73
---	<b>09/21/2023</b>	<b>09/21/2023</b>	<b>15135UAP4</b>	---	<b>43,000.00</b>	<b>39,655.03</b>	<b>595.73</b>

### Principal Paydown

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
MBS	07/01/2023	07/01/2023	3133KLAT4	FH RA4518 3.50% 02/01/2051	104.66	104.66	0.00
MBS	07/01/2023	07/01/2023	3133KQK47	FH RA8415 5.50% 01/01/2053	718.30	718.29	0.00
MBS	07/01/2023	07/01/2023	3133KGP44	FH RA1343 3.00% 09/01/2049	310.35	310.35	0.00



# Transaction Summary

## CITY OF KENAI PERMANENT FUNDS (350286)

Base Currency: USD 07/01/2023 - 09/30/2023

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Dated: 11/16/2023

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
MBS	07/01/2023	07/01/2023	3138WJM96	FN AS8483 3.00% 12/01/2046	293.48	293.48	0.00
MBS	07/01/2023	07/01/2023	31418EQ86	FN MA4978 5.00% 04/01/2053	414.96	414.96	0.00
MBS	07/01/2023	07/01/2023	3138EKRA5	FN AL3180 3.00% 01/01/2043	2,088.65	2,088.65	0.00
MBS	07/01/2023	07/01/2023	3132DWA60	FH SD8129 2.50% 02/01/2051	276.98	276.98	0.00
MBS	07/01/2023	07/01/2023	3138ASR38	FN AJ1405 4.00% 09/01/2041	1,760.68	1,760.69	0.00
MBS	07/01/2023	07/01/2023	3140F9WP6	FN BD2453 3.00% 01/01/2047	447.54	447.54	0.00
MBS	07/01/2023	07/01/2023	31418D3G5	FN MA4398 2.00% 08/01/2051	945.98	945.98	0.00
MBS	07/01/2023	07/01/2023	3128MFE46	FH G16255 2.50% 07/01/2032	1,255.13	1,255.13	0.00
MBS	07/01/2023	07/01/2023	31418D2R2	FN MA4383 2.00% 07/01/2036	1,016.23	1,016.23	0.00
MBS	07/01/2023	07/01/2023	3138WPSN5	FN AT2324 3.00% 05/01/2043	344.80	344.80	0.00
MBS	07/01/2023	07/01/2023	31307LNS3	FH J30401 3.00% 01/01/2030	940.01	940.01	0.00
MBS	07/01/2023	07/01/2023	3140KY2A1	FN BR1668 2.00% 03/01/2051	3,044.87	3,044.87	0.00
MBS	07/01/2023	07/01/2023	31418DHL9	FN MA3834 3.00% 11/01/2049	211.82	211.82	0.00
MBS	07/01/2023	07/01/2023	31335CC69	FH G61893 3.00% 07/01/2047	323.02	323.02	0.00
MBS	07/01/2023	07/01/2023	3133ANV43	FH QC4235 2.50% 07/01/2051	459.73	459.73	0.00
MBS	07/01/2023	07/01/2023	3132L5B28	FH V80057 3.00% 05/01/2043	3,405.01	3,405.02	0.00
MBS	07/01/2023	07/01/2023	31416BXA1	FN 995373 4.50% 02/01/2039	830.24	830.24	0.00
MBS	07/01/2023	07/01/2023	3128P7MT7	FH C91270 4.50% 10/01/2029	844.84	844.84	0.00
MBS	07/01/2023	07/01/2023	3133BKTX7	FH QE9566 5.00% 09/01/2052	334.95	334.95	0.00
MBS	07/01/2023	07/01/2023	3132D6NU0	FH SB8503 2.00% 08/01/2035	1,029.62	1,029.62	0.00
MBS	07/01/2023	07/01/2023	31418DBG6	FN MA3638 4.00% 04/01/2049	91.95	91.95	0.00
MBS	07/01/2023	07/01/2023	31418CU77	FN MA3305 3.50% 03/01/2048	479.55	479.55	0.00
MBS	07/01/2023	07/01/2023	31418D7E6	FN MA4492 2.00% 12/01/2051	771.97	771.97	0.00
MBS	07/01/2023	07/01/2023	31418EB82	FN MA4562 2.00% 03/01/2052	279.47	279.47	0.00
MBS	07/01/2023	07/01/2023	31418DJR4	FN MA3871 3.00% 12/01/2049	204.12	204.12	0.00
MBS	07/01/2023	07/01/2023	3128MJYU8	FH G08722 3.50% 09/01/2046	460.13	460.13	0.00
MBS	07/01/2023	07/01/2023	3140XF4G3	FN FS0822 2.00% 03/01/2052	284.76	284.76	0.00
MBS	07/01/2023	07/01/2023	3140QL6V3	FN CB1783 2.50% 10/01/2051	541.49	541.49	0.00
MBS	07/01/2023	07/01/2023	3133A0DW1	FH QA5517 3.00% 12/01/2049	233.32	233.32	0.00
MBS	07/01/2023	07/01/2023	3140KESQ2	FN BP6826 2.50% 05/01/2050	136.85	136.85	0.00
MBS	07/01/2023	07/01/2023	3140QPK89	FN CB3918 4.50% 06/01/2052	438.40	438.40	0.00
MBS	07/01/2023	07/01/2023	3140QFS42	FN CA7738 2.50% 11/01/2050	488.98	488.98	0.00
MBS	07/01/2023	07/01/2023	31418CHG2	FN MA2930 4.00% 03/01/2047	351.62	351.62	0.00
MBS	07/01/2023	07/01/2023	3128MC3L7	FH G14203 4.00% 04/01/2026	169.33	169.33	0.00
MBS	07/01/2023	07/01/2023	31418CUA0	FN MA3276 3.50% 02/01/2048	199.68	199.68	0.00
MBS	07/01/2023	07/01/2023	3133KYUU1	FH RB5095 2.00% 12/01/2040	718.78	718.78	0.00
MBS	07/01/2023	07/01/2023	3132DPCV8	FH SD1884 5.00% 11/01/2052	121.90	121.90	0.00
MBS	07/01/2023	07/01/2023	31418D3Y6	FN MA4414 2.50% 09/01/2051	1,810.31	1,810.31	0.00
MBS	07/01/2023	07/01/2023	31418DMJ8	FN MA3960 3.00% 03/01/2050	196.01	196.01	0.00
MBS	07/01/2023	07/01/2023	31418D6M9	FN MA4475 2.50% 11/01/2041	907.12	907.12	0.00
MBS	08/01/2023	08/01/2023	3133KLAT4	FH RA4518 3.50% 02/01/2051	322.75	322.75	0.00
MBS	08/01/2023	08/01/2023	3133KQK47	FH RA8415 5.50% 01/01/2053	588.91	588.91	0.00
MBS	08/01/2023	08/01/2023	3133KGP44	FH RA1343 3.00% 09/01/2049	392.52	392.52	0.00
MBS	08/01/2023	08/01/2023	3138WJM96	FN AS8483 3.00% 12/01/2046	220.38	220.38	0.00
MBS	08/01/2023	08/01/2023	31418EQ86	FN MA4978 5.00% 04/01/2053	297.55	297.55	0.00
MBS	08/01/2023	08/01/2023	3138EKRA5	FN AL3180 3.00% 01/01/2043	1,136.09	1,136.09	0.00
MBS	08/01/2023	08/01/2023	3132DWA60	FH SD8129 2.50% 02/01/2051	258.86	258.86	0.00
MBS	08/01/2023	08/01/2023	3138ASR38	FN AJ1405 4.00% 09/01/2041	1,709.92	1,709.93	0.00
MBS	08/01/2023	08/01/2023	3140F9WP6	FN BD2453 3.00% 01/01/2047	699.14	699.14	0.00
MBS	08/01/2023	08/01/2023	31418D3G5	FN MA4398 2.00% 08/01/2051	905.54	905.54	0.00

# Transaction Summary

# CITY OF KENAI PERMANENT FUNDS (350286)

Base Currency: USD 07/01/2023 - 09/30/2023

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Dated: 11/16/2023

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
MBS	08/01/2023	08/01/2023	3128MFE46	FH G16255 2.50% 07/01/2032	543.29	543.29	0.00
MBS	08/01/2023	08/01/2023	31418D2R2	FN MA4383 2.00% 07/01/2036	867.69	867.69	0.00
MBS	08/01/2023	08/01/2023	3138WPSN5	FN AT2324 3.00% 05/01/2043	2,202.22	2,202.22	0.00
MBS	08/01/2023	08/01/2023	31307LNS3	FH J30401 3.00% 01/01/2030	882.70	882.70	0.00
MBS	08/01/2023	08/01/2023	3140KY2A1	FN BR1668 2.00% 03/01/2051	1,410.69	1,410.69	0.00
MBS	08/01/2023	08/01/2023	31418DHL9	FN MA3834 3.00% 11/01/2049	148.16	148.16	0.00
MBS	08/01/2023	08/01/2023	31335CC69	FH G61893 3.00% 07/01/2047	300.72	300.72	0.00
MBS	08/01/2023	08/01/2023	3133ANV43	FH QC4235 2.50% 07/01/2051	2,861.84	2,861.84	0.00
MBS	08/01/2023	08/01/2023	3132L5B28	FH V80057 3.00% 05/01/2043	1,809.63	1,809.63	0.00
MBS	08/01/2023	08/01/2023	31416BXA1	FN 995373 4.50% 02/01/2039	1,076.72	1,076.72	0.00
MBS	08/01/2023	08/01/2023	3128P7MT7	FH C91270 4.50% 10/01/2029	637.46	637.46	0.00
MBS	08/01/2023	08/01/2023	3133BKTX7	FH QE9566 5.00% 09/01/2052	153.97	153.97	0.00
MBS	08/01/2023	08/01/2023	3132D6NU0	FH SB8503 2.00% 08/01/2035	940.90	940.91	0.00
MBS	08/01/2023	08/01/2023	31418DBG6	FN MA3638 4.00% 04/01/2049	107.00	107.00	0.00
MBS	08/01/2023	08/01/2023	31418CU77	FN MA3305 3.50% 03/01/2048	305.09	305.09	0.00
MBS	08/01/2023	08/01/2023	31418D7E6	FN MA4492 2.00% 12/01/2051	777.62	777.62	0.00
MBS	08/01/2023	08/01/2023	31418EB82	FN MA4562 2.00% 03/01/2052	283.00	283.00	0.00
MBS	08/01/2023	08/01/2023	31418DJR4	FN MA3871 3.00% 12/01/2049	149.57	149.57	0.00
MBS	08/01/2023	08/01/2023	3128MJYU8	FH G08722 3.50% 09/01/2046	1,031.79	1,031.79	0.00
MBS	08/01/2023	08/01/2023	3140XF4G3	FN FS0822 2.00% 03/01/2052	336.41	336.41	0.00
MBS	08/01/2023	08/01/2023	3140QL6V3	FN CB1783 2.50% 10/01/2051	498.23	498.23	0.00
MBS	08/01/2023	08/01/2023	3133A0DW1	FH QA5517 3.00% 12/01/2049	212.26	212.26	0.00
MBS	08/01/2023	08/01/2023	3140KESQ2	FN BP6826 2.50% 05/01/2050	139.81	139.81	0.00
MBS	08/01/2023	08/01/2023	3140QPK89	FN CB3918 4.50% 06/01/2052	41.98	41.98	0.00
MBS	08/01/2023	08/01/2023	3140QFS42	FN CA7738 2.50% 11/01/2050	396.62	396.62	0.00
MBS	08/01/2023	08/01/2023	31418CHG2	FN MA2930 4.00% 03/01/2047	340.01	340.01	0.00
MBS	08/01/2023	08/01/2023	3128MC3L7	FH G14203 4.00% 04/01/2026	133.19	133.19	0.00
MBS	08/01/2023	08/01/2023	31418CUA0	FN MA3276 3.50% 02/01/2048	140.15	140.15	0.00
MBS	08/01/2023	08/01/2023	3133KYUU1	FH RB5095 2.00% 12/01/2040	651.74	651.74	0.00
MBS	08/01/2023	08/01/2023	3132DPCV8	FH SD1884 5.00% 11/01/2052	267.25	267.25	0.00
MBS	08/01/2023	08/01/2023	31418D3Y6	FN MA4414 2.50% 09/01/2051	1,631.89	1,631.89	0.00
MBS	08/01/2023	08/01/2023	31418DMJ8	FN MA3960 3.00% 03/01/2050	175.58	175.58	0.00
MBS	08/01/2023	08/01/2023	31418D6M9	FN MA4475 2.50% 11/01/2041	658.84	658.84	0.00
MBS	09/01/2023	09/01/2023	3133KLAT4	FH RA4518 3.50% 02/01/2051	1,065.20	1,065.20	0.00
MBS	09/01/2023	09/01/2023	3133KQK47	FH RA8415 5.50% 01/01/2053	1,082.71	1,082.71	0.00
MBS	09/01/2023	09/01/2023	3133KGP44	FH RA1343 3.00% 09/01/2049	346.58	346.58	0.00
MBS	09/01/2023	09/01/2023	3138WJM96	FN AS8483 3.00% 12/01/2046	259.13	259.13	0.00
MBS	09/01/2023	09/01/2023	31418EQ86	FN MA4978 5.00% 04/01/2053	367.27	367.27	0.00
MBS	09/01/2023	09/01/2023	3138EKRA5	FN AL3180 3.00% 01/01/2043	918.65	918.65	0.00
MBS	09/01/2023	09/01/2023	3132DWA60	FH SD8129 2.50% 02/01/2051	286.08	286.08	0.00
MBS	09/01/2023	09/01/2023	3138ASR38	FN AJ1405 4.00% 09/01/2041	1,835.51	1,835.51	0.00
MBS	09/01/2023	09/01/2023	3140F9WP6	FN BD2453 3.00% 01/01/2047	312.82	312.82	0.00
MBS	09/01/2023	09/01/2023	31418D3G5	FN MA4398 2.00% 08/01/2051	826.17	826.17	0.00
MBS	09/01/2023	09/01/2023	3128MFE46	FH G16255 2.50% 07/01/2032	946.84	946.84	0.00
MBS	09/01/2023	09/01/2023	31418D2R2	FN MA4383 2.00% 07/01/2036	897.39	897.39	0.00
MBS	09/01/2023	09/01/2023	3138WPSN5	FN AT2324 3.00% 05/01/2043	417.89	417.89	0.00
MBS	09/01/2023	09/01/2023	31307LNS3	FH J30401 3.00% 01/01/2030	872.35	872.35	0.00
MBS	09/01/2023	09/01/2023	3140KY2A1	FN BR1668 2.00% 03/01/2051	444.85	444.85	0.00
MBS	09/01/2023	09/01/2023	31418DHL9	FN MA3834 3.00% 11/01/2049	185.82	185.82	0.00
MBS	09/01/2023	09/01/2023	31335CC69	FH G61893 3.00% 07/01/2047	429.34	429.34	0.00

# Transaction Summary

## CITY OF KENAI PERMANENT FUNDS (350286)

Base Currency: USD 07/01/2023 - 09/30/2023

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Dated: 11/16/2023

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
MBS	09/01/2023	09/01/2023	3133ANV43	FH QC4235 2.50% 07/01/2051	481.68	481.68	0.00
MBS	09/01/2023	09/01/2023	3132L5B28	FH V80057 3.00% 05/01/2043	1,258.36	1,258.36	0.00
MBS	09/01/2023	09/01/2023	31416BXA1	FN 995373 4.50% 02/01/2039	339.20	339.20	0.00
MBS	09/01/2023	09/01/2023	3128P7MT7	FH C91270 4.50% 10/01/2029	651.96	651.96	0.00
MBS	09/01/2023	09/01/2023	3133BKTX7	FH QE9566 5.00% 09/01/2052	309.28	309.28	0.00
MBS	09/01/2023	09/01/2023	3132D6NU0	FH SB8503 2.00% 08/01/2035	876.42	876.42	0.00
MBS	09/01/2023	09/01/2023	31418DBG6	FN MA3638 4.00% 04/01/2049	75.65	75.65	0.00
MBS	09/01/2023	09/01/2023	31418CU77	FN MA3305 3.50% 03/01/2048	315.38	315.38	0.00
MBS	09/01/2023	09/01/2023	31418D7E6	FN MA4492 2.00% 12/01/2051	755.90	755.90	0.00
MBS	09/01/2023	09/01/2023	31418EB82	FN MA4562 2.00% 03/01/2052	286.24	286.24	0.00
MBS	09/01/2023	09/01/2023	31418DJR4	FN MA3871 3.00% 12/01/2049	177.28	177.29	0.00
MBS	09/01/2023	09/01/2023	3128MJYU8	FH G08722 3.50% 09/01/2046	766.37	766.37	0.00
MBS	09/01/2023	09/01/2023	3140XF4G3	FN FS0822 2.00% 03/01/2052	294.37	294.37	0.00
MBS	09/01/2023	09/01/2023	3140QL6V3	FN CB1783 2.50% 10/01/2051	578.77	578.77	0.00
MBS	09/01/2023	09/01/2023	3133A0DW1	FH QA5517 3.00% 12/01/2049	260.88	260.89	0.00
MBS	09/01/2023	09/01/2023	3140KESQ2	FN BP6826 2.50% 05/01/2050	136.98	136.98	0.00
MBS	09/01/2023	09/01/2023	3140QPK89	FN CB3918 4.50% 06/01/2052	225.83	225.83	0.00
MBS	09/01/2023	09/01/2023	3140QFS42	FN CA7738 2.50% 11/01/2050	749.18	749.18	0.00
MBS	09/01/2023	09/01/2023	31418CHG2	FN MA2930 4.00% 03/01/2047	279.73	279.73	0.00
MBS	09/01/2023	09/01/2023	3128MC3L7	FH G14203 4.00% 04/01/2026	170.96	170.96	0.00
MBS	09/01/2023	09/01/2023	31418CUA0	FN MA3276 3.50% 02/01/2048	195.46	195.46	0.00
MBS	09/01/2023	09/01/2023	3133KYUU1	FH RB5095 2.00% 12/01/2040	643.07	643.07	0.00
MBS	09/01/2023	09/01/2023	3132DPCV8	FH SD1884 5.00% 11/01/2052	76.25	76.25	0.00
MBS	09/01/2023	09/01/2023	31418D3Y6	FN MA4414 2.50% 09/01/2051	1,979.63	1,979.63	0.00
MBS	09/01/2023	09/01/2023	31418DMJ8	FN MA3960 3.00% 03/01/2050	184.15	184.15	0.00
MBS	09/01/2023	09/01/2023	31418D6M9	FN MA4475 2.50% 11/01/2041	757.72	757.72	0.00
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### Summary

Sector	Trade Date	Settle Date	CUSIP	Description	Quantity	Trade Amount	Accrued Interest
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\* Grouped by: Transaction Type. \* Groups Sorted by: Sector. \* Filtered By: Security Type Including Dividend ≠ "MMFUND". \* Showing transactions with Trade Date within selected date range. \* Weighted by: Absolute Value of Base Principal. \* MMF transactions are expanded.

\* Sector = IF([APCM Sectors - Fixed Income (Transaction)]=Funds',[Manual Asset Class],[APCM Sectors - Fixed Income (Transaction)]). \* Description = IF(Empty([Maturity])OR([Manual Asset Class]=Cash'), [Description], concat([Description], ', ', TEXTNUMBER([Coupon],0.00),'% ',TEXTDATE([Maturity],MM/dd/yyyy))). \* Quantity = ABS([Current Units (With Summary)]), Summary Calculation: Sum. \* Trade Amount = ABS([Trade Amount]+[Accrued Interest]), Summary Calculation: Sum. \* Accrued Interest = ABS([Accrued Interest (Original)]), Summary Calculation: Sum.

\* The Transaction Detail/Trading Activity reports provide our most up-to-date transactional details. As such, these reports are subject to change even after the other reports on the website have been locked down. While these reports can be useful tools in understanding recent activity, due to their dynamic nature we do not recommend using them for booking journal entries or reconciliation.

# Realized Gains and Losses

# CITY OF KENAI PERMANENT FUNDS (350286)

07/01/2023 - 09/30/2023

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Dated: 11/16/2023

Date	Quantity	Identifier	Description	Book Value	Principal Amount	Net Realized Gain/Loss
07/13/2023	40,000.00	91282CAE1	UNITED STATES TREASURY 0.63% 08/15/2030	-36,974.27	32,126.56	-4,847.71
07/15/2023	20,000.00	912828ZY9	UNITED STATES TREASURY 0.13% 07/15/2023	-20,000.00	20,000.00	0.00
07/17/2023	844.84	3128P7MT7	FH C91270 4.50% 10/01/2029	-883.60	844.84	-38.76
07/17/2023	169.33	3128MC3L7	FH G14203 4.00% 04/01/2026	-172.72	169.33	-3.39
07/17/2023	3,405.01	3132L5B28	FH V80057 3.00% 05/01/2043	-3,413.55	3,405.02	-8.53
07/17/2023	460.13	3128MJYU8	FH G08722 3.50% 09/01/2046	-480.66	460.13	-20.53
07/17/2023	940.01	31307LNS3	FH J30401 3.00% 01/01/2030	-949.57	940.01	-9.56
07/17/2023	323.02	31335CC69	FH G61893 3.00% 07/01/2047	-329.52	323.02	-6.50
07/17/2023	1,255.13	3128MFE46	FH G16255 2.50% 07/01/2032	-1,251.47	1,255.13	3.66
07/25/2023	830.24	31416BXA1	FN 995373 4.50% 02/01/2039	-898.21	830.24	-67.97
07/25/2023	293.48	3138WJM96	FN AS8483 3.00% 12/01/2046	-308.80	293.48	-15.32
07/25/2023	447.54	3140F9WP6	FN BD2453 3.00% 01/01/2047	-447.11	447.54	0.43
07/25/2023	351.62	31418CHG2	FN MA2930 4.00% 03/01/2047	-383.41	351.62	-31.79
07/25/2023	199.68	31418CUA0	FN MA3276 3.50% 02/01/2048	-230.08	199.68	-30.40
07/25/2023	479.55	31418CU77	FN MA3305 3.50% 03/01/2048	-515.45	479.55	-35.90
07/25/2023	91.95	31418DBG6	FN MA3638 4.00% 04/01/2049	-101.66	91.95	-9.71
07/25/2023	310.35	3133KGP44	FH RA1343 3.00% 09/01/2049	-335.21	310.35	-24.86
07/25/2023	211.82	31418DHL9	FN MA3834 3.00% 11/01/2049	-222.58	211.82	-10.76
07/25/2023	204.12	31418DJR4	FN MA3871 3.00% 12/01/2049	-213.93	204.12	-9.81
07/25/2023	196.01	31418DMJ8	FN MA3960 3.00% 03/01/2050	-207.16	196.01	-11.15
07/25/2023	1,760.68	3138ASR38	FN AJ1405 4.00% 09/01/2041	-1,869.60	1,760.69	-108.91
07/25/2023	1,029.62	3132D6NU0	FH SB8503 2.00% 08/01/2035	-1,056.95	1,029.62	-27.33
07/25/2023	718.78	3133KYUU1	FH RB5095 2.00% 12/01/2040	-744.82	718.78	-26.04
07/25/2023	488.98	3140QFS42	FN CA7738 2.50% 11/01/2050	-521.15	488.98	-32.17
07/25/2023	276.98	3132DWA60	FH SD8129 2.50% 02/01/2051	-235.81	276.98	41.17
07/25/2023	344.80	3138WPSN5	FN AT2324 3.00% 05/01/2043	-345.67	344.80	-0.87
07/25/2023	1,016.23	31418D2R2	FN MA4383 2.00% 07/01/2036	-920.72	1,016.23	95.51
07/25/2023	945.98	31418D3G5	FN MA4398 2.00% 08/01/2051	-750.45	945.98	195.53
07/25/2023	1,810.31	31418D3Y6	FN MA4414 2.50% 09/01/2051	-1,558.19	1,810.31	252.12
07/25/2023	771.97	31418D7E6	FN MA4492 2.00% 12/01/2051	-611.75	771.97	160.22
07/25/2023	3,044.87	3140KY2A1	FN BR1668 2.00% 03/01/2051	-3,030.95	3,044.87	13.92
07/25/2023	907.12	31418D6M9	FN MA4475 2.50% 11/01/2041	-937.21	907.12	-30.09
07/25/2023	279.47	31418EB82	FN MA4562 2.00% 03/01/2052	-235.46	279.47	44.01
07/25/2023	2,088.65	3138EKRA5	FN AL3180 3.00% 01/01/2043	-2,094.01	2,088.65	-5.36
07/25/2023	438.40	3140QPK89	FN CB3918 4.50% 06/01/2052	-423.41	438.40	14.99
07/25/2023	334.95	3133BKT X7	FH QE9566 5.00% 09/01/2052	-330.92	334.95	4.03
07/25/2023	121.90	3132DPCV8	FH SD1884 5.00% 11/01/2052	-122.26	121.90	-0.36
07/25/2023	718.30	3133KQK47	FH RA8415 5.50% 01/01/2053	-729.04	718.29	-10.75
07/25/2023	414.96	31418EQ86	FN MA4978 5.00% 04/01/2053	-412.25	414.96	2.71
07/25/2023	104.66	3133KLAT4	FH RA4518 3.50% 02/01/2051	-95.57	104.66	9.09
07/25/2023	284.76	3140XF4G3	FN FS0822 2.00% 03/01/2052	-253.77	284.76	30.99
07/25/2023	233.32	3133A0DW1	FH QA5517 3.00% 12/01/2049	-244.89	233.32	-11.57
07/25/2023	541.49	3140QL6V3	FN CB1783 2.50% 10/01/2051	-499.80	541.49	41.69
07/25/2023	136.85	3140KESQ2	FN BP6826 2.50% 05/01/2050	-146.32	136.85	-9.47
07/25/2023	459.73	3133ANV43	FH QC4235 2.50% 07/01/2051	-470.98	459.73	-11.25
08/03/2023	10,207.00	922020805	VANGUARD ST IPSI ETF	-479,489.56	481,399.10	1,909.54
08/03/2023	90,000.00	91282CAP6	UNITED STATES TREASURY 0.13% 10/15/2023	-89,919.08	89,078.91	-840.17
08/03/2023	11,573.00	53656F847	CORE ALTERNATIVE	-350,962.80	324,666.34	-26,296.46

# Realized Gains and Losses

# CITY OF KENAI PERMANENT FUNDS (350286)

07/01/2023 - 09/30/2023

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Dated: 11/16/2023

Date	Quantity	Identifier	Description	Book Value	Principal Amount	Net Realized Gain/Loss
08/03/2023	20,000.00	912810TS7	UNITED STATES TREASURY 3.88% 05/15/2043	-19,174.42	18,399.22	-775.21
08/15/2023	637.46	3128P7MT7	FH C91270 4.50% 10/01/2029	-666.36	637.46	-28.90
08/15/2023	133.19	3128MC3L7	FH G14203 4.00% 04/01/2026	-135.76	133.19	-2.57
08/15/2023	1,809.63	3132L5B28	FH V80057 3.00% 05/01/2043	-1,814.14	1,809.63	-4.51
08/15/2023	1,031.79	3128MJYU8	FH G08722 3.50% 09/01/2046	-1,077.74	1,031.79	-45.95
08/15/2023	882.70	31307LNS3	FH J30401 3.00% 01/01/2030	-891.55	882.70	-8.85
08/15/2023	300.72	31335CC69	FH G61893 3.00% 07/01/2047	-306.76	300.72	-6.04
08/15/2023	543.29	3128MFE46	FH G16255 2.50% 07/01/2032	-541.72	543.29	1.57
08/16/2023	100,000.00	06406FAD5	BANK OF NEW YORK MELLON CORP 2.20% 08/16/2023	-100,000.00	100,000.00	0.00
08/25/2023	1,076.72	31416BXA1	FN 995373 4.50% 02/01/2039	-1,164.48	1,076.72	-87.76
08/25/2023	220.38	3138WJM96	FN AS8483 3.00% 12/01/2046	-231.87	220.38	-11.49
08/25/2023	699.14	3140F9WP6	FN BD2453 3.00% 01/01/2047	-698.48	699.14	0.66
08/25/2023	340.01	31418CHG2	FN MA2930 4.00% 03/01/2047	-370.69	340.01	-30.68
08/25/2023	140.15	31418CUA0	FN MA3276 3.50% 02/01/2048	-161.45	140.15	-21.30
08/25/2023	305.09	31418CU77	FN MA3305 3.50% 03/01/2048	-327.88	305.09	-22.79
08/25/2023	107.00	31418DBG6	FN MA3638 4.00% 04/01/2049	-118.28	107.00	-11.28
08/25/2023	392.52	3133KGP44	FH RA1343 3.00% 09/01/2049	-423.89	392.52	-31.37
08/25/2023	148.16	31418DHL9	FN MA3834 3.00% 11/01/2049	-155.67	148.16	-7.51
08/25/2023	149.57	31418DJR4	FN MA3871 3.00% 12/01/2049	-156.74	149.57	-7.17
08/25/2023	175.58	31418DMJ8	FN MA3960 3.00% 03/01/2050	-185.56	175.58	-9.98
08/25/2023	1,709.92	3138ASR38	FN AJ1405 4.00% 09/01/2041	-1,815.35	1,709.93	-105.42
08/25/2023	940.90	3132D6NU0	FH SB8503 2.00% 08/01/2035	-965.74	940.91	-24.83
08/25/2023	651.74	3133KYUU1	FH RB5095 2.00% 12/01/2040	-675.27	651.74	-23.53
08/25/2023	396.62	3140QFS42	FN CA7738 2.50% 11/01/2050	-422.68	396.62	-26.06
08/25/2023	258.86	3132DWA60	FH SD8129 2.50% 02/01/2051	-220.44	258.86	38.42
08/25/2023	2,202.22	3138WPSN5	FN AT2324 3.00% 05/01/2043	-2,207.70	2,202.22	-5.48
08/25/2023	867.69	31418D2R2	FN MA4383 2.00% 07/01/2036	-786.55	867.69	81.14
08/25/2023	905.54	31418D3G5	FN MA4398 2.00% 08/01/2051	-718.75	905.54	186.79
08/25/2023	1,631.89	31418D3Y6	FN MA4414 2.50% 09/01/2051	-1,405.13	1,631.89	226.76
08/25/2023	777.62	31418D7E6	FN MA4492 2.00% 12/01/2051	-616.65	777.62	160.97
08/25/2023	1,410.69	3140KY2A1	FN BR1668 2.00% 03/01/2051	-1,404.25	1,410.69	6.44
08/25/2023	658.84	31418D6M9	FN MA4475 2.50% 11/01/2041	-680.58	658.84	-21.74
08/25/2023	283.00	31418EB82	FN MA4562 2.00% 03/01/2052	-238.59	283.00	44.41
08/25/2023	1,136.09	3138EKRA5	FN AL3180 3.00% 01/01/2043	-1,138.99	1,136.09	-2.90
08/25/2023	41.98	3140QPK89	FN CB3918 4.50% 06/01/2052	-40.55	41.98	1.43
08/25/2023	153.97	3133BKT X7	FH QE9566 5.00% 09/01/2052	-152.13	153.97	1.84
08/25/2023	267.25	3132DPCV8	FH SD1884 5.00% 11/01/2052	-268.03	267.25	-0.78
08/25/2023	588.91	3133KQK47	FH RA8415 5.50% 01/01/2053	-597.64	588.91	-8.73
08/25/2023	297.55	31418EQ86	FN MA4978 5.00% 04/01/2053	-295.62	297.55	1.93
08/25/2023	322.75	3133KLAT4	FH RA4518 3.50% 02/01/2051	-294.74	322.75	28.01
08/25/2023	336.41	3140XF4G3	FN FS0822 2.00% 03/01/2052	-299.92	336.41	36.49
08/25/2023	212.26	3133A0DW1	FH QA5517 3.00% 12/01/2049	-222.77	212.26	-10.51
08/25/2023	498.23	3140QL6V3	FN CB1783 2.50% 10/01/2051	-459.96	498.23	38.27
08/25/2023	139.81	3140KESQ2	FN BP6826 2.50% 05/01/2050	-149.46	139.81	-9.65
08/25/2023	2,861.84	3133ANV43	FH QC4235 2.50% 07/01/2051	-2,931.70	2,861.84	-69.86
09/15/2023	651.96	3128P7MT7	FH C91270 4.50% 10/01/2029	-681.16	651.96	-29.20
09/15/2023	170.96	3128MC3L7	FH G14203 4.00% 04/01/2026	-174.14	170.96	-3.18
09/15/2023	1,258.36	3132L5B28	FH V80057 3.00% 05/01/2043	-1,261.48	1,258.36	-3.12
09/15/2023	766.37	3128MJYU8	FH G08722 3.50% 09/01/2046	-800.43	766.37	-34.06

# Realized Gains and Losses

# CITY OF KENAI PERMANENT FUNDS (350286)

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Date	Quantity	Identifier	Description	Book Value	Principal Amount	Net Realized Gain/Loss
09/15/2023	872.35	31307LNS3	FH J30401 3.00% 01/01/2030	-880.97	872.35	-8.62
09/15/2023	429.34	31335CC69	FH G61893 3.00% 07/01/2047	-437.93	429.34	-8.59
09/15/2023	946.84	3128MFE46	FH G16255 2.50% 07/01/2032	-944.11	946.84	2.73
09/21/2023	20,000.00	912810TQ1	UNITED STATES TREASURY 3.88% 02/15/2043	-20,039.30	17,787.50	-2,251.80
09/21/2023	43,000.00	15135UAP4	CENOVUS ENERGY INC 5.25% 06/15/2037	-51,197.14	39,655.03	-11,542.11
09/25/2023	339.20	31416BXA1	FN 995373 4.50% 02/01/2039	-366.72	339.20	-27.52
09/25/2023	259.13	3138WJM96	FN AS8483 3.00% 12/01/2046	-272.60	259.13	-13.47
09/25/2023	312.82	3140F9WP6	FN BD2453 3.00% 01/01/2047	-312.52	312.82	0.30
09/25/2023	279.73	31418CHG2	FN MA2930 4.00% 03/01/2047	-304.92	279.73	-25.19
09/25/2023	195.46	31418CUA0	FN MA3276 3.50% 02/01/2048	-225.10	195.46	-29.64
09/25/2023	315.38	31418CU77	FN MA3305 3.50% 03/01/2048	-338.90	315.38	-23.52
09/25/2023	75.65	31418DBG6	FN MA3638 4.00% 04/01/2049	-83.61	75.65	-7.96
09/25/2023	346.58	3133KGP44	FH RA1343 3.00% 09/01/2049	-374.23	346.58	-27.65
09/25/2023	185.82	31418DHL9	FN MA3834 3.00% 11/01/2049	-195.23	185.82	-9.41
09/25/2023	177.28	31418DJR4	FN MA3871 3.00% 12/01/2049	-185.77	177.29	-8.48
09/25/2023	184.15	31418DMJ8	FN MA3960 3.00% 03/01/2050	-194.59	184.15	-10.44
09/25/2023	1,835.51	3138ASR38	FN AJ1405 4.00% 09/01/2041	-1,948.28	1,835.51	-112.77
09/25/2023	876.42	3132D6NU0	FH SB8503 2.00% 08/01/2035	-899.41	876.42	-22.99
09/25/2023	643.07	3133KYUU1	FH RB5095 2.00% 12/01/2040	-666.21	643.07	-23.14
09/25/2023	749.18	3140QFS42	FN CA7738 2.50% 11/01/2050	-798.31	749.18	-49.13
09/25/2023	286.08	3132DWA60	FH SD8129 2.50% 02/01/2051	-243.67	286.08	42.41
09/25/2023	417.89	3138WPSN5	FN AT2324 3.00% 05/01/2043	-418.93	417.89	-1.04
09/25/2023	897.39	31418D2R2	FN MA4383 2.00% 07/01/2036	-813.88	897.39	83.51
09/25/2023	826.17	31418D3G5	FN MA4398 2.00% 08/01/2051	-656.07	826.17	170.10
09/25/2023	1,979.63	31418D3Y6	FN MA4414 2.50% 09/01/2051	-1,705.13	1,979.63	274.50
09/25/2023	755.90	31418D7E6	FN MA4492 2.00% 12/01/2051	-599.81	755.90	156.09
09/25/2023	444.85	3140KY2A1	FN BR1668 2.00% 03/01/2051	-442.82	444.85	2.03
09/25/2023	757.72	31418D6M9	FN MA4475 2.50% 11/01/2041	-782.62	757.72	-24.90
09/25/2023	286.24	31418EB82	FN MA4562 2.00% 03/01/2052	-241.47	286.24	44.77
09/25/2023	918.65	3138EKRA5	FN AL3180 3.00% 01/01/2043	-920.99	918.65	-2.34
09/25/2023	225.83	3140QPK89	FN CB3918 4.50% 06/01/2052	-218.17	225.83	7.66
09/25/2023	309.28	3133BKT X7	FH QE9566 5.00% 09/01/2052	-305.59	309.28	3.69
09/25/2023	76.25	3132DPCV8	FH SD1884 5.00% 11/01/2052	-76.47	76.25	-0.22
09/25/2023	1,082.71	3133KQK47	FH RA8415 5.50% 01/01/2053	-1,098.61	1,082.71	-15.90
09/25/2023	367.27	31418EQ86	FN MA4978 5.00% 04/01/2053	-364.89	367.27	2.38
09/25/2023	1,065.20	3133KLAT4	FH RA4518 3.50% 02/01/2051	-972.89	1,065.20	92.31
09/25/2023	294.37	3140XF4G3	FN FS0822 2.00% 03/01/2052	-262.54	294.37	31.83
09/25/2023	260.88	3133A0DW1	FH QA5517 3.00% 12/01/2049	-273.78	260.89	-12.89
09/25/2023	578.77	3140QL6V3	FN CB1783 2.50% 10/01/2051	-534.42	578.77	44.35
09/25/2023	136.98	3140KESQ2	FN BP6826 2.50% 05/01/2050	-146.42	136.98	-9.44
09/25/2023	481.68	3133ANV43	FH QC4235 2.50% 07/01/2051	-493.41	481.68	-11.73
09/27/2023	2,202.00	464287507	ISHARES: CORE S&P MD-CP	-204,493.36	542,097.89	337,604.53
09/27/2023	991.00	45409B107	INDEXIQ:H DG MLT-STR TRCK	-29,075.84	29,674.26	598.42
09/27/2023	1,124.00	53656F847	CORE ALTERNATIVE	-34,086.42	31,386.33	-2,700.09
09/27/2023	238.00	69374H857	PACER US SC CSH CWS 100	-8,432.22	9,769.65	1,337.43
09/28/2023	5,495.71	922031760	VANGUARD HY CORP ADM	-30,775.99	28,193.00	-2,582.99
09/28/2023	8,964.74	09260C307	BLACKROCK:SYS MLTI STR I	-92,336.82	88,392.34	-3,944.48
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# Realized Gains and Losses

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\* Filtered By: Transaction Type not in Buy, Cash Transfer, Coupon, Equity Dividend, Money Market Funds, Open-End Fund Payment and Current Units  $\neq$  0.00 and Security Type not in "CASH", "MMFUND". \* Weighted by: Absolute Value of Principal Amount. \* MMF transactions are collapsed. \* Trade transactions are collapsed. \* Cash Entry transactions are expanded.

\* Date = IF([Transaction Type] = 'Principal Paydown', [Post Date], [Trade Date (With Summary)]). \* Quantity = ABS([Current Units (With Summary)]). \* Description = IF(Empty([Final Maturity]), [Original Description], concat([Original Description], ' ', TEXTNUMBER([Coupon Rate], '0.00'), '% ', TEXTDATE([Final Maturity], 'MM/dd/yyyy'))).

# Cash Ledger

# CITY OF KENAI PERMANENT FUNDS (350286)

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Account ID	Principal Balance	Date	In or Out	Amount	Description
350286	909,683.79	06/30/2023	---	---	Beginning Balance
---	909,683.79	07/01/2023	Out	-0.00	PRIOR PERIOD ADJUSTMENTS
350286	913,139.39	07/03/2023	In	3,455.60	Money Market Funds - ALLSPRING:GOVT MM I - GVIXX (94975P405)
350286	913,934.39	07/03/2023	In	795.00	Coupon - BORGWARNER INC - BWA (099724AL0)
350286	920,155.27	07/03/2023	In	6,220.88	Open-End Fund Payment - VANGUARD HY CORP ADM - VWEAX (922031760)
350286	876,914.92	07/05/2023	Out	-43,240.35	Buy - BLACKROCK:SYS MLTI STR I - BIMBX (09260C307)
350286	783,321.49	07/05/2023	Out	-93,593.43	Buy - CORE ALTERNATIVE - CCOR (53656F847)
350286	738,364.87	07/05/2023	Out	-44,956.62	Buy - FLEXSHS:STOXX GL BRD INF - NFRA (33939L795)
350286	831,381.00	07/05/2023	In	93,016.13	Sell - INDEXIQ:HDG MLT-STR TRCK - QAI (45409B107)
350286	812,341.49	07/05/2023	Out	-19,039.51	Buy - ISHARES:CORE MSCI EAFE - IEFA (46432F842)
350286	742,263.45	07/05/2023	Out	-70,078.04	Buy - ISHARES:CORE MSCI EMMKTS - IEMG (46434G103)
350286	663,142.32	07/05/2023	Out	-79,121.13	Buy - ISHARES:CORE S&P MD-CP - IJH (464287507)
350286	583,021.81	07/05/2023	Out	-80,120.51	Buy - ISHARES:CORE S&P SM-CP - IJR (464287804)
350286	531,301.08	07/05/2023	Out	-51,720.73	Buy - JPMORGAN:BB MSCI US REIT - BBRE (46641Q738)
350286	514,321.57	07/05/2023	Out	-16,979.51	Buy - PACER INDUSTRIAL RE - INDS (69374H766)
350286	536,687.46	07/05/2023	In	22,365.89	Sell - PACER US SC CSH CWS 100 - CALF (69374H857)
350286	563,848.76	07/05/2023	In	27,161.30	Sell - SPDR PTF HIGH YIELD BOND - SPHY (78468R606)
350286	700,542.38	07/05/2023	In	136,693.62	Sell - SPDR S&P 500 ETF - SPY (78462F103)
350286	681,245.81	07/05/2023	Out	-19,296.57	Buy - UNITED STATES TREASURY - T (912810TR9)
350286	661,496.56	07/05/2023	Out	-19,749.25	Buy - UNITED STATES TREASURY - T (91282CHJ3)
350286	582,119.35	07/05/2023	Out	-79,377.21	Buy - UNITED STATES TREASURY - T (91282CHH7)
350286	516,882.26	07/05/2023	Out	-65,237.09	Buy - VANGUARD HY CORP ADM - VWEAX (922031760)
350286	497,726.20	07/05/2023	Out	-19,156.06	Buy - VANGUARD ST IPSI ETF - VTIP (922020805)
350286	501,289.46	07/07/2023	In	3,563.26	Equity Dividend - VANGUARD ST IPSI ETF - VTIP (922020805)
350286	503,139.46	07/12/2023	In	1,850.00	Coupon - CITIGROUP INC - C (172967KG5)
350286	464,010.18	07/14/2023	Out	-39,129.28	Buy - UNITED STATES TREASURY - T (912810TS7)
350286	496,239.64	07/14/2023	In	32,229.46	Sell - UNITED STATES TREASURY - T (91282CAE1)
350286	498,089.64	07/17/2023	In	1,850.00	Coupon - ENBRIDGE INC - ENBCN (29250NAR6)
350286	498,258.94	07/17/2023	In	169.30	Coupon - FH C91270 - FG (3128P7MT7)
350286	499,103.78	07/17/2023	In	844.84	Principal Paydown - FH C91270 - FG (3128P7MT7)
350286	499,327.92	07/17/2023	In	224.14	Coupon - FH G08722 - FG (3128MJYU8)
350286	499,788.05	07/17/2023	In	460.13	Principal Paydown - FH G08722 - FG (3128MJYU8)



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350286	499,798.97	07/17/2023	In	10.92	Coupon - FH G14203 - FG (3128MC3L7)
350286	499,968.30	07/17/2023	In	169.33	Principal Paydown - FH G14203 - FG (3128MC3L7)
350286	500,081.70	07/17/2023	In	113.40	Coupon - FH G16255 - FG (3128MFE46)
350286	501,336.83	07/17/2023	In	1,255.13	Principal Paydown - FH G16255 - FG (3128MFE46)
350286	501,449.53	07/17/2023	In	112.70	Coupon - FH G61893 - FG (31335CC69)
350286	501,772.55	07/17/2023	In	323.02	Principal Paydown - FH G61893 - FG (31335CC69)
350286	501,888.97	07/17/2023	In	116.42	Coupon - FH J30401 - FG (31307LNS3)
350286	502,828.98	07/17/2023	In	940.01	Principal Paydown - FH J30401 - FG (31307LNS3)
350286	503,176.02	07/17/2023	In	347.04	Coupon - FH V80057 - FG (3132L5B28)
350286	506,581.04	07/17/2023	In	3,405.02	Principal Paydown - FH V80057 - FG (3132L5B28)
350286	506,593.54	07/17/2023	In	12.50	Coupon - UNITED STATES TREASURY - T (912828ZY9)
350286	526,593.54	07/17/2023	In	20,000.00	Maturity - UNITED STATES TREASURY - T (912828ZY9)
350286	528,815.04	07/20/2023	In	2,221.50	Coupon - BANK OF AMERICA CORP - BAC (06051GGG8)
350286	531,014.46	07/21/2023	In	2,199.42	Open-End Fund Payment - BLACKROCK:SYS MLTI STR I - BIMBX (09260C307)
350286	531,087.97	07/25/2023	In	73.51	Coupon - FH QA5517 - FR (3133A0DW1)
350286	531,321.29	07/25/2023	In	233.32	Principal Paydown - FH QA5517 - FR (3133A0DW1)
350286	531,820.09	07/25/2023	In	498.80	Coupon - FH QC4235 - FR (3133ANV43)
350286	532,279.82	07/25/2023	In	459.73	Principal Paydown - FH QC4235 - FR (3133ANV43)
350286	532,436.24	07/25/2023	In	156.42	Coupon - FH QE9566 - FR (3133BKT7)
350286	532,771.19	07/25/2023	In	334.95	Principal Paydown - FH QE9566 - FR (3133BKT7)
350286	532,863.99	07/25/2023	In	92.80	Coupon - FH RA1343 - FR (3133KGP44)
350286	533,174.34	07/25/2023	In	310.35	Principal Paydown - FH RA1343 - FR (3133KGP44)
350286	533,340.84	07/25/2023	In	166.50	Coupon - FH RA4518 - FR (3133KLAT4)
350286	533,445.50	07/25/2023	In	104.66	Principal Paydown - FH RA4518 - FR (3133KLAT4)
350286	533,951.79	07/25/2023	In	506.29	Coupon - FH RA8415 - FR (3133KQK47)
350286	534,670.08	07/25/2023	In	718.29	Principal Paydown - FH RA8415 - FR (3133KQK47)
350286	534,812.54	07/25/2023	In	142.46	Coupon - FH RB5095 - FR (3133KYUU1)
350286	535,531.32	07/25/2023	In	718.78	Principal Paydown - FH RB5095 - FR (3133KYUU1)
350286	535,660.51	07/25/2023	In	129.19	Coupon - FH SB8503 - FR (3132D6NU0)
350286	536,690.13	07/25/2023	In	1,029.62	Principal Paydown - FH SB8503 - FR (3132D6NU0)
350286	536,749.84	07/25/2023	In	59.71	Coupon - FH SD1884 - FR (3132DPCV8)
350286	536,871.74	07/25/2023	In	121.90	Principal Paydown - FH SD1884 - FR (3132DPCV8)
350286	536,954.40	07/25/2023	In	82.66	Coupon - FH SD8129 - FR (3132DWA60)
350286	537,231.38	07/25/2023	In	276.98	Principal Paydown - FH SD8129 - FR (3132DWA60)
350286	537,451.14	07/25/2023	In	219.76	Coupon - FN 995373 - FN (31416BXA1)
350286	538,281.38	07/25/2023	In	830.24	Principal Paydown - FN 995373 - FN (31416BXA1)

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350286	538,771.63	07/25/2023	In	490.25	Coupon - FN AJ1405 - FN (3138ASR38)
350286	540,532.32	07/25/2023	In	1,760.69	Principal Paydown - FN AJ1405 - FN (3138ASR38)
350286	540,753.48	07/25/2023	In	221.16	Coupon - FN AL3180 - FN (3138EKRA5)
350286	542,842.13	07/25/2023	In	2,088.65	Principal Paydown - FN AL3180 - FN (3138EKRA5)
350286	542,923.61	07/25/2023	In	81.48	Coupon - FN AS8483 - FN (3138WJM96)
350286	543,217.09	07/25/2023	In	293.48	Principal Paydown - FN AS8483 - FN (3138WJM96)
350286	543,449.60	07/25/2023	In	232.51	Coupon - FN AT2324 - FN (3138WPSN5)
350286	543,794.40	07/25/2023	In	344.80	Principal Paydown - FN AT2324 - FN (3138WPSN5)
350286	543,939.06	07/25/2023	In	144.66	Coupon - FN BD2453 - FN (3140F9WP6)
350286	544,386.60	07/25/2023	In	447.54	Principal Paydown - FN BD2453 - FN (3140F9WP6)
350286	544,494.01	07/25/2023	In	107.41	Coupon - FN BP6826 - FN (3140KESQ2)
350286	544,630.86	07/25/2023	In	136.85	Principal Paydown - FN BP6826 - FN (3140KESQ2)
350286	544,971.06	07/25/2023	In	340.20	Coupon - FN BR1668 - FN (3140KY2A1)
350286	548,015.93	07/25/2023	In	3,044.87	Principal Paydown - FN BR1668 - FN (3140KY2A1)
350286	548,170.93	07/25/2023	In	155.00	Coupon - FN CA7738 - FN (3140QFS42)
350286	548,659.91	07/25/2023	In	488.98	Principal Paydown - FN CA7738 - FN (3140QFS42)
350286	548,798.81	07/25/2023	In	138.90	Coupon - FN CB1783 - FN (3140QL6V3)
350286	549,340.30	07/25/2023	In	541.49	Principal Paydown - FN CB1783 - FN (3140QL6V3)
350286	549,426.34	07/25/2023	In	86.04	Coupon - FN CB3918 - FN (3140QPK89)
350286	549,864.74	07/25/2023	In	438.40	Principal Paydown - FN CB3918 - FN (3140QPK89)
350286	549,926.23	07/25/2023	In	61.49	Coupon - FN FS0822 - FN (3140XF4G3)
350286	550,210.99	07/25/2023	In	284.76	Principal Paydown - FN FS0822 - FN (3140XF4G3)
350286	550,351.97	07/25/2023	In	140.98	Coupon - FN MA2930 - FN (31418CHG2)
350286	550,703.59	07/25/2023	In	351.62	Principal Paydown - FN MA2930 - FN (31418CHG2)
350286	550,765.35	07/25/2023	In	61.76	Coupon - FN MA3276 - FN (31418CUA0)
350286	550,965.03	07/25/2023	In	199.68	Principal Paydown - FN MA3276 - FN (31418CUA0)
350286	551,079.05	07/25/2023	In	114.02	Coupon - FN MA3305 - FN (31418CU77)
350286	551,558.60	07/25/2023	In	479.55	Principal Paydown - FN MA3305 - FN (31418CU77)
350286	551,596.67	07/25/2023	In	38.07	Coupon - FN MA3638 - FN (31418DBG6)
350286	551,688.62	07/25/2023	In	91.95	Principal Paydown - FN MA3638 - FN (31418DBG6)
350286	551,741.80	07/25/2023	In	53.18	Coupon - FN MA3834 - FN (31418DHL9)
350286	551,953.62	07/25/2023	In	211.82	Principal Paydown - FN MA3834 - FN (31418DHL9)
350286	552,011.03	07/25/2023	In	57.41	Coupon - FN MA3871 - FN (31418DJR4)
350286	552,215.15	07/25/2023	In	204.12	Principal Paydown - FN MA3871 - FN (31418DJR4)
350286	552,276.82	07/25/2023	In	61.67	Coupon - FN MA3960 - FN (31418DMJ8)
350286	552,472.83	07/25/2023	In	196.01	Principal Paydown - FN MA3960 - FN (31418DMJ8)
350286	552,621.14	07/25/2023	In	148.31	Coupon - FN MA4383 - FN (31418D2R2)

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350286	553,637.37	07/25/2023	In	1,016.23	Principal Paydown - FN MA4383 - FN (31418D2R2)
350286	553,880.04	07/25/2023	In	242.67	Coupon - FN MA4398 - FN (31418D3G5)
350286	554,826.02	07/25/2023	In	945.98	Principal Paydown - FN MA4398 - FN (31418D3G5)
350286	555,358.56	07/25/2023	In	532.54	Coupon - FN MA4414 - FN (31418D3Y6)
350286	557,168.87	07/25/2023	In	1,810.31	Principal Paydown - FN MA4414 - FN (31418D3Y6)
350286	557,347.62	07/25/2023	In	178.75	Coupon - FN MA4475 - FN (31418D6M9)
350286	558,254.74	07/25/2023	In	907.12	Principal Paydown - FN MA4475 - FN (31418D6M9)
350286	558,506.78	07/25/2023	In	252.04	Coupon - FN MA4492 - FN (31418D7E6)
350286	559,278.75	07/25/2023	In	771.97	Principal Paydown - FN MA4492 - FN (31418D7E6)
350286	559,380.29	07/25/2023	In	101.54	Coupon - FN MA4562 - FN (31418EB82)
350286	559,659.76	07/25/2023	In	279.47	Principal Paydown - FN MA4562 - FN (31418EB82)
350286	559,905.77	07/25/2023	In	246.01	Coupon - FN MA4978 - FN (31418EQ86)
350286	560,320.73	07/25/2023	In	414.96	Principal Paydown - FN MA4978 - FN (31418EQ86)
350286	587,093.29	07/31/2023	In	26,772.56	Equity Dividend - SPDR S&P 500 ETF - SPY (78462F103)
350286	587,793.29	07/31/2023	In	700.00	Coupon - UNITED STATES TREASURY - T (91282CGJ4)
350286	588,033.92	07/31/2023	In	240.63	Coupon - UNITED STATES TREASURY - T (91282CDV0)
350286	588,183.92	07/31/2023	In	150.00	Coupon - UNITED STATES TREASURY - T (91282CAB7)
350286	588,277.67	07/31/2023	In	93.75	Coupon - UNITED STATES TREASURY - T (91282CAD3)
350286	590,724.79	08/01/2023	In	2,447.12	Money Market Funds - ALLSPRING:GOVT MM I - GVIXX (94975P405)
350286	592,662.29	08/01/2023	In	1,937.50	Coupon - JPMORGAN CHASE & CO - JPM (46625HJT8)
350286	599,220.81	08/01/2023	In	6,558.52	Open-End Fund Payment - VANGUARD HY CORP ADM - VWEAX (922031760)
350286	598,719.09	08/02/2023	Out	-501.72	Custody Fee - ADMINISTRATIVE FEE/EXPENSE CUSTODIAN FEE-PRIN
350286	687,832.12	08/04/2023	In	89,113.03	Sell - UNITED STATES TREASURY - T (91282CAP6)
350286	706,401.92	08/04/2023	In	18,569.80	Sell - UNITED STATES TREASURY - T (912810TS7)
350286	381,257.94	08/07/2023	Out	-325,143.98	Buy - BLACKROCK:SYS MLTI STR I - BIMBX (09260C307)
350286	705,924.28	08/07/2023	In	324,666.34	Sell - CORE ALTERNATIVE - CCOR (53656F847)
350286	380,370.44	08/07/2023	Out	-325,553.84	Buy - INDEXIQ:HDG MLT-STR TRCK - QAI (45409B107)
350286	861,769.54	08/07/2023	In	481,399.10	Sell - VANGUARD ST IPSI ETF - VTIP (922020805)
350286	861,935.67	08/15/2023	In	166.13	Coupon - FH C91270 - FG (3128P7MT7)
350286	862,573.13	08/15/2023	In	637.46	Principal Paydown - FH C91270 - FG (3128P7MT7)
350286	862,795.93	08/15/2023	In	222.80	Coupon - FH G08722 - FG (3128MJYU8)
350286	863,827.72	08/15/2023	In	1,031.79	Principal Paydown - FH G08722 - FG (3128MJYU8)
350286	863,838.07	08/15/2023	In	10.35	Coupon - FH G14203 - FG (3128MC3L7)

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350286	863,971.26	08/15/2023	In	133.19	Principal Paydown - FH G14203 - FG (3128MC3L7)
350286	864,082.05	08/15/2023	In	110.79	Coupon - FH G16255 - FG (3128MFE46)
350286	864,625.34	08/15/2023	In	543.29	Principal Paydown - FH G16255 - FG (3128MFE46)
350286	864,737.23	08/15/2023	In	111.89	Coupon - FH G61893 - FG (31335CC69)
350286	865,037.95	08/15/2023	In	300.72	Principal Paydown - FH G61893 - FG (31335CC69)
350286	865,152.02	08/15/2023	In	114.07	Coupon - FH J30401 - FG (31307LNS3)
350286	866,034.72	08/15/2023	In	882.70	Principal Paydown - FH J30401 - FG (31307LNS3)
350286	866,373.25	08/15/2023	In	338.53	Coupon - FH V80057 - FG (3132L5B28)
350286	868,182.88	08/15/2023	In	1,809.63	Principal Paydown - FH V80057 - FG (3132L5B28)
350286	870,620.38	08/15/2023	In	2,437.50	Coupon - HOME DEPOT INC - HD (437076BD3)
350286	872,267.26	08/15/2023	In	1,646.88	Coupon - UNITED STATES TREASURY - T (912810QK7)
350286	873,767.26	08/15/2023	In	1,500.00	Coupon - UNITED STATES TREASURY - T (91282CGL9)
350286	874,661.01	08/15/2023	In	893.75	Coupon - UNITED STATES TREASURY - T (91282CFF3)
350286	875,448.51	08/15/2023	In	787.50	Coupon - UNITED STATES TREASURY - T (91282CBL4)
350286	876,048.51	08/15/2023	In	600.00	Coupon - UNITED STATES TREASURY - T (912810TJ7)
350286	876,548.51	08/15/2023	In	500.00	Coupon - UNITED STATES TREASURY - T (912810SZ2)
350286	876,939.14	08/15/2023	In	390.63	Coupon - UNITED STATES TREASURY - T (912810QZ4)
350286	877,326.64	08/15/2023	In	387.50	Coupon - UNITED STATES TREASURY - T (912810TQ1)
350286	877,670.39	08/15/2023	In	343.75	Coupon - UNITED STATES TREASURY - T (912810QX9)
350286	877,998.52	08/15/2023	In	328.13	Coupon - UNITED STATES TREASURY - T (91282CDY4)
350286	878,261.02	08/15/2023	In	262.50	Coupon - UNITED STATES TREASURY - T (9128286B1)
350286	878,486.02	08/15/2023	In	225.00	Coupon - UNITED STATES TREASURY - T (912810TD0)
350286	878,704.77	08/15/2023	In	218.75	Coupon - UNITED STATES TREASURY - T (91282CAE1)
350286	878,886.02	08/15/2023	In	181.25	Coupon - UNITED STATES TREASURY - T (912810TN8)
350286	879,054.77	08/15/2023	In	168.75	Coupon - UNITED STATES TREASURY - T (912810TK4)
350286	880,154.77	08/16/2023	In	1,100.00	Coupon - BANK OF NEW YORK MELLON CORP - BK (06406FAD5)
350286	980,154.77	08/16/2023	In	100,000.00	Maturity - BANK OF NEW YORK MELLON CORP - BK (06406FAD5)
350286	980,694.77	08/17/2023	In	540.00	Coupon - FEDERAL HOME LOAN BANKS - FHLB (3130AQRW5)
350286	980,100.09	08/21/2023	Out	-594.68	Custody Fee - ADMINISTRATIVE FEE/EXPENSE CUSTODIAN FEE-PRIN
350286	980,173.02	08/25/2023	In	72.93	Coupon - FH QA5517 - FR (3133A0DW1)
350286	980,385.28	08/25/2023	In	212.26	Principal Paydown - FH QA5517 - FR (3133A0DW1)
350286	980,883.12	08/25/2023	In	497.84	Coupon - FH QC4235 - FR (3133ANV43)

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350286	983,744.96	08/25/2023	In	2,861.84	Principal Paydown - FH QC4235 - FR (3133ANV43)
350286	983,899.98	08/25/2023	In	155.02	Coupon - FH QE9566 - FR (3133BKTXT7)
350286	984,053.95	08/25/2023	In	153.97	Principal Paydown - FH QE9566 - FR (3133BKTXT7)
350286	984,145.98	08/25/2023	In	92.03	Coupon - FH RA1343 - FR (3133KGP44)
350286	984,538.50	08/25/2023	In	392.52	Principal Paydown - FH RA1343 - FR (3133KGP44)
350286	984,704.69	08/25/2023	In	166.19	Coupon - FH RA4518 - FR (3133KLAT4)
350286	985,027.44	08/25/2023	In	322.75	Principal Paydown - FH RA4518 - FR (3133KLAT4)
350286	985,530.45	08/25/2023	In	503.01	Coupon - FH RA8415 - FR (3133KQK47)
350286	986,119.36	08/25/2023	In	588.91	Principal Paydown - FH RA8415 - FR (3133KQK47)
350286	986,260.62	08/25/2023	In	141.26	Coupon - FH RB5095 - FR (3133KYUU1)
350286	986,912.36	08/25/2023	In	651.74	Principal Paydown - FH RB5095 - FR (3133KYUU1)
350286	987,039.84	08/25/2023	In	127.48	Coupon - FH SB8503 - FR (3132D6NU0)
350286	987,980.75	08/25/2023	In	940.91	Principal Paydown - FH SB8503 - FR (3132D6NU0)
350286	988,039.95	08/25/2023	In	59.20	Coupon - FH SD1884 - FR (3132DPCV8)
350286	988,307.20	08/25/2023	In	267.25	Principal Paydown - FH SD1884 - FR (3132DPCV8)
350286	988,389.29	08/25/2023	In	82.09	Coupon - FH SD8129 - FR (3132DWA60)
350286	988,648.15	08/25/2023	In	258.86	Principal Paydown - FH SD8129 - FR (3132DWA60)
350286	988,864.79	08/25/2023	In	216.64	Coupon - FN 995373 - FN (31416BXA1)
350286	989,941.51	08/25/2023	In	1,076.72	Principal Paydown - FN 995373 - FN (31416BXA1)
350286	990,425.90	08/25/2023	In	484.39	Coupon - FN AJ1405 - FN (3138ASR38)
350286	992,135.83	08/25/2023	In	1,709.93	Principal Paydown - FN AJ1405 - FN (3138ASR38)
350286	992,351.77	08/25/2023	In	215.94	Coupon - FN AL3180 - FN (3138EKRA5)
350286	993,487.86	08/25/2023	In	1,136.09	Principal Paydown - FN AL3180 - FN (3138EKRA5)
350286	993,568.60	08/25/2023	In	80.74	Coupon - FN AS8483 - FN (3138WJM96)
350286	993,788.98	08/25/2023	In	220.38	Principal Paydown - FN AS8483 - FN (3138WJM96)
350286	994,020.63	08/25/2023	In	231.65	Coupon - FN AT2324 - FN (3138WPSN5)
350286	996,222.85	08/25/2023	In	2,202.22	Principal Paydown - FN AT2324 - FN (3138WPSN5)
350286	996,366.39	08/25/2023	In	143.54	Coupon - FN BD2453 - FN (3140F9WP6)
350286	997,065.53	08/25/2023	In	699.14	Principal Paydown - FN BD2453 - FN (3140F9WP6)
350286	997,172.65	08/25/2023	In	107.12	Coupon - FN BP6826 - FN (3140KESQ2)
350286	997,312.46	08/25/2023	In	139.81	Principal Paydown - FN BP6826 - FN (3140KESQ2)
350286	997,647.59	08/25/2023	In	335.13	Coupon - FN BR1668 - FN (3140KY2A1)
350286	999,058.28	08/25/2023	In	1,410.69	Principal Paydown - FN BR1668 - FN (3140KY2A1)
350286	999,212.26	08/25/2023	In	153.98	Coupon - FN CA7738 - FN (3140QFS42)
350286	999,608.88	08/25/2023	In	396.62	Principal Paydown - FN CA7738 - FN (3140QFS42)
350286	999,746.65	08/25/2023	In	137.77	Coupon - FN CB1783 - FN (3140QL6V3)
350286	1,000,244.88	08/25/2023	In	498.23	Principal Paydown - FN CB1783 - FN (3140QL6V3)

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350286	1,000,329.27	08/25/2023	In	84.39	Coupon - FN CB3918 - FN (3140QPK89)
350286	1,000,371.25	08/25/2023	In	41.98	Principal Paydown - FN CB3918 - FN (3140QPK89)
350286	1,000,432.27	08/25/2023	In	61.02	Coupon - FN FS0822 - FN (3140XF4G3)
350286	1,000,768.68	08/25/2023	In	336.41	Principal Paydown - FN FS0822 - FN (3140XF4G3)
350286	1,000,908.49	08/25/2023	In	139.81	Coupon - FN MA2930 - FN (31418CHG2)
350286	1,001,248.50	08/25/2023	In	340.01	Principal Paydown - FN MA2930 - FN (31418CHG2)
350286	1,001,309.67	08/25/2023	In	61.17	Coupon - FN MA3276 - FN (31418CUA0)
350286	1,001,449.82	08/25/2023	In	140.15	Principal Paydown - FN MA3276 - FN (31418CUA0)
350286	1,001,562.44	08/25/2023	In	112.62	Coupon - FN MA3305 - FN (31418CU77)
350286	1,001,867.53	08/25/2023	In	305.09	Principal Paydown - FN MA3305 - FN (31418CU77)
350286	1,001,905.30	08/25/2023	In	37.77	Coupon - FN MA3638 - FN (31418DBG6)
350286	1,002,012.30	08/25/2023	In	107.00	Principal Paydown - FN MA3638 - FN (31418DBG6)
350286	1,002,064.95	08/25/2023	In	52.65	Coupon - FN MA3834 - FN (31418DHL9)
350286	1,002,213.11	08/25/2023	In	148.16	Principal Paydown - FN MA3834 - FN (31418DHL9)
350286	1,002,270.01	08/25/2023	In	56.90	Coupon - FN MA3871 - FN (31418DJR4)
350286	1,002,419.58	08/25/2023	In	149.57	Principal Paydown - FN MA3871 - FN (31418DJR4)
350286	1,002,480.76	08/25/2023	In	61.18	Coupon - FN MA3960 - FN (31418DMJ8)
350286	1,002,656.34	08/25/2023	In	175.58	Principal Paydown - FN MA3960 - FN (31418DMJ8)
350286	1,002,802.95	08/25/2023	In	146.61	Coupon - FN MA4383 - FN (31418D2R2)
350286	1,003,670.64	08/25/2023	In	867.69	Principal Paydown - FN MA4383 - FN (31418D2R2)
350286	1,003,911.73	08/25/2023	In	241.09	Coupon - FN MA4398 - FN (31418D3G5)
350286	1,004,817.27	08/25/2023	In	905.54	Principal Paydown - FN MA4398 - FN (31418D3G5)
350286	1,005,346.04	08/25/2023	In	528.77	Coupon - FN MA4414 - FN (31418D3Y6)
350286	1,006,977.93	08/25/2023	In	1,631.89	Principal Paydown - FN MA4414 - FN (31418D3Y6)
350286	1,007,154.79	08/25/2023	In	176.86	Coupon - FN MA4475 - FN (31418D6M9)
350286	1,007,813.63	08/25/2023	In	658.84	Principal Paydown - FN MA4475 - FN (31418D6M9)
350286	1,008,064.38	08/25/2023	In	250.75	Coupon - FN MA4492 - FN (31418D7E6)
350286	1,008,842.00	08/25/2023	In	777.62	Principal Paydown - FN MA4492 - FN (31418D7E6)
350286	1,008,943.07	08/25/2023	In	101.07	Coupon - FN MA4562 - FN (31418EB82)
350286	1,009,226.07	08/25/2023	In	283.00	Principal Paydown - FN MA4562 - FN (31418EB82)
350286	1,009,470.35	08/25/2023	In	244.28	Coupon - FN MA4978 - FN (31418EQ86)
350286	1,009,767.90	08/25/2023	In	297.55	Principal Paydown - FN MA4978 - FN (31418EQ86)
350286	1,010,142.90	08/28/2023	In	375.00	Coupon - FEDERAL HOME LOAN BANKS - FHLB (3130AJZ36)
350286	1,013,742.90	08/31/2023	In	3,600.00	Coupon - UNITED STATES TREASURY - T (91282CGP0)
350286	1,017,668.90	09/01/2023	In	3,926.00	Money Market Funds - ALLSPRING:GOVT MM I - GVIXX (94975P405)
350286	1,019,068.90	09/01/2023	In	1,400.00	Coupon - ESSEX PORTFOLIO LP - ESS (29717PAT4)

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350286	1,021,241.40	09/01/2023	In	2,172.50	Coupon - MAGELLAN MIDSTREAM PARTNERS LP - MMP (559080AP1)
350286	1,027,879.98	09/01/2023	In	6,638.58	Open-End Fund Payment - VANGUARD HY CORP ADM - VWEAX (922031760)
350286	1,029,529.98	09/11/2023	In	1,650.00	Coupon - WELLS FARGO & CO - WFC (94974BGA2)
350286	1,030,545.61	09/12/2023	In	1,015.63	Coupon - FEDERAL HOME LOAN BANKS - FHLB (3130AJ4B2)
350286	1,032,995.61	09/15/2023	In	2,450.00	Coupon - CARDINAL HEALTH INC - CAH (14149YBD9)
350286	1,033,159.35	09/15/2023	In	163.74	Coupon - FH C91270 - FG (3128P7MT7)
350286	1,033,811.31	09/15/2023	In	651.96	Principal Paydown - FH C91270 - FG (3128P7MT7)
350286	1,034,031.10	09/15/2023	In	219.79	Coupon - FH G08722 - FG (3128MJYU8)
350286	1,034,797.47	09/15/2023	In	766.37	Principal Paydown - FH G08722 - FG (3128MJYU8)
350286	1,034,807.38	09/15/2023	In	9.91	Coupon - FH G14203 - FG (3128MC3L7)
350286	1,034,978.34	09/15/2023	In	170.96	Principal Paydown - FH G14203 - FG (3128MC3L7)
350286	1,035,087.99	09/15/2023	In	109.65	Coupon - FH G16255 - FG (3128MFE46)
350286	1,036,034.83	09/15/2023	In	946.84	Principal Paydown - FH G16255 - FG (3128MFE46)
350286	1,036,145.97	09/15/2023	In	111.14	Coupon - FH G61893 - FG (31335CC69)
350286	1,036,575.31	09/15/2023	In	429.34	Principal Paydown - FH G61893 - FG (31335CC69)
350286	1,036,687.18	09/15/2023	In	111.87	Coupon - FH J30401 - FG (31307LNS3)
350286	1,037,559.53	09/15/2023	In	872.35	Principal Paydown - FH J30401 - FG (31307LNS3)
350286	1,037,893.54	09/15/2023	In	334.01	Coupon - FH V80057 - FG (3132L5B28)
350286	1,039,151.90	09/15/2023	In	1,258.36	Principal Paydown - FH V80057 - FG (3132L5B28)
350286	1,041,376.90	09/15/2023	In	2,225.00	Coupon - SYSCO CORP - SYY (871829BH9)
350286	1,040,925.15	09/20/2023	Out	-451.75	Custody Fee - ADMINISTRATIVE FEE/EXPENSE CUSTODIAN FEE-PRIN
350286	1,081,175.91	09/21/2023	In	40,250.76	Corporate Action Sell - CENOVUS ENERGY INC - CVECN (15135UAP4)
350286	1,091,069.91	09/21/2023	In	9,894.00	Equity Dividend - FLEXSHS:STOXX GL BRD INF - NFRA (33939L795)
350286	1,093,426.59	09/22/2023	In	2,356.68	Equity Dividend - CORE ALTERNATIVE - CCOR (53656F847)
350286	1,097,176.44	09/22/2023	In	3,749.85	Equity Dividend - JPMORGAN:BB MSCI US REIT - BBRE (46641Q738)
350286	1,085,954.08	09/22/2023	Out	-11,222.36	Buy - UNITED STATES TREASURY - T (912810TT5)
350286	1,066,821.71	09/22/2023	Out	-19,132.37	Buy - UNITED STATES TREASURY - T (91282CHT1)
350286	1,084,689.24	09/22/2023	In	17,867.53	Sell - UNITED STATES TREASURY - T (912810TQ1)
350286	1,084,761.63	09/25/2023	In	72.39	Coupon - FH QA5517 - FR (3133A0DW1)
350286	1,085,022.52	09/25/2023	In	260.89	Principal Paydown - FH QA5517 - FR (3133A0DW1)
350286	1,085,514.40	09/25/2023	In	491.88	Coupon - FH QC4235 - FR (3133ANV43)
350286	1,085,996.08	09/25/2023	In	481.68	Principal Paydown - FH QC4235 - FR (3133ANV43)
350286	1,086,150.46	09/25/2023	In	154.38	Coupon - FH QE9566 - FR (3133BKT7)
350286	1,086,459.74	09/25/2023	In	309.28	Principal Paydown - FH QE9566 - FR (3133BKT7)

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350286	1,086,550.79	09/25/2023	In	91.05	Coupon - FH RA1343 - FR (3133KGP44)
350286	1,086,897.37	09/25/2023	In	346.58	Principal Paydown - FH RA1343 - FR (3133KGP44)
350286	1,087,062.62	09/25/2023	In	165.25	Coupon - FH RA4518 - FR (3133KLAT4)
350286	1,088,127.82	09/25/2023	In	1,065.20	Principal Paydown - FH RA4518 - FR (3133KLAT4)
350286	1,088,628.13	09/25/2023	In	500.31	Coupon - FH RA8415 - FR (3133KQK47)
350286	1,089,710.84	09/25/2023	In	1,082.71	Principal Paydown - FH RA8415 - FR (3133KQK47)
350286	1,089,851.02	09/25/2023	In	140.18	Coupon - FH RB5095 - FR (3133KYUU1)
350286	1,090,494.09	09/25/2023	In	643.07	Principal Paydown - FH RB5095 - FR (3133KYUU1)
350286	1,090,620.00	09/25/2023	In	125.91	Coupon - FH SB8503 - FR (3132D6NU0)
350286	1,091,496.42	09/25/2023	In	876.42	Principal Paydown - FH SB8503 - FR (3132D6NU0)
350286	1,091,554.51	09/25/2023	In	58.09	Coupon - FH SD1884 - FR (3132DPCV8)
350286	1,091,630.76	09/25/2023	In	76.25	Principal Paydown - FH SD1884 - FR (3132DPCV8)
350286	1,091,712.31	09/25/2023	In	81.55	Coupon - FH SD8129 - FR (3132DWA60)
350286	1,091,998.39	09/25/2023	In	286.08	Principal Paydown - FH SD8129 - FR (3132DWA60)
350286	1,092,210.99	09/25/2023	In	212.60	Coupon - FN 995373 - FN (31416BXA1)
350286	1,092,550.19	09/25/2023	In	339.20	Principal Paydown - FN 995373 - FN (31416BXA1)
350286	1,093,028.88	09/25/2023	In	478.69	Coupon - FN AJ1405 - FN (3138ASR38)
350286	1,094,864.39	09/25/2023	In	1,835.51	Principal Paydown - FN AJ1405 - FN (3138ASR38)
350286	1,095,077.49	09/25/2023	In	213.10	Coupon - FN AL3180 - FN (3138EKRA5)
350286	1,095,996.14	09/25/2023	In	918.65	Principal Paydown - FN AL3180 - FN (3138EKRA5)
350286	1,096,076.33	09/25/2023	In	80.19	Coupon - FN AS8483 - FN (3138WJM96)
350286	1,096,335.46	09/25/2023	In	259.13	Principal Paydown - FN AS8483 - FN (3138WJM96)
350286	1,096,561.61	09/25/2023	In	226.15	Coupon - FN AT2324 - FN (3138WPSN5)
350286	1,096,979.50	09/25/2023	In	417.89	Principal Paydown - FN AT2324 - FN (3138WPSN5)
350286	1,097,121.29	09/25/2023	In	141.79	Coupon - FN BD2453 - FN (3140F9WP6)
350286	1,097,434.11	09/25/2023	In	312.82	Principal Paydown - FN BD2453 - FN (3140F9WP6)
350286	1,097,540.94	09/25/2023	In	106.83	Coupon - FN BP6826 - FN (3140KESQ2)
350286	1,097,677.92	09/25/2023	In	136.98	Principal Paydown - FN BP6826 - FN (3140KESQ2)
350286	1,098,010.70	09/25/2023	In	332.78	Coupon - FN BR1668 - FN (3140KY2A1)
350286	1,098,455.55	09/25/2023	In	444.85	Principal Paydown - FN BR1668 - FN (3140KY2A1)
350286	1,098,608.71	09/25/2023	In	153.16	Coupon - FN CA7738 - FN (3140QFS42)
350286	1,099,357.89	09/25/2023	In	749.18	Principal Paydown - FN CA7738 - FN (3140QFS42)
350286	1,099,494.62	09/25/2023	In	136.73	Coupon - FN CB1783 - FN (3140QL6V3)
350286	1,100,073.39	09/25/2023	In	578.77	Principal Paydown - FN CB1783 - FN (3140QL6V3)
350286	1,100,157.63	09/25/2023	In	84.24	Coupon - FN CB3918 - FN (3140QPK89)
350286	1,100,383.46	09/25/2023	In	225.83	Principal Paydown - FN CB3918 - FN (3140QPK89)
350286	1,100,443.92	09/25/2023	In	60.46	Coupon - FN FS0822 - FN (3140XF4G3)



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350286	1,100,738.29	09/25/2023	In	294.37	Principal Paydown - FN FS0822 - FN (3140XF4G3)
350286	1,100,876.96	09/25/2023	In	138.67	Coupon - FN MA2930 - FN (31418CHG2)
350286	1,101,156.69	09/25/2023	In	279.73	Principal Paydown - FN MA2930 - FN (31418CHG2)
350286	1,101,217.46	09/25/2023	In	60.77	Coupon - FN MA3276 - FN (31418CUA0)
350286	1,101,412.92	09/25/2023	In	195.46	Principal Paydown - FN MA3276 - FN (31418CUA0)
350286	1,101,524.65	09/25/2023	In	111.73	Coupon - FN MA3305 - FN (31418CU77)
350286	1,101,840.03	09/25/2023	In	315.38	Principal Paydown - FN MA3305 - FN (31418CU77)
350286	1,101,877.44	09/25/2023	In	37.41	Coupon - FN MA3638 - FN (31418DBG6)
350286	1,101,953.09	09/25/2023	In	75.65	Principal Paydown - FN MA3638 - FN (31418DBG6)
350286	1,102,005.37	09/25/2023	In	52.28	Coupon - FN MA3834 - FN (31418DHL9)
350286	1,102,191.19	09/25/2023	In	185.82	Principal Paydown - FN MA3834 - FN (31418DHL9)
350286	1,102,247.71	09/25/2023	In	56.52	Coupon - FN MA3871 - FN (31418DJR4)
350286	1,102,425.00	09/25/2023	In	177.29	Principal Paydown - FN MA3871 - FN (31418DJR4)
350286	1,102,485.74	09/25/2023	In	60.74	Coupon - FN MA3960 - FN (31418DMJ8)
350286	1,102,669.89	09/25/2023	In	184.15	Principal Paydown - FN MA3960 - FN (31418DMJ8)
350286	1,102,815.06	09/25/2023	In	145.17	Coupon - FN MA4383 - FN (31418D2R2)
350286	1,103,712.45	09/25/2023	In	897.39	Principal Paydown - FN MA4383 - FN (31418D2R2)
350286	1,103,952.03	09/25/2023	In	239.58	Coupon - FN MA4398 - FN (31418D3G5)
350286	1,104,778.20	09/25/2023	In	826.17	Principal Paydown - FN MA4398 - FN (31418D3G5)
350286	1,105,303.57	09/25/2023	In	525.37	Coupon - FN MA4414 - FN (31418D3Y6)
350286	1,107,283.20	09/25/2023	In	1,979.63	Principal Paydown - FN MA4414 - FN (31418D3Y6)
350286	1,107,458.69	09/25/2023	In	175.49	Coupon - FN MA4475 - FN (31418D6M9)
350286	1,108,216.41	09/25/2023	In	757.72	Principal Paydown - FN MA4475 - FN (31418D6M9)
350286	1,108,465.86	09/25/2023	In	249.45	Coupon - FN MA4492 - FN (31418D7E6)
350286	1,109,221.76	09/25/2023	In	755.90	Principal Paydown - FN MA4492 - FN (31418D7E6)
350286	1,109,322.36	09/25/2023	In	100.60	Coupon - FN MA4562 - FN (31418EB82)
350286	1,109,608.60	09/25/2023	In	286.24	Principal Paydown - FN MA4562 - FN (31418EB82)
350286	1,109,851.64	09/25/2023	In	243.04	Coupon - FN MA4978 - FN (31418EQ86)
350286	1,110,218.91	09/25/2023	In	367.27	Principal Paydown - FN MA4978 - FN (31418EQ86)
350286	1,112,168.91	09/25/2023	In	1,950.00	Coupon - INTEL CORP - INTC (458140BR0)
350286	1,117,949.47	09/27/2023	In	5,780.56	Equity Dividend - PACER INDUSTRIAL RE - INDS (69374H766)
350286	1,119,146.31	09/27/2023	In	1,196.84	Equity Dividend - PACER US SC CSH CWS 100 - CALF (69374H857)
350286	1,069,710.46	09/28/2023	Out	-49,435.85	Buy - UNITED STATES TREASURY - T (91282CHX2)
350286	1,158,102.80	09/29/2023	In	88,392.34	Sell - BLACKROCK:SYS MLTI STR I - BIMBX (09260C307)
350286	1,189,489.13	09/29/2023	In	31,386.33	Sell - CORE ALTERNATIVE - CCOR (53656F847)
350286	1,140,272.90	09/29/2023	Out	-49,216.23	Buy - FLEXSHS:STOXX GL BRD INF - NFRA (33939L795)

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350286	1,169,947.16	09/29/2023	In	29,674.26	Sell - INDEXIQ:HDG MLT-STR TRCK - QAI (45409B107)
350286	542,008.77	09/29/2023	Out	-627,938.39	Buy - INVESCO S&P MIDCAP QLTY - XMHQ (46137V472)
350286	499,184.90	09/29/2023	Out	-42,823.87	Buy - ISHARES:CORE MSCI EAFE - IEFA (46432F842)
350286	487,697.10	09/29/2023	Out	-11,487.80	Buy - ISHARES:CORE MSCI EMMKTS - IEMG (46434G103)
350286	1,029,794.99	09/29/2023	In	542,097.89	Sell - ISHARES:CORE S&P MD-CP - IJH (464287507)
350286	980,367.35	09/29/2023	Out	-49,427.64	Buy - ISHARES:CORE S&P SM-CP - IJR (464287804)
350286	962,125.60	09/29/2023	Out	-18,241.75	Buy - JPMORGAN:BB MSCI US REIT - BBRE (46641Q738)
350286	948,385.29	09/29/2023	Out	-13,740.31	Buy - PACER INDUSTRIAL RE - INDS (69374H766)
350286	958,154.94	09/29/2023	In	9,769.65	Sell - PACER US SC CSH CWS 100 - CALF (69374H857)
350286	916,236.76	09/29/2023	Out	-41,918.18	Buy - SPDR S&P 500 ETF - SPY (78462F103)
350286	944,429.76	09/29/2023	In	28,193.00	Sell - VANGUARD HY CORP ADM - VWEAX (922031760)
350286	944,429.76	09/30/2023	---	---	Ending Balance



John Williams, Vice President, representing the City of Kenai

## Update from the Board of Directors

### Cook Inlet Regional Citizens Advisory Council

Cook Inlet Regional Citizens Advisory Council (CIRCAC) met for their yearly meeting in Anchorage on November 30th and December 1st.

Thursday, members of the Council and staff toured the Municipality of Anchorage's Emergency Operations Center. Office of Emergency Management Director Amanda Loach, Planning Programs Manager Sean MacKenzie, and Response Programs Manager Andy Preis gave a presentation about the city's response to the 2018 earthquake and the changes made in planning and response strategies following that event. The team also gave an update on the state's tsunami maps and other warning criteria, followed by a tour of the working facility. We appreciate the opportunity to meet and dialogue with response leaders throughout our area of concern and thank the team at Anchorage OEM for their time.

Friday the full Council held its regular meeting at the BP Energy Center. Kara Kusche, Prevention and Technical Support Section Manager for the Alaska Department of Environmental Conservation's (ADEC) Spill Prevention and Response (SPAR) Division presented to the Council. ADEC has updated some internal policies, like adopting e-signing and Kusche noted recent adoption of updated financial responsibility regulations. The Council also received a Department staffing update. A number of program directors and managers in key leadership roles have left the Department recently and while we trust that ADEC is making every effort to fill those positions with qualified personnel in an expedient manner, we remain concerned about the state's ability to respond to a large-scale incident in the face of this continued staff turnover issue.

On the Federal side, we heard a presentation from Capt. John Cole, United States Coast Guard, who gave an operational update on the Coast Guard's Arctic Shield 2023 program that included a response exercise in the Bering Sea. Capt. Cole also talked about the Coast Guard's plans to enhance its response capabilities in 2024 while noting that USCG staff continue handling more search and rescue and medical evacuations in rural Alaska.

We also heard a presentation from Captain Jeff Brue, Global Marine Operations Manager for Marathon Petroleum. We appreciate Marathon's continued commitment to operational safety in Cook Inlet, as highlighted by its positive partnerships with both other industry operators and the region's response community.

The Council also thanks our colleagues at Prince William Sound RCAC for hosting our board members and staff at its annual Science Night and Holiday party.

The Council is scheduled to meet next April in Kenai.