



Kenai City Council - Regular Meeting

December 04, 2024 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Agenda

A. CALL TO ORDER

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

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

B. SCHEDULED ADMINISTRATIVE REPORTS

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

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

E. PUBLIC HEARINGS

1. **Ordinance No. 3444-2024** - Accepting and Appropriating a Grant from the U.S. Department of Homeland Security Passed through the State of Alaska Department of Military and Veterans' Affairs to Hire a Contractor to Add a Cybersecurity Section to the City's Emergency Operations Plan. (Administration)
2. **Resolution No. 2024-48** - Approving the Use of the Fleet Replacement Fund for the Purchase of Three Ford Police Interceptors Utilizing the State of Alaska Equipment Fleet Contract. (Administration)
3. **Resolution No. 2024-49** - Authorizing the Acceptance of 2018 and 2020 Copper River and Prince William Sound Salmon Disaster Relief Funds. (Administration)
4. **Resolution No. 2024-50** - Authorizing the Acceptance of 2018 East Side Set Gillnet and 2020 Upper Cook Inlet Salmon Disaster Relief Funds. (Administration)
5. **Resolution No. 2024-51** - Adopting an Alternative Allocation Method for the FY25 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in Fisheries Management Area 14: Cook Inlet Area. (Administration)

F. MINUTES

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

G. UNFINISHED BUSINESS**H. NEW BUSINESS**

- [1.](#) ***Action/Approval** - Bills to be Ratified. (Administration)
- [2.](#) ***Action/Approval** - Non-Objection to Renewal of a Restaurant/Eating Place Liquor License for Los Compadres Mexican Restaurant LLC, DBA Los Compadres Mexican Restaurant - License No. 5859 (City Clerk)
- [3.](#) ***Action/Approval** - Ninety Day Extension of Special Use Permit to Cook Inlet Natural Gas Storage Alaska for Vehicle Parking. (Administration)
- [4.](#) ***Action/Approval** - Special Use Permit for Snow Storage for Schilling Alaska, Inc. (Administration)
- [5.](#) ***Action/Approval** - Special Use Permit for Snow Storage for Alaska Sure Seal, Inc. (Administration)
- [6.](#) ***Ordinance No. 3445-2024** - Decreasing Estimated Revenues and Appropriation in the Kenai City Municipal Roadway Improvement Capital Project Funds to Transfer Residual Balance from Completed Projects Back to Their Original Funding Sources, and Increasing Estimated Revenues and Appropriation in the Kenai City Water & Sewer, Public Safety, and Airport Improvements Capital Project Funds to Fully Fund Projects Approved in the FY2025 Budget. (Administration)
7. **Discussion** - Scheduling a Joint Work Session with Kenaitze. (Administration)

I. COMMISSION REPORTS

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

J. REPORT OF THE MAYOR**K. ADMINISTRATION REPORTS**

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

L. ADDITIONAL PUBLIC COMMENTS

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

M. EXECUTIVE SESSION**N. PENDING ITEMS**

O. ADJOURNMENT

P. INFORMATION ITEMS

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

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

<https://us02web.zoom.us/join/tZ0lcu2opzkiH9XHEorqOBukjduqWm8G2f0K>



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3444-2024**

AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT FROM THE U.S DEPARTMENT OF HOMELAND SECURITY PASSED THROUGH THE STATE OF ALASKA DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS TO HIRE A CONTRACTOR TO ADD A CYBERSECURITY SECTION TO THE CITY'S EMERGENCY OPERATIONS PLAN.

WHEREAS, the City of Kenai received a notice from the State of Alaska Department of Military Veterans' Affairs that it was awarded \$25,000 for a grant project under the 2023 State and Local Cybersecurity Grant Program; and,

WHEREAS, the City of Kenai's project is to add a section related to cybersecurity to the City's Emergency Operations Plan; and,

WHEREAS, a recently completed cybersecurity assessment found the lack of a disaster response plan; and,

WHEREAS, the acceptance of these grant funds does not require matching funds and is in the best interest of the City.

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

Section 1. That the City Manager is authorized to accept a grant from the U.S. Department of Homeland Security passed through the State of Alaska Department of Military and Veterans' Affairs in the amount of \$25,000, and to expend the grant consistent with this ordinance and the grant requirements.

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

General Fund:

Increase Estimated Revenues –	
Federal Grants	<u>\$25,000</u>

Increase Appropriations –	
Non-Departmental – Professional Services	<u>\$25,000</u>

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4TH DAY OF DECEMBER, 2024.

ATTEST:

Henry Knackstedt, Vice Mayor

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



Introduced:	November 20, 2024
Enacted:	December 4, 2024
Effective:	December 4, 2024



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

THROUGH: Dave Swarner, Finance Director

FROM: Dan Castimore, IT Manager

DATE: November 12, 2024

SUBJECT: **Ordinance No. 3444-2024 Accepting and Appropriating DHS Grant**

A grant was applied for by the City of Kenai, under the 2023 State and Local Cybersecurity Grant Program, and was funded in the amount of \$25,000. The City received a notice of award of the \$25,000 for Disaster Response Planning, specifically to update the City's Emergency Operations Plan to include a section on cybersecurity.

The City recently completed a cybersecurity assessment, and in that assessment the consultant found that the lack of a disaster response plan posed a risk to the City. These grant funds will allow the City to eliminate this risk.

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



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2024-48**

A RESOLUTION APPROVING THE USE OF THE FLEET REPLACEMENT FUND FOR THE PURCHASE OF THREE FORD POLICE INTERCEPTORS UTILIZING THE STATE OF ALASKA EQUIPMENT FLEET CONTRACT.

WHEREAS, the City evaluated its utility vehicles within its fleet to determine the efficiency of current vehicles and replacement needs; and,

WHEREAS, the City fleet replacement plan calls for the replacement of three police vehicles in FY25, and all three of those vehicles are scheduled to be SUVs, which are now available under a State of Alaska equipment fleet contract pricing; and,

WHEREAS, the Police Department requests to order/purchase three Ford Police Interceptors (SUVs) for a total estimated cost of \$158,010; and,

WHEREAS, funds for this purchase are available in the Fleet Replacement Fund and this does not require further appropriation; and,

WHEREAS, KMC 7.15.070(b)(4) allows the City of Kenai to purchase equipment without competition if the equipment is purchasable under the contract of another governmental agency in which contract the City is authorized to participate; and,

WHEREAS, in past years the City of Kenai has purchased police department vehicles through the State of Alaska equipment fleet contract and this purchase is in the best interest of the City.

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

Section 1. That the City Manager is authorized to use the Fleet Replacement Fund for the purchase of three police vehicles at an estimated cost of \$158,010.

Section 2. That the City Manager is authorized to use State of Alaska Equipment Fleet Contract for the purchase of one Ford Police Interceptor (SUV) from Kendall Ford for an estimated cost of \$158,010, in accordance with KMC 7.15.070(b)(4).

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4TH DAY OF DECEMBER, 2024.

Henry Knackstedt, Vice Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Finance _____

DS



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Dave Ross, Police Chief

DATE: November 18, 2024

SUBJECT: **Purchase of Three Police Vehicles with Fleet Replacement Fund**

This Resolution authorizes the purchase of three Ford Police Interceptors (SUV) for use as police vehicles. It authorizes the use of the City's Fleet Replacement Fund for this purchase. Additionally, it authorizes the purchase of the vehicles through Kendal Ford, because they are able to give us the Alaska State equipment fleet contract pricing for the selected vehicles. The cost of the three vehicles is \$158,010 (\$52,670 each).

In accordance with the City's fleet replacement plan, the police department was scheduled to replace three police vehicles in FY25. The replacement plan calls for three SUVs to be purchased in FY25. The Ford Police Interceptor is available under the State Contract pricing. The Interceptor will only be available under the State Contract for orders made before the end of 2024.

KMC 7.15.070(b)(4) allows the City of Kenai to purchase equipment without giving an opportunity for competitive bidding if the equipment is purchasable under the contract of another government agency in which contract the City is authorized to participate.

Thank you for your consideration



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2024-49**

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF 2018 AND 2020 COPPER RIVER AND PRINCE WILLIAM SOUND SALMON DISASTER RELIEF FUNDS.

WHEREAS, the Alaska Department of Fish and Game (ADF&G) allocated \$1,027,000 to communities as part of the 2018 and 2020 Copper River and Prince William Sound salmon disasters; and,

WHEREAS, the City of Kenai is eligible to receive a one-time payment of \$10,633.50; and,

WHEREAS, funds will go to the General Fund to be appropriated by council at a later date; and,

WHEREAS, acceptance of these funds is in the best interest of the City.

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

Section 1. That the City Manager is authorized to accept the 2018 and 2020 Copper River and Prince William Sound Salmon Disaster Relief funds in the amount of \$10,633.50.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4TH DAY OF DECEMBER, 2024.

Henry Knackstedt, Vice Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Dave Swarner, Finance Officer

DATE: November 25, 2024

SUBJECT: **Resolution 2024-49 - 2018 and 2020 Copper River and Prince William Sound Salmon Disaster**

The memo request acceptance of \$10,633.50 from the Pacific States Marine Fisheries Commission (PSMFC) as part of the 2018 and 2020 Copper River and Prince William Sound salmon disasters.

The Alaska Department of Fish & Game (ADF&G) allocated \$1,027,000 to communities as part of the 2018 and 2020 Copper River and Prince William Sound salmon disasters. The City of Kenai is eligible to receive a one-time payment of \$10,633.50.

Municipalities and boroughs depend on revenue from Prince William Sound salmon landings and other fishery-related activities. Local governments were negatively impacted by the fishery disasters, as fishery revenue makes up a significant portion of their operating budgets, supporting services like education, public works, ports and harbors. The State's Fishery Business tax rate is 3% for shore-based landings, with revenue split 50/50 between the State and municipalities or boroughs where the landings occurred. If landings happen within both a municipality and a borough, the tax revenue is divided equally between the two entities.

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2024-50**

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF 2018 EAST SIDE SET GILLNET AND 2020 UPPER COOK INLET SALMON DISASTER RELIEF FUNDS.

WHEREAS, the Alaska Department of Fish and Game (ADF&G) allocated \$281,000 to communities as part of the 2018 East Side Set Gillnet (ESSN) and 2020 Upper Cook Inlet (UCI) salmon disasters; and,

WHEREAS, the City of Kenai is eligible to receive a one-time payment of \$67,185.84; and,

WHEREAS, funds will go to the General Fund to be appropriated by council at a later date; and,

WHEREAS, acceptance of these funds is in the best interest of the City.

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

Section 1. That the City Manager is authorized to accept the 2018 ESSN and 2020 UCI Salmon Disaster Relief funds in the amount of \$67,185.84.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4TH DAY OF DECEMBER, 2024.

Henry Knackstedt, Vice Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Dave Swarner, Finance Officer

DATE: November 25, 2024

SUBJECT: **Resolution 2024-50 - 2018 East Side Set Gillnet and 2020 Upper Cook Inlet Salmon Disaster**

The memo request acceptance of \$67,185.84 from the Pacific States Marine Fisheries Commission (PSMFC) as part of the 2018 East Side Set Gillnet (ESSN) and 2020 Upper Cook Inlet (UCI) salmon disasters.

The Alaska Department of Fish & Game (ADF&G) allocated \$281,000 to communities as part of the 2018 East Side Set Gillnet (ESSN) and 2020 Upper Cook Inlet (UCI) salmon disasters. The City of Kenai is eligible to receive a one-time payment of \$67,185.84.

The spend plan authored by the Alaska Department of Fish and GAME (ADF&G) provides relief in the form of direct payments to municipalities and boroughs impacted by the fishery disasters. These communities rely heavily on revenue from UCI salmon landings and related economic activities to support local services, including education, public works, ports and harbors. Under the State's Fishery Business tax, a 3% tax is applied to shore-based landings, with revenue shared 50/50 between the State and municipalities/boroughs where the landings occur. In areas with both a municipality and borough, the revenue is split equally between the two entities.

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2024-51**

A RESOLUTION ADOPTING AN ALTERNATIVE ALLOCATION METHOD FOR THE FY25 SHARED FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING THAT THIS ALLOCATION METHOD FAIRLY REPRESENTS THE DISTRIBUTION OF SIGNIFICANT EFFECTS OF FISHERIES BUSINESS ACTIVITY IN FISHERIES MANAGEMENT AREA 14: COOK INLET AREA.

WHEREAS, Alaska Statute 29.60.450 requires that for a municipality to participate in the FY25 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 2023 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 proposes to use an alternative allocation method for allocation of FY25 funding available within FMA 14: Cook Inlet Area in agreement with all other municipalities in this area participating in the FY25 Shared Fisheries Business Tax Program.

Section 2. That the Council by this Resolution certifies that the following alternative allocation method fairly represents the distribution of significant effects during 2023 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 4TH DAY OF DECEMBER, 2024.

Henry Knackstedt, Vice Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: David Swarner, Finance Director

DATE: November 25, 2024

SUBJECT: **Resolution No. 2024-51 Adopting an Alternate Allocation Method for FY25 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 FY25 is \$7,115.01. Eleven communities will receive a portion of that amount with the City of Kenai estimated to receive \$427.04.

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 (\$3,557.50 for FY2025) is divided equally amongst the communities, and the remaining half (\$3,557.50 for FY2025) 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 2024-51 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 FY25 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	\$3,067.67	Kenai Peninsula Borough	\$925.92
Homer	408.83	Seward	379.92
Kachemak	362.01	Soldotna	398.58
Kenai	427.04	Houston	375.79
Seldovia	358.09	Palmer	411.16

Thank you for your consideration.



**KENAI CITY COUNCIL – REGULAR MEETING
NOVEMBER 20, 2024 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
VICE MAYOR HENRY KNACKSTEDT, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on November 20, 2024, in City Hall Council Chambers, Kenai, AK. Vice Mayor Knackstedt called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

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

2. Roll Call

There were present:

Henry Knackstedt, Vice Mayor	Sovala Kisena
Phil Daniel	Deborah Sounart
Alex Douthit	Victoria Askin

A quorum was present.

Absent:

Brian Gabriel, Mayor

Also in attendance were:

**Xiling Tanner, Student Representative
Terry Eubank, City Manager
Scott Bloom, City Attorney
David Swarner, Finance Director
Stephanie Randall, Human Resource Director
Lee Frey, Public Works Director
Kathy Romain, Senior Services Director
Derek Ables, Airport Manager
Dave Ross, Police Chief
Shellie Saner, City Clerk

3. Agenda and Consent Agenda Approval

MOTION:

Council Member Askin **MOVED** to approve the agenda and consent agenda. Council Member Daniel **SECONDED** the motion.

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

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

UNANIMOUS CONSENT was requested.

VOTE: 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 - None.

Samantha Springer, Executive Director of the Kenai Chamber of Commerce and Visitor Center provided the Council with the 2025 Kenai Chamber of Commerce schedule, noting some events were not yet assigned; she reminded everyone that Christmas Comes to Kenai is next week.

E. PUBLIC HEARINGS

1. **Ordinance No. 3440-2024** - Accepting and Appropriating a Grant from the State of Alaska Department of Education and Early Development, Division of Library, Archives, and Museums for the Purchase of Library Materials. (Administration)

MOTION:

Council Member Askin **MOVED** to enact Ordinance No. 3440-2024. Council Member Sounart **SECONDED** the motion.

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

Gratitude was expressed for the Library staff pursuing funding opportunities.

VOTE:

YEA: Douthit, Askin, Knackstedt, Daniel, Sounart, Kisena

NAY: None

ABSENT: Gabriel

**Student Representative Tanner: Yea

MOTION PASSED.

2. **Ordinance No. 3441-2024** - 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. 3441-2024. Council Member Douthit **SECONDED** the motion.

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

It was reported that there were 230 registered attendees so far; this was the eleventh year Hilcorp has donated funding for the areawide Senior Thanksgiving Dinner; and Hilcorp would be filming a commercial during the event, showcasing how they contribute to the community.

Gratitude was expressed for Hilcorp.

VOTE:

YEA: Askin, Knackstedt, Daniel, Sounart, Kisena, Douthit

NAY: None

ABSENT: Gabriel

**Student Representative Tanner: Yea

MOTION PASSED.

3. **Ordinance No. 3442-2024** - Amending Kenai Municipal Code Section KMC 23.55.020 – Compensation Structure by Grade for Employees in the Classified Service, to Amend the Effective Date a Step Increase Occurs and KMC 23.55.030 Qualification Pay, to Clarify Annual Leave and Holiday Pay Calculations and Correct an Error to Building Plans Examiner Recognition Pay. (Administration)

MOTION:

Council Member Sounart **MOVED** to enact Ordinance No. 3442-2024. Council Member Askin **SECONDED** the motion.

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

It was reported that with the implementation of amendments that were approved by Council last year issues were identified that were not anticipated; this clarifies that step increases are effective on the first day of a payroll period; and clarifies how qualification pay is applied to holiday and leave pay.

VOTE:

YEA: Knackstedt, Daniel, Sounart, Kisenia, Douthit, Askin

NAY: None

ABSENT: Gabriel

**Student Representative Tanner: Yea

MOTION PASSED.

4. **Ordinance No. 3443-2024** - Amending Kenai Municipal Code Section 14.30.030 – General Provisions, to Update the Most Recent Version of the “Flood Insurance Study”. (Administration)

MOTION:

Council Member Askin **MOVED** to enact Ordinance No. 3443-2024. Council Member Sounart **SECONDED** the motion.

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

MOTION TO AMEND:

Council Member Daniel **MOVED** to amend the sixth whereas clause to read:

“Whereas, at its meeting on November 13, 2024, the Planning and Zoning Commission recommended enactment.”

Council Member Douthit **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend.

VOTE: Motion **PASSED**, without objection.

VOTE ON MAIN MOTION AS AMENDED:

YEA: Daniel, Sounart, Kisenia, Douthit, Askin, Knackstedt

NAY: None

ABSENT: Gabriel

**Student Representative Tanner: Yea

MAIN MOTION AS AMENDED PASSED.

F. MINUTES

1. *Regular Meeting of November 6, 2024. (City Clerk)

G. UNFINISHED BUSINESS - None.

H. **NEW BUSINESS**

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

Approved by the consent agenda.

2. *Action/Approval - Non-Objection to Renewal of a Limited Marijuana Cultivation License for Grateful Bud LLC, DBA Grateful Bud LLC - License No. 16474. (City Clerk)

Approved by the consent agenda.

3. *Action/Approval - Non-Objection to Renewal of a Retail Marijuana Store License for KRC LLC, DBA Kenai River Cannabis - License No. 17808. (City Clerk)

Approved by the consent agenda.

4. *Action/Approval - Non-Objection to 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.

5. *Action/Approval - Non-Objection to Renewal of a Beverage Dispensary Tourism Liquor License for Upper Deck LLC, DBA the Upper Deck - License No. 2993 (City Clerk)

Approved by the consent agenda.

6. *Action/Approval - Special Use Permit to the American Red Cross for Use of 475 Square Feet of Office Space at the Alaska Regional Fire Training Facility. (Administration)

Approved by the consent agenda.

7. *Action/Approval - Assignment of Leases of Kenai City Lands as Requested by KNC Golf Inc., for Kenai Municipal Golf Course. (Administration)

Approved by the consent agenda.

8. *Action/Approval - Assignment of Lease of Airport Reserve Lands & Consent to Assignment for Security Purposes as Requested by Schilling Rentals, LLC for Lot 5A, Block 1, FBO Sub. 2018 Replat. (Administration)

Approved by the consent agenda.

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

Introduced by the consent agenda and Public Hearing set for December 4, 2024.

10. Action/Approval - Council Confirmation of Mayoral Nominations to the City's Commissions. (Gabriel)

Airport Commission, Term January 1, 2025 through December 31, 2027:

- Daniel Knesek
- Cody Whicker

Beautification Commission, Term January 1, 2025 through December 31, 2027:

- Samantha Springer
- Brittney Hoffert

Parks and Recreation Commission, Term January 1, 2025 through December 31, 2027:

- Charlie Stephens

MOTION:

Council Member Askin **MOVED** to confirm the Mayoral Nominations to the City's Commissions. Council Member Sounart **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

11. Action/Approval - Council Confirmation of Mayoral Nominations to the Planning & Zoning Commission. (Gabriel)

Term January 1, 2025 through December 31, 2027:

- Jeff Twait
- Gwen Woodard

MOTION:

Council Member Douthit **MOVED** to confirm the Mayoral Nominations to the Planning & Zoning Commission. Council Member Sounart **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

12. Discussion - Scheduling a Capital Improvement Plan Joint Work Session. (Administration)

The Capital Improvement Plan Joint Work Session was scheduled for December 18, 2024 at 4:30 p.m.

13. Discussion - Scheduling a Budget Goals Work Session. (Administration)

The Budget Goals Work Session was scheduled for December 4, 2024 at 4:30 p.m.

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging Commission

Vice Mayor Knackstedt reported on the November 14, 2024 meeting, next meeting December 12, 2024.

2. Airport Commission

Vice Mayor Daniel reported on the November 14, 2024 meeting, next meeting December 12, 2024.

3. Harbor Commission

Council Member Kisena reported on the November 12, 2024 meeting, next meeting February 10, 2024.

4. Parks and Recreation Commission

Council Member Douthit reported on the November 7, 2024 meeting, next meeting December 5, 2024.

5. Planning and Zoning Commission

Council Member Askin reported on the November 13, 2024 meeting, next meeting November 27, 2024.

6. Beautification Commission

Council Member Askin reported on the November 19, 2024 meeting, next meeting January 14, 2024.

J. REPORT OF THE MAYOR - None.

K. ADMINISTRATION REPORTS

1. City Manager - City Manager Eubank reported on the following:

- Public Land Sale is scheduled for Saturday, December 7, 2024.
 - Small Community Air Service Development Grant Application was unsuccessful, which is common for first time applicants; efforts are underway for future application to include supporting documents from organizations and letters of interest from Airlines; Alaska Airlines has agreed to further discussion.
 - Working with Kenaitze Indian Tribe on scheduling a Joint Work Session.
 - Discussions with the State to amend the Beetle Kill Mitigation agreement to allow additional phases of tree removal.
 - Utility Forman Eric Jean has been promoted to the Assistant Public Works Director position.
 - Currently recruiting for a public safety dispatcher, recreation center attendant, firefighter, temporary equipment operation and two police officers.
 - Brother's Café will close operations on December 23; currently recruiting for a new concessionaire.
 - The City is receiving funding from the Cook Inlet Salmon Disaster.
 - Thanked the Streets Crew for maintaining the City Roads.
2. City Attorney - No report.
 3. City Clerk
 - Commission Meetings are now livestreaming on the City YouTube channel.

L. ADDITIONAL PUBLIC COMMENTS

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

Samantha Springer, Executive Director of the Kenai Chamber of Commerce and Visitor Center thanked the administration for helping prevent vehicles from using the parking lot as a road; she recommended eventually closing the parking lot entrance from the Kenai Spur Hwy.

2. Council Comments

Council Member Douthit reminded everyone of the challenges with cold weather, to plug in your vehicles and make sure you have a safety kit in your car.

Student Representative Tanner provided a summary of events for Connections Homeschool including Career Talks, preparing Thanksgiving boxes and a Christmas music program; Kenai Alternative has a Christmas Giving Tree; and summarized the upcoming sports events for Kenai Central Highschool.

Council Member Sounart wished everyone a Happy Thanksgiving.

Council Member Askin stated she enjoyed attending the Kenai Alternative Highschool Thanksgiving luncheon and was looking forward to serving dinner the during the Annual Area-Wide Senior Thanksgiving Dinner.

Council Member Daniel wished everyone a Happy Thanksgiving.

Council Member Kisena wished everyone a Happy Thanksgiving and reminded everyone to not only check their vehicle safety kits but also check their spare tires.

Vice Mayor Knackstedt reported attending the Veterans events at Mountain View Elementary and the American Legion Post 20; attending the Boys and Girls Club Annual Fundraiser, noting during the outcry auction nearly \$100,000 was raised for sponsorships.

M. **EXECUTIVE SESSION** - None.

N. **PENDING ITEMS** - None.

O. **ADJOURNMENT**

P. **INFORMATIONAL ITEMS** - None.

There being no further business before the Council, the meeting was adjourned at 6:57 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of November 20, 2024.

Michelle M. Saner, MMC
City Clerk

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

PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: DECEMBER 4, 2024

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	114,807.88
PREMERA	NOVEMBER PREMIUM	VARIOUS	HEALTH INSURANCE	195,176.72

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
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KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Shellie Saner, City Clerk

DATE: November 15, 2024

SUBJECT: **Action/Approval** – Los Compadres Mexican Restaurant Liquor License Renewal

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

Applicant: Los Compadres Mexican Restaurant LLC
D/B/A: Los Compadres Mexican Restaurant
License Type: Restaurant / Eating Place
License No.: 5859

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

Your consideration is appreciated.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

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

October 15, 2024

From: Alcohol.licensing@alaska.gov ; amco.localgovernmentonly@alaska.gov

Licensee: Los Compadres Mexican Restaurant LLC

DBA: Los Compadres Mexica Restaurant

VIA email: LosCompadresRestaurant19@gmail.com

CC: None

Local Government 1: Kenai

Local Government 2: Kenai Peninsula Borough

Via Email: micheletturner@kpb.us; jasper@kpb.us; sestert@kpb.us; mjenkins@kpb.us; nscalett@kpb.us;
mboehmler@kpb.us; rraidmae@kpb.us; slopez@kpb.us; bcarter@kpb.us; jrasor@kpb.us;
cityclerk@kenai.city

Community Council: n/a

Via Email:

Re: Restaurant / Eating Place #5859 Combined Renewal Notice

License Number:	#5859
License Type:	Restaurant / Eating Place
Licensee:	Los Compadres Mexican Restaurant LLC
Doing Business As:	Los Compadres Mexica Restaurant
Physical Address:	10672 Kenai Spur Hwy #108 Kenai, AK 99611
Designated Licensee:	Los Compadres Mexican Restaurant LLC
Phone Number:	(907) 252-1813; (907) 252-4828; (907) 283-8799
Email Address:	LosCompadresRestaurant19@gmail.com

☒ License Renewal Application

☐ Endorsement Renewal Application

Dear Licensee:

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

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

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

Please feel free to contact us through the Alcohol.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

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

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

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

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

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

Sincerely,
Alysha Pacarro, Licensing Examiner II
For
Lizzie Kubitz, Acting Director

Submit

by Meghan Thibodeau 10/21/2024 10:20:39 AM (Form Submission)

Approve

by David Ross 10/21/2024 10:36:07 AM (Police Department Review)

- The task was assigned to David Ross. The due date is: October 30, 2024 5:00 PM
10/21/2024 10:20:42 AM

Approve

by Brandon McElrea 10/21/2024 10:40:27 AM (Lands Review)

■ No Code violations.

- The task was assigned to Brandon McElrea. The due date is: October 30, 2024 5:00 PM
10/21/2024 10:20:42 AM

Approve

by Tina Williamson 10/21/2024 1:24:07 PM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: October 30, 2024 5:00 PM
10/21/2024 10:20:42 AM

Approve

by Cindy Herr 10/21/2024 4:39:42 PM (Legal Asst Review)

■ No monies owed in restitution or traffic fines.

- The task was assigned to Cindy Herr. The due date is: October 30, 2024 5:00 PM
10/21/2024 10:20:42 AM

Approve

by Scott Bloom 10/21/2024 4:42:11 PM (Legal Review)

- The task was assigned to City_Attorney. The due date is: October 30, 2024 5:00 PM
10/21/2024 4:39:43 PM
- Scott Bloom assigned the task to Scott Bloom 10/21/2024 4:42:06 PM

Approve

by Kevin Buettner 10/21/2024 5:06:01 PM (P&Z Department Review)

- The task was assigned to Planning_Director. The due date is: October 30, 2024 5:00 PM
10/21/2024 4:39:43 PM
- Kevin Buettner assigned the task to Kevin Buettner 10/21/2024 4:52:59 PM

Approve

by David Swarner 10/21/2024 5:53:07 PM (Finance Review)

- The task was assigned to David Swarner. The due date is: October 30, 2024 5:00 PM
10/21/2024 4:39:42 PM

Approve

by Joe Fisher 11/6/2024 9:05:16 AM (Building Official Review)

- The task was assigned to Joe Fisher. The due date is: October 30, 2024 5:00 PM
10/21/2024 10:20:41 AM

Approve

by Jeremy Hamilton 11/15/2024 5:41:01 PM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: October 30, 2024 5:00 PM
10/21/2024 10:20:41 AM

AMCO License Application

Date

10/21/2024

Establishment Information**License Type**

Restaurant / Eating Place

Licensee

Los Compadres Mexican Restaurant LLC

Doing Business As

Los Compadres Mexica Restaurant

Premises Address

10672 Kenai Spur Hwy #108

City, State

Kenai, AK

Contact Information**Contact Licensee**

Mario Rincon

Contact Phone No.

907-252-1813

Contact Email

loscompadresrestaurant19@gmail.com

Additional Contact Information**Name**

James Duffield

Phone No.

907-283-2203

Email

jmtaxak@gmail.com

Documents**File Upload**

5859_2024-10-18_ABC_Non_Obj_Letter.pdf	220.37KB
License# dba Los Compadres Mexican Restaurant - AB-17.pdf	212.61KB
License#5859 dba Los Compadres Mexican Restaurant - Alcohol	345.73KB
Combined Renewal Notice.pdf	



Alaska Alcoholic Beverage Control Board



Alcohol and Marijuana Control Office

550 W Page 29

Anchorage, AK 99501

alcohol.licensing@alaska.gov

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

Form AB-17: 2024/2025 General Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than January 2, 2024 per AS 04.11.270, 3 AAC 305.050, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any complete application for renewal or any fees for renewal that have not been postmarked by February 28, 2024 will be expired per AS 04.11.540, 3 AAC 305.050(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the mandatory fees and all documents required, or the application will be returned without being processed, per AS 04.11.270.
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

Section 1 - Establishment Contact Information

Doing Business As:	Los Compadres Mexican Restaurant	License #:	5859
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If your mailing address has changed, write the NEW address below:

Mailing Address:	PO Box 875				
City:	Soldotna	State:	AK	ZIP:	99669

Section 2 - Licensee Contact Information

Contact Licensee: The individual listed below must be part of the ownership structure of the licensee listed in Section 1. This person will be the designated point of contact regarding this license unless the Optional contact is completed.

Contact Licensee:	Mario Rincon	Contact Phone:	907-252-1813
Contact Email:	loscompadresrestaurant19@gmail.com		

Optional: If you wish for AMCO staff to communicate with anyone other than the Contact Licensee (such as legal counsel) about your license, list their information below:

Name of Contact:	James Duffield	Contact Phone:	907-283-2203
Contact Email:	jmjtaxak@gmail.com		

Section 3 - for Package Stores ONLY: Written Order Information

Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2024 and/or 2025? If so, you will need to apply for a Shipping Endorsement here:

<https://accis.license365.com/#>

YES ☐ NO ☒

Section 4 - Ownership Structure Certification

YES ☒ NO ☐

Did the ownership structure of the licensed business change in 2022/2023?

If Yes, and you have **NOT** notified AMCO, list the updated information on form AB-39: Change of Officers and submit with your renewal application. If No, certify the statement below by initialing the box to the right of the statement:

I certify that the ownership structure of the business who owns this alcohol license did not change in any way during the calendar years 2022 or 2023.



#100776512 sent AB-39 but would be a controlling interest transfer so licensee will resubmit later. Notified 02/21/24

**Form AB-17: 2024/2025 License Renewal Application****Section 5 – License Operation**

Unless you operated more than 240 hours in 2022 or 2023, check ONE BOX for EACH CALENDAR YEAR that best describes how this alcoholic beverage license was operated as set forth in AS 04.11.330:

- | | 2022 | 2023 |
|---|--------------------------|--------------------------|
| 1. The license was only operated during a specified time each year. (Not to exceed 6 months per year)
<i>If your operation dates have changed, list them below:</i>
_____ to _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.
<i>A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.</i> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendar years. <i>A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated.</i> | <input type="checkbox"/> | <input type="checkbox"/> |

Section 6 - Violations and Convictions

- | | YES | NO |
|---|--------------------------|-------------------------------------|
| Have any Notices of Violation been issued for this license in 2022 or 2023? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Has any person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2022 or 2023? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2). If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.*

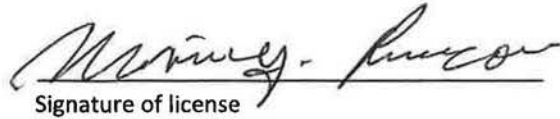
Section 7 – Certifications

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 305, and that this application, including all accompanying schedules and statements, are true, correct, and complete.

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.
- I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the business license and have provided all required documents for any new or changes of officers.
- I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 305.700.
- I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

**Form AB-17: 2024/2025 License Renewal Application****Mario Rincon**

Printed name of licensee


Signature of licensee**Restaurant and Eating Place** applications must include a completed AB-33: Restaurant Receipts Affidavit**Recreational Site** applications must include a completed AB-36: Recreational Site Statement**Tourism** applications must include a completed AB-37: Tourism Statement**Wholesale** applications must include a completed AB-25: Supplier Certification**Common Carrier** applications must include a current safety inspection certificate

All renewal and supplemental forms are available online:

<https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx>**FOR OFFICE USE ONLY**

License Fee:	\$ 1250	Application Fee:	\$ 300.00	Misc. Fee:	\$
Total Fees Due:					\$ 1550



Thursday, October 17, 2024

Sent via email: cityclerk@kenai.city

Shellie Saner, City Clerk
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant	:	Los Compadres Mexican Restaurant, LLC
Business Name	:	Los Compadres Mexican Restaurant, LLC
License Type	:	Restaurant/Eating Places
License Location	:	10672 Kenai Spur Highway, Suite 108, Kenai, AK 99611, City of Kenai
License No.	:	5859
Application Type	:	License Renewal

Dear Ms. Saner,

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

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

Sincerely,

Michele Turner, CMC
Borough Clerk

cc: loscompadresrestaurant19@gmail.com;

<mailto:amco.localgovernmentonly@alaska.gov>



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

THROUGH: Kevin Buettner, Planning Director

FROM: Brandon McElrea, Planning Technician

DATE: November 12, 2024

SUBJECT: **Action/Approval – Ninety (90) Day Extension of Special Use Permit to Cook Inlet Natural Gas Storage Alaska for Vehicle Parking**

On August 07, 2024, City Council approved a Special Use Permit (SUP) to Cook Inlet Natural Gas Storage Alaska (CINGSA) for vehicle parking and temporary boardwalk construction on an approximately 0.81 (35,284 square feet) portion of Tract E, Boat Ramp Subdivision, located at 1320 Bridge Access Road (Exhibit A) for the purpose of employee parking adjacent to their well pad. CINGSA was granted two (2) drilling permits earlier this year at the adjacent well pad necessitating more parking than the well pad site can accommodate.

An initial term of 143 days was granted, beginning August 10, 2024 and ending December 31, 2024. On November 8, 2024, CINGSA requested an additional ninety (90) days use while they complete their drilling operations on the adjacent well pad. The additional ninety (90) days would change the end of term date from December 31, 2024 to March 31, 2025, and require an additional fee. CINGSA agrees that the conditions of the current SUP will not change. CINGSA has held and been in compliance with a Conditional Use Permit on the adjacent well pad site since 2010 (PZ10-42).

The subject parcel is within the Working Waterfront (WW) Zoning District. The ninety (90) day extension fee of \$1,057.50 was calculated using the Kenai Peninsula Borough assessed value, formulated by the value per square foot, the proposed area of use, the length of use, and the City of Kenai current land lease rate (Exhibit B-2).

If the City Council approves the Extension of Special Use Permit, the City Manager will be authorized to execute the Special Use Permit Extension Agreement for the use of employee parking and boardwalk construction to Cook Inlet Natural Gas Storage Alaska.

Thank you for your consideration.

Attachments

Special Use Permit Extension Agreement

Exhibit A – Aerial Map

Exhibit B-2 – Rate Calculation



SPECIAL USE PERMIT AGREEMENT EXTENSION

The **CITY OF KENAI** (City), for the consideration, and pursuant to the conditions set out below, hereby grants to **COOK INLET NATURAL GAS STORAGE ALASKA** (PERMITTEE), whose address is 1377 Beaver Loop Road, Kenai Alaska 99611, the non-exclusive right to use approximately 0.81 acres (35,284 square feet) of area as described below (Exhibit A):

Approximately 35,284 square foot portion of Tract E, Boat Ramp Subdivision (1320 Bridge Access Road; Parcel ID: 04945009).

1. **TERM 1.** This special use permit shall be for 143 days from August 10, 2024 to December 31, 2024.
2. **TERM 1 PERMIT FEE.** The Permittee shall be charged a one-time permit fee (Exhibit B) of \$1680.25 plus applicable sales tax.
3. **TERM 2.** This extension of time to Term 1 shall be for ninety (90) days, from January 1, 2025 to March 31, 2025
4. **TERM 2 PERMIT FEE.** The Permittee shall be charged a one-time permit extension fee (exhibit B-2) of \$1,057.50 plus applicable sales tax.

The permit fees must be paid prior to the use of the subject parcel.

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.
5. **USE.** The use by the Permittee of the Premises is limited to the purpose of Vehicle Parking and Temporary Boardwalk Construction. 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 vehicle parking.
 - B. Vehicles must be parked in a manner that will not limit sight lines or create other unsafe driving conditions on adjacent rights-of-way.
 - C. Temporary boardwalk will be constructed in such a manner as to be easily removed by the Permittee at the expiration of this Permit.
 - D. 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.
 - E. Permittee is responsible for snow removal and storage.
 - F. Vehicles shall be maintained such that there will not be oil or other hazardous fluids leaking onto the premises.
 - G. The Permittee shall follow requirements of the City Fire Marshal and allow City staff to inspect the premises if requested.
6. **INSURANCE.** Permittee shall secure and keep in force adequate insurance, as stated below, to protect City and Permittee.
- 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 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 August 10, 2024.
- vi. This insurance shall be primary and exclusive of any other insurance carried by the City of Kenai. This insurance shall be maintained in force by Permittee at all times during the term of this Special Use Permit.

7. **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.
8. **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.

9. **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.
10. **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.
11. **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.
12. **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.
13. **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.
14. **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.
15. **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.
16. **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.

17. **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.

Cook Inlet Natural Gas Storage Alaska

CITY OF KENAI

By: _____

Stan Saner
Supervisor, CINGSA

Date:

By: _____

Terry Eubank
City Manager of Kenai

Date:

ACKNOWLEDGMENTS

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ____ day of _____, 2024, the foregoing instrument was acknowledged before me by Terry Eubank, City Manager of the City of Kenai, 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 _____, 2024, the foregoing instrument was acknowledged before me by Stan Saner, Supervisor for Cook Inlet Natural Gas Storage Alaska, an Alaskan corporation, on behalf of the company.

Notary Public for Alaska
My Commission Expires: _____

ATTEST:

Michelle M. Saner, MMC, City Clerk

SEAL:

APPROVED AS TO FORM:

Scott M. Bloom, City Attorney

EXHIBIT A



EXHIBIT B-2

Use Rate Calculation

Parcel Size (Square feet)	285,318
KPB Assessed Value	\$432,600
	\$432,600
	÷
	<u>285,318</u>
Value per Square Foot	\$1.52
	X
Proposed Special Use Area (Square Feet)	35,284
Value of Special Use Area	\$53,631.68
Current COK Annual Lease Rate	8%
Annual Lease Amount (ALA)	\$4,290.53
Daily Lease Amount (ALA ÷ 365)	\$11.75
	X
Proposed Special Use Term (Days)	90
Proposed Special Use Fee	\$1,057.50



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: Kevin Buettner, Planning Director

FROM: Brandon McElrea, Planning Technician

DATE: November 15, 2024

SUBJECT: **Action/Approval – Special Use Permit for Snow Storage for Schilling Alaska, Inc.**

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 \$482.00 plus applicable sales tax for certain periods in 2025, a six-month period from January through April, and November through December 2025.

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



N

Map for Reference Only
NOT A LEGAL DOCUMENT



0 200 400 800 Feet

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, 2025, and from November 1, 2025 to December 31, 2025.
2. **PERMIT FEES.** The Permittee shall be charged an annual permit fee of \$482.00 plus applicable sales tax.

The Permittee shall pay the City the permit fee on or before January 1, 2025.

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, 2025.
 - 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 _____, 2024, 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 _____, 2024, 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

		City of Kenai Special Use Permit Application		Application Date: 	
Applicant Information					
Name of Applicant:		Uptown Motel / Schilling Alaska Inc			
Mailing Address:		47 Spur View Dr	City:	Kenai	State: AK Zip Code: 99601
Phone Number(s):		Home Phone: ()		Work/ Message Phone: (907) 283 3660	
E-mail: (Optional)		duane@uptownmotel.com			
Name to Appear on Permit:		Uptown Motel			
Mailing Address:		47 Spur View Dr	City:	Kenai	State: AK Zip Code: 99601
Phone Number(s):		Home Phone: ()		Work/ Message Phone: (907) 283 3660	
E-mail: (Optional)		duane@UptownMotel.com			
Type of Applicant:		<input type="checkbox"/> Individual (at least 18 years of age) <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Government <input type="checkbox"/> Limited Liability Company (LLC) <input type="checkbox"/> Other			
Property Information					
Legal or physical description of the property: Don Konspek Prop A portion of T5N R11W Sec 5 SM 0790049 Sub Trac C					
Description of the proposed business or activity intended: Used snow storage					
Is the area to be used in front of or immediately adjacent to any established business offering the same or similar products or services upon a fixed location? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO					
Would the use under this permit interfere with other businesses through excessive noise, odor, or other nuisances? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
If you answered yes to any of the above questions, please explain: The City is storing used snow there too of Kenai					
What is the term requested (not to exceed one year)? 1-year					
Requested Starting Date: Jan 1st 2025					
Signature:		David Schilling		Date:	11/22/24
Print Name:		David Schilling		Title:	President
For City Use Only:		Date Application Fee Received: 21 NOV 2024			
<input type="checkbox"/> General Fund <input type="checkbox"/> Airport Reserve Land <input type="checkbox"/> Airport Fund <input type="checkbox"/> Outside Airport Reserve		City Council Action/Resolution: _____ Account Number: _____			



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: Kevin Buettner, Planning Director

FROM: Brandon McElrea, Planning Technician

DATE: November 15, 2024

SUBJECT: **Action/Approval – Special Use Permit for Snow Storage for Alaska Sure Seal, Inc.**

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 this year. The proposed permit fee is \$482.00 plus applicable sales tax for certain periods in 2025, a six-month period from January through April, and November through December 2025.

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

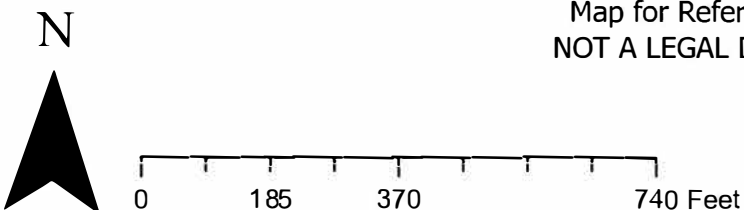
Special Use Permit Agreement



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, 2025, and from November 1, 2025 to December 31, 2025.
2. **PERMIT FEES.** The Permittee shall be charged an annual permit fee of \$482.00 plus applicable sales tax.

The Permittee shall pay the City the permit fee on or before January 1, 2025.

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, 2025.
 - 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 _____, 2024, 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 _____, 2024, 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



City of Kenai Special Use Permit Application

Application Date: 21 NOV 2024

Applicant Information

Name of Applicant:	Alaska Sure Seal				
Mailing Address:	785 Brooks ave.	City:	Soldotna	State:	AK
Phone Number(s):	Home Phone: (907) 262-4069		Work/ Message Phone: ()		
E-mail: (Optional)					
Name to Appear on Permit:	Alaska Sure Seal				
Mailing Address:	785 Brooks ave	City:	Soldotna	State:	AK
Phone Number(s):	Home Phone: (907) 262-4069		Work/ Message Phone: ()		
E-mail: (Optional)					
Type of Applicant:	<input type="checkbox"/> Individual (at least 18 years of age) <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Government <input type="checkbox"/> Limited Liability Company (LLC) <input type="checkbox"/> Other _____				

Property Information

Legal or physical description of the property:
 PTN. OF TRACT C DAUBENSPECK PROP. SUB. 170 Brooks Across

Description of the proposed business or activity intended:
 Snow storage

Is the area to be used in front of or immediately adjacent to any established business offering the same or similar products or services upon a fixed location? ☐ YES ☐ NO

Would the use under this permit interfere with other businesses through excessive noise, odor, or other nuisances? ☐ YES ☐ NO

If you answered yes to any of the above questions, please explain:

What is the term requested (not to exceed one year)? JAN-APRIL & NOVEMBER-DECEMBER 2025

Requested Starting Date: 01 JAN 2025

Signature:		Date:	11-21-24
Print Name:	John Paramore	Title:	

For City Use Only:	Date Application Fee Received:
<input type="checkbox"/> General Fund <input type="checkbox"/> Airport Reserve Land <input type="checkbox"/> Airport Fund <input type="checkbox"/> Outside Airport Reserve	City Council Action/Resolution: _____ Account Number: _____

21 NOV 2024



Sponsored by: Administration

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Municipal Roadway Improvements Capital Project Fund:

Increase Estimated Revenues-
Appropriation of Fund Balance

\$77,739.07

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

Water & Sewer Fund:

Increase Estimated Revenues – Appropriation of Fund Balance	<u>\$9,610.65</u>
--	-------------------

Increase Appropriations – Transfer to Water & Sewer Capital Project Fund	<u>\$9,610.65</u>
---	-------------------

Water & Sewer Capital Project Fund:

Increase Estimated Revenues – Transfer from Water & Sewer Fund	<u>\$9,610.65</u>
---	-------------------

Increase Appropriations – Broad Street Lift Station Capital Project	<u>\$9,610.65</u>
--	-------------------

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

General Fund:

Increase Estimated Revenues – Appropriation of Fund Balance	<u>\$9,368.15</u>
--	-------------------

Increase Appropriations – Transfer to Public Safety Capital Project Fund	<u>\$9,368.15</u>
---	-------------------

Public Safety Capital Project Fund:

Increase Estimated Revenues – Transfer from General Fund	<u>\$9,368.15</u>
---	-------------------

Increase Appropriations – Emergency Services Facility Assessment Capital Project	<u>\$9,368.15</u>
---	-------------------

Section 4. That the estimated revenues and appropriations be increased as follows:

Airport Fund:

Increase Estimated Revenues – Appropriation of Fund Balance	<u>\$9,244.32</u>
--	-------------------

Increase Appropriations – Transfer to Airport Improvements Capital Project Fund	<u>\$9,244.32</u>
--	-------------------

Airport Improvements Capital Project Fund:

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

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

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

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



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



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Dave Swarner, Finance Officer

DATE: November 25, 2024

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

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

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

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

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

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

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

**KENAI AIRPORT COMMISSION – REGULAR MEETING
NOVEMBER 14, 2024 – 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 14, 2024, in the Kenai City 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
James Bielefeld
Dan Knesek

Paul Minelga, Vice Chair
Jacob Caldwell
Cody Whicker

A quorum was present.

Absent:

James Zirul

Also in attendance were:

Derek Ables, Airport Manager
Sarah Conley, Airport Administrative Assistant
Phil Daniel, City Council Liaison
**Joshua Bolling, Student Representative

3. Agenda Approval

MOTION:

Commissioner Caldwell **MOVED** to approve the agenda as presented. Commissioner Bielefeld **SECONDED** the motion.

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

B. SCHEDULED PUBLIC COMMENTS

1. Erik Jordt, Civil Engineer with HDL Engineering, Master Plan Introduction

Erik Jordt gave a presentation on the Airport Master Plan update.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

1. September 12, 2024

MOTION:

Commissioner Bielefeld **MOVED** to approve the September 12, 2024 Airport Commission minutes.
Commissioner Caldwell **SECONDED** the motion.

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

E. UNFINISHED BUSINESS – None.**F. NEW BUSINESS**

1. **Discussion/Recommendation** - Approval of the Special Use Permit to the American Red Cross for use of room 228 at the Alaska Regional Fire Training Center.

MOTION:

Commissioner Caldwell **MOVED** to recommend City Council approval of the Special Use Permit to the American Red Cross for use of room 228 at the Alaska Regional Fire Training Center. Commissioner Bielefeld **SECONDED** the motion.

Airport Manager Ables gave a staff report from information provided in the packet.

Vice Chair Minelga spoke in support.

UNANIMOUS CONSENT was requested on the motion.

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

G. REPORTS

1. Airport Manager – Airport Manager Ables reported on the following:
 - Annual emergency table top was completed.
 - Annual snow and ice control committee meeting was completed.
 - HDL inspected airfield to kick off Airport Master Plan.
 - Airport assisted with Kenai Aviation's Pumpkin Drop.
 - Did not receive the small airport community grant; City will reapply next year.
 - Airport restaurant RFP is out.
 - Airport will have a full crew with new hires for seasonal/temporary positions.
2. Commission Chair – No report.
3. City Council Liaison – Council Member Daniel reported on recent actions of the City Council.

H. ADDITIONAL PUBLIC COMMENTS – None.**I. NEXT MEETING ATTENDANCE NOTIFICATION** – December 12, 2024**J. COMMISSION QUESTIONS AND COMMENTS** – None.**K. ADJOURNMENT****L. INFORMATIONAL ITEMS**

1. Administrative Assistant Report for October and November

There being no further business before the Airport Commission, the meeting was adjourned at 6:28 p.m.

I certify the above represents accurate minutes of the Airport Commission meeting of November 14, 2024.

Meghan Thibodeau
Deputy City Clerk

*** The student representative may cast advisory votes on all matters except those subject to executive session discussion. Advisory votes shall be cast last in the roll call order and shall not affect the outcome of the official commission vote. Advisory votes shall be recorded in the minutes. A student representative may not move or second items during a commission meeting.*

**KENAI HARBOR COMMISSION – REGULAR MEETING
NOVEMBER 12, 2024 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
VICE CHAIR JEANNE REVEAL, PRESIDING**

ACTION MINUTES

A. CALL TO ORDER

A Regular Meeting of the Harbor Commission was held on November 12, 2024, in the Kenai City Council Chambers, Kenai, AK. Vice Chair Reveal called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Vice Chair Reveal led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Jeanne Reveal, Vice Chair
Zachary Rohr

Lisa Gabriel, Chair (*electronic participation*)
Matthew Moffis

A quorum was present.

Also in attendance were:

Lee Frey, Public Works Director
Lisa List, Public Works Administrative Assistant
Sovala Kisenia, City Council Liaison
Shellie Saner, City Clerk

3. Agenda Approval

MOTION:

Commissioner Moffis **MOVED** to approve the agenda as presented. Commissioner Rohr **SECONDED** the motion.

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

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

1. August 12, 2024

MOTION:

Commissioner Moffis **MOVED** to approve the August 12, 2024 Harbor Commission minutes. Commissioner Rohr **SECONDED** the motion.

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

E. UNFINISHED BUSINESS – None.

F. **NEW BUSINESS**

1. **Discussion/Recommendation** - Harbor Commission Projects for the FY26-FY30 Capital Improvement Plan.

MOTION:

Commissioner Moffis **MOVED** to recommend City Council approval of the Harbor Commission Projects for the FY26-FY30 Capital Improvement Plan. Commissioner Rohr **SECONDED** the motion.

Director Frey gave a staff report from information provided in the packet, and provided information on current projects with funds already approved.

UNANIMOUS CONSENT was requested on the motion.

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

2. **Discussion** - Review and work plan goals and prepare a report for the council.

City Clerk Saner reviewed the purpose of the Commission Annual Report. Commissioner Rohr volunteered to draft the Harbor Commission Annual Report.

G. **REPORTS**

1. Public Works Director – Director Frey introduced himself and noted that he was available for questions.
2. Commission Chair – None.
3. City Council Liaison – Council Member Kisena reported on recent actions of the City Council.

H. **ADDITIONAL PUBLIC COMMENTS** – None.

I. **NEXT MEETING ATTENDANCE NOTIFICATION** – February 10, 2025.

J. **COMMISSION QUESTIONS AND COMMENTS** – None.

K. **ADJOURNMENT**

L. **INFORMATIONAL ITEMS** – None.

There being no further business before the Harbor Commission, the meeting was adjourned at 6:15 p.m.

I certify the above represents accurate minutes of the Harbor Commission meeting of November 12, 2024.

Meghan Thibodeau
Deputy City Clerk

**KENAI PARKS & RECREATION COMMISSION – REGULAR MEETING
NOVEMBER 7, 2024 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR GRANT WISNIEWSKI, PRESIDING**

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ACTION MINUTES

A. CALL TO ORDER

A Regular Meeting of the Parks & Recreation Commission was held on November 7, 2024, in the Kenai City Council Chambers, Kenai, AK. Chair Wisniewski called the meeting to order at approximately 6:00 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

Charlie Stephens
Jennifer Joanis (*electronic participation*)
Sharon Fisher

A quorum was present.

Absent:

Nigel LaRicca

Also in attendance were:

Tyler Best, Parks & Recreation Director
Jenna Brown, Parks & Recreation Assistant Director
Alex Douthit, City Council Liaison
Shellie Saner, City Clerk

3. Election of Vice Chair

MOTION:

Commissioner Stephens **MOVED** to appoint Kyle Graham as Vice Chair. Commissioner Bernard **SECONDED** the motion.

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

4. Agenda Approval

MOTION:

Commissioner Bernard **MOVED** to approve the agenda as presented. Commissioner Stephens **SECONDED** the motion.

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

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

1. October 3rd, 2024 Regular Meeting

MOTION:

Commissioner Bernard **MOVED** to approve the October 3, 2024 Parks & Recreation Commission minutes. Vice Chair Graham **SECONDED** the motion.

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

E. UNFINISHED BUSINESS – None.**F. NEW BUSINESS**

1. **Discussion/Recommendation** - Review and work plan goals and prepare a report for the council.

Director Best gave a staff report from information provided in the packet. City Clerk Saner reviewed the purpose of the Commission Annual Report.

Vice Chair Graham volunteered to draft the Parks & Recreation Commission annual report for delivery to Council by the end of the year; Director Best offered assistance in report development.

G. REPORTS

1. Parks & Recreation Director – Director Best reported on the following:
 - Reviewed Parks & Recreation Midmonth Report provided in the packet;
 - City League Basketball will start in late November.
2. Commission Chair – No report.
3. City Council Liaison – Council Member Douthit reported on recent actions of the City Council.

H. ADDITIONAL PUBLIC COMMENTS – None.**I. NEXT MEETING ATTENDANCE NOTIFICATION – December 5, 2024****J. COMMISSION QUESTIONS AND COMMENTS**

Commissioners Stephens welcomed new Commissioner Sharon Fisher.

Commissioner Bernard welcomed Commissioner Fisher; expressed appreciation for the efforts of the Parks & Recreation Department for putting on the Pumpkin Festival; thanked Vice Chair Graham for volunteering to draft the annual report.

Vice Chair Graham welcomed Commissioner Fisher; noted he attended the Pumpkin Festival and enjoyed it.

Commissioner Fisher noted she looked forward to working with the Commission.

Commissioner Joanis welcomed Commissioner Fisher.

K. ADJOURNMENT**L. INFORMATIONAL ITEMS**

1. September Mid-month report

There being no further business before the Parks & Recreation Commission, the meeting was adjourned at 6:33 p.m.

I certify the above represents accurate minutes of the Parks & Recreation Commission meeting of November 7, 2024.

Meghan Thibodeau
Deputy City Clerk

DRAFT

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
NOVEMBER 13, 2024 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR JOE HALSTEAD, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on November 13, 2024, in City Hall Council Chambers, Kenai, AK. Chair Halstead called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Halstead led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Joe Halstead, Chair
Glenese Pettey
Gwen Woodard

Jeff Twait, Vice Chair
Sonja Earsley
Diane Fikes

A quorum was present.

Absent:

Stacie Krause

Also in attendance were:

Kevin Buettner, Planning Director
Victoria Askin, City Council Liaison
Meghan Thibodeau, Deputy City Clerk

3. Approval of Agenda and Consent Agenda

MOTION:

Commissioner Woodard **MOVED** to approve the agenda and consent agenda. Commissioner Earsley **SECONDED** the motion.

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

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

UNANIMOUS CONSENT was requested.

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

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of October 23, 2024

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 No. PZ2024-23** – Granting a Conditional Use Permit to Operate a Gunsmith Within the Existing Building on the Property Described as Lot 14, Block 1 of Leo T Oberts Subdivision, Addition No. 1, Located at 1540 Kittiwake Court, Within the rural Residential (RR) Zoning District.

MOTION:

Vice Chair Twait **MOVED** to approve Resolution PZ2024-23. Commissioner Woodard **SECONDED** the motion.

Planning Director Buettner provided an overview of the staff report as included in the packet and attached to Resolution No. PZ2024-23; he noted that the application was for a Conditional Use Permit (CUP) to operate a gunsmith within an existing building, and that the business would be operated primarily online and there would be little impact to the surrounding area. It was noted that staff's recommendation is approval subject to the conditions specified within the staff report as attached to Resolution No. PZ2024-23.

David Wolf, applicant, noted he did not intend on making changes to the property; would be operating out of his garage and online; and all firearms would be locked in a safe.

Chair Halstead opened the floor for public hearing; there being no one wishing to be heard, the public hearing period was closed.

In response to questions from the commission, Wolf clarified that the business would not be operating full time; the type of work and merchandise that his business would provide; and that any test rounds would be handled at a gun range and not on the property.

VOTE:

YEA: Fikes, Twait, Woodard, Earsley, Pettey, Halstead

NAY: None

ABSENT: Krause

MOTION PASSED WITHOUT OBJECTION.

Chair Halstead noted the 15-day appeal period.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. ***Action/Approval** – Requesting an Excused Absence for the October 23, 2024 Regular Meeting – Halstead

Approved by the consent agenda.

2. **Action/Approval** - Recommending the Kenai City Council Enact an Ordinance - Amending Kenai Municipal Code Section 14.30.030 – General Provisions, to Update the Most Recent Version of the “Flood Insurance Study”.

MOTION:

Vice Chair Twait **MOVED** to recommend the Kenai City Council enact an Ordinance - Amending Kenai Municipal Code Section 14.30.030 – General Provisions, to Update the Most Recent Version of the “Flood Insurance Study”. Commissioner Woodard **SECONDED** the motion.

Planning Director Buettner noted that the City had received new maps as part of the Borough’s update to the National Flood Insurance Program (NFIP), and introduced Harmony Curtis, State Foodplain Manager. Curtis gave a presentation on the NFIP, including background of the program, statistics, why the City participates and what the program offers to residents.

In response to questions from the commission, Curtis explained that there was no cost to the City to participate in the program, but if suspended it could affect residents’ insurance; timelines for grant cycles; provided further clarification on what can be covered by the program; when the maps were generated; and to whom flood insurance is available or required.

VOTE:

YEA: Twait, Halstead, Pettey, Earsley, Woodard

NAY: Fikes

ABSENT: Krause

MOTION PASSED.**I. REPORTS**

1. Planning Director – Planning Director Buettner reported on the following:
 - Comprehensive Plan going into its 9th year; looking to revisit and update in 2025-2026.
 - Hazard Mitigation Plan expires next year and requires update; will know in early 2025 if the City’s application for funding was selected.
 - No business for November 27th and December 26th meetings; requested cancellation.
2. Commission Chair – Expressed appreciation for the commission.
3. Kenai Peninsula Borough Planning – No report.
4. City Council Liaison – Council Member Askin reported on recent actions of the City Council.

J. ADDITIONAL PUBLIC COMMENT – None.**K. NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: December 11, 2024

Commissioner Fikes noted she will be absent.

L. COMMISSION COMMENTS AND QUESTIONS – None.**M. PENDING ITEMS – None.****N. ADJOURNMENT****O. INFORMATIONAL ITEMS – None.**

There being no further business before the Planning & Zoning Commission, the meeting was adjourned at 7:54 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of November 13, 2024.

Meghan Thibodeau
Deputy City Clerk

DRAFT



KENAI

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

November 19, 2024

To Whom It May Concern,

I am writing to express support on behalf of the City of Kenai for the Kenai Peninsula Housing Initiatives Inc.'s grant application for developing Senior Housing and Low-income housing on parcels of land donated by the City of Kenai.

The City is aware of the growing need for affordable housing, particularly for seniors and low-income individuals. The City of Kenai recognizes the importance of providing affordable housing options to our residents, and we believe that the proposed housing projects would be a valuable asset in meeting the needs of our community.

The City's conditional donation of the parcels of land demonstrates our commitment to this project and our desire to see them succeed. KPHI has successfully developed two senior projects that also serve low-income individuals and two low-income multi-family projects on land donated by the City of Kenai.

Again, the City of Kenai supports the Kenai Peninsula Housing Initiatives grant application, which will provide the necessary funding to make these projects a reality. With your support, KPHI can continue positively impacting the lives of many seniors and low-income individuals in our community.

Thank you for your time and consideration.

Sincerely,

Terry Eubank

City Manager



2024

ANNUAL

PERSONAL USE FISHERY
REPORT



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Tyler Best, Parks and Recreation Director

DATE: 11/19/2024

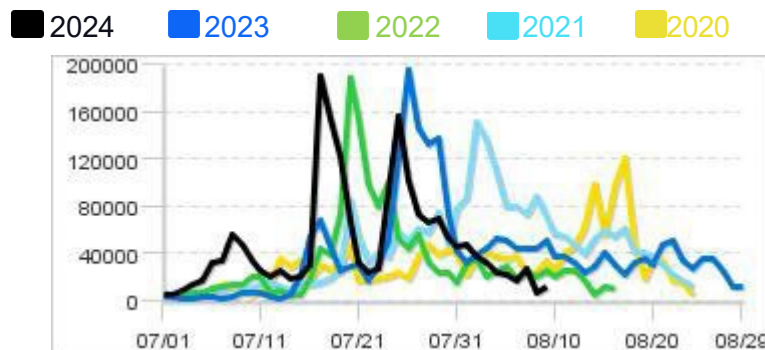
SUBJECT: 2024 Dipnet Report – Parks and Recreation

General Overview

The Dipnet Fishery started July 10 and continued through July 31. Alaska Residents could utilize the Fishery from 6:00 a.m. to 11:00 p.m. until July 18, when it became open 24 hours a day through July 31.

The river's escapement totaled over 1.9 million fish, exceeding the sustainable escapement goal for sockeye by over 600,000. This is a smaller escapement than last year's with 2.3 million escapement in 2023.

The following table depicts the daily escapement for the duration of the summer over the last five years.



This year, the peak of the run came slightly earlier than in the last several years. Eighty-five percent of the total escapement made it up the river by July 31st, accounting for approximately 1.7 million fish. Last year, only fifty-five percent of the total escaped fish had made it up the river by July 31st, accounting for approximately 1.3 million fish. So, even though the total run and escapement were smaller, more fish were available during the dip net fishery.

Operational Changes in 2024

Three operational changes occurred in 2024 worth noting:

- A beach attendant was added to North Beach so there were be a total of 2 attendants on North Beach
- We removed a Dock attendant position so there would be a total of 5 attendants at the dock
- The bluff was closed in front of Toyon Way, and no climbing on the bluff signage was added along the base

DipNet App

2024 marked the 8th anniversary of the Dipnet Kenai Smartphone app. Use of the app was down about 26 percent from the 5-year average, which could indicate a need for an app update. The Administration is looking at options that could be incorporated into the FY26 budget so the update could roll out for the Dipnet fishery in 2026.

Summary of app usage

Year	2019	2020	2021	2022	2023	2024	5yr Average	Diff from Avg
Pageviews	182,000	228,600	156,600	192,400	131,200	115,600	164,880	70%
Sessions	71,100	99,300	81,400	97,600	71,500	64,700	82,900	78%
Unique Sessions	28,800	40,100	32,500	33,900	28,500	25,100	32,020	78%
Downloads	3,744	4,057	3,190	3,719	2,087	2,197	3,050	72%

Parks and Rec

The Parks and Recreation Administrative staff interviewed and hired all temporary positions for the PU Fishery, excluding the temporary enforcement officers. Fifteen temporary employees were employed, including six beach shack attendants, two dock shack attendants, five dock attendants, and two beach attendants.

The Parks and Recreation Maintenance Staff worked in late June and early July to help set up the Fishery. This includes building temporary fencing to protect the dunes, installing signage, painting parking lines, and setting up the new North Beach Bypass Lane. Throughout the Fishery, the parks staff acts as support staff, including mechanical repairs, supply runs, directing traffic, or helping clean toilets, beaches, and parking lots.

Alaska Mission and Retreats, also known as the Salmon Frenzy, partnered with the City of Kenai and brought various groups of volunteers to serve hot dogs and coffee during the peak days of the PU fishery. At North Beach, they helped direct traffic and pick up litter on the beaches.

The Kenai Nordic Ski Team coordinated with the City of Kenai to provide two clean-up days a week for the duration of the Fishery. At the end of the Fishery, the team went through and helped clean the beach and parking lots. Our department provided them with trash bags, gloves, and trash grabbers. The City donated two thousand dollars to the Nordic Ski Team for this service.

Public Works

The Street Division helps set up the Fishery by placing over 100 jersey barriers for the direction of traffic, placing the fee shacks and installing temporary access roads at both beaches. During the Fishery, the Street Division help maintain the roads by grading and putting down calcium chloride to keep the beach and dock accessible and safe.

Financial Report

Capital Improvements

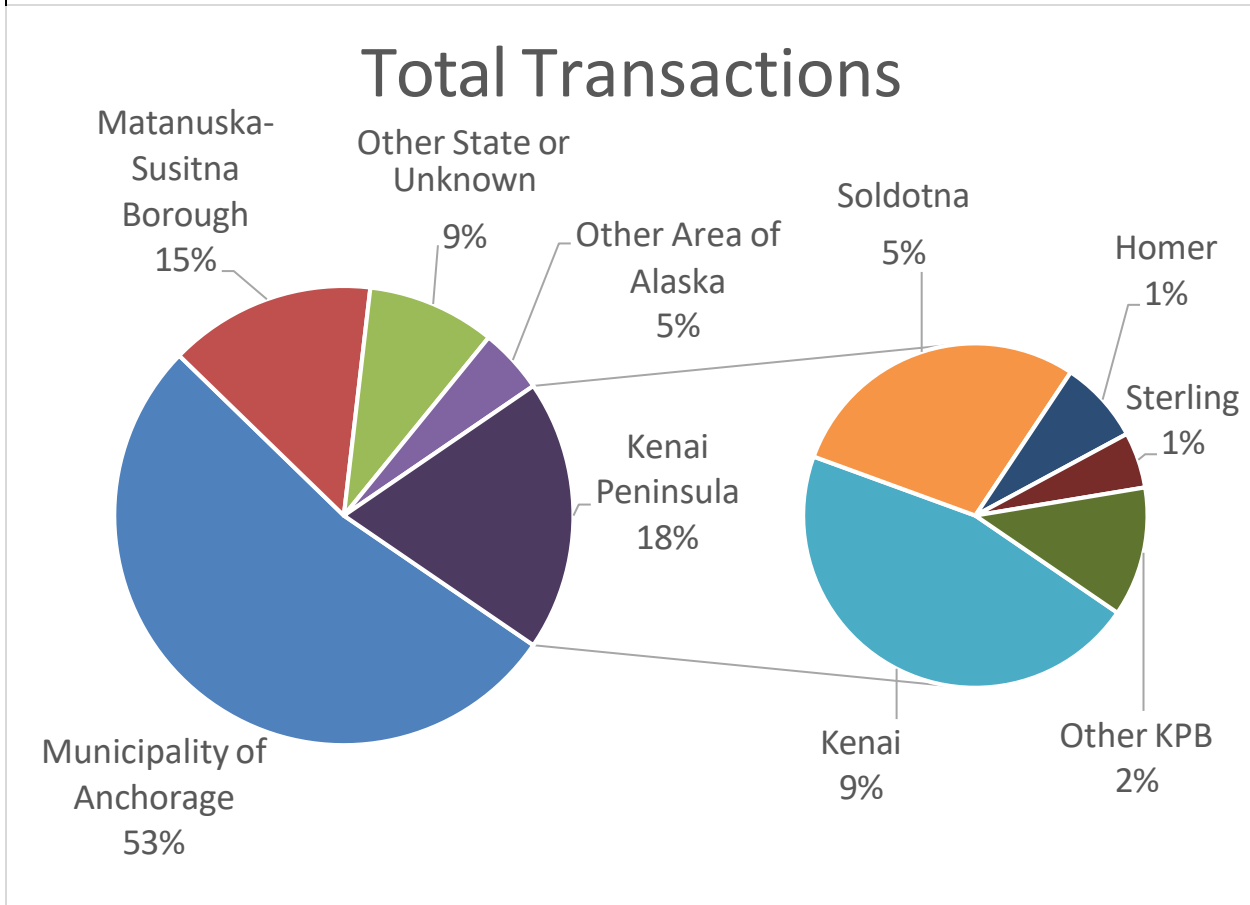
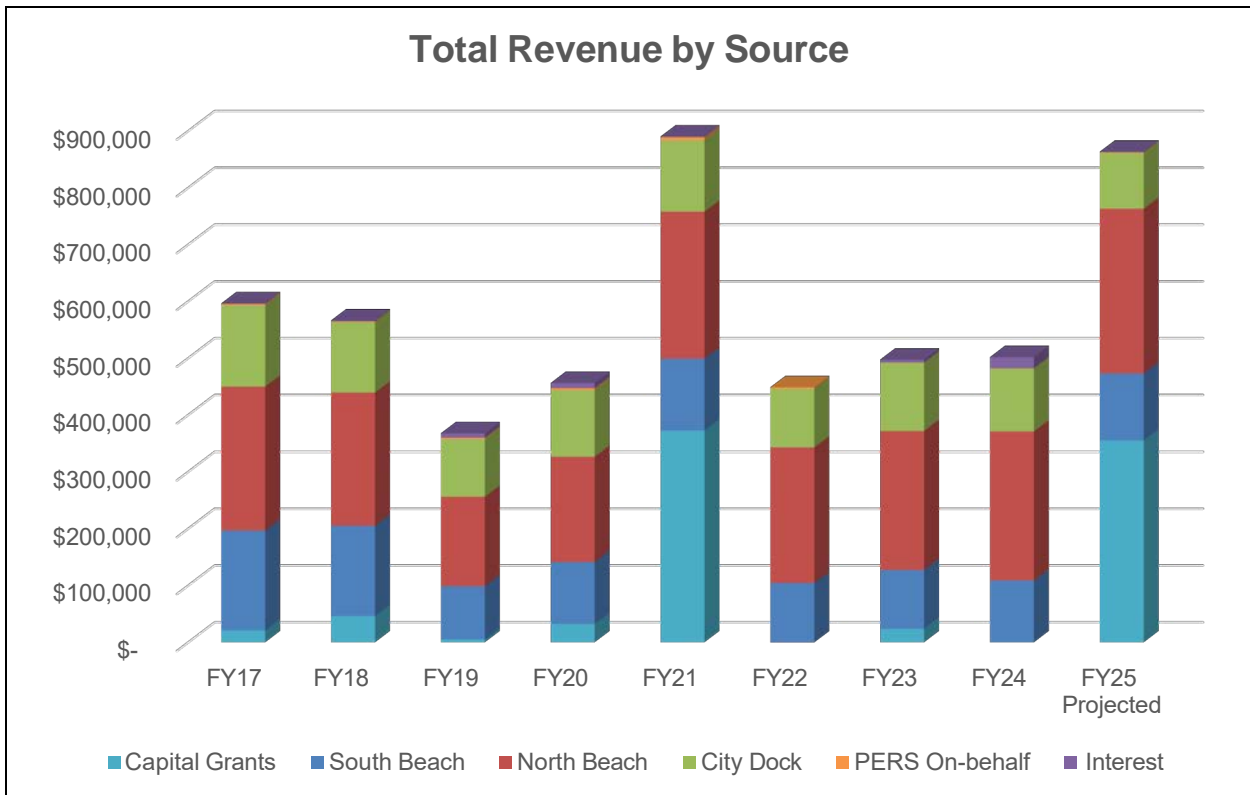
There is \$355,700 remaining in a State of Alaska legislative grant for dipnet improvements on the City's north and south beaches. \$125,000 of the \$355,856 remaining was previously allocated to construction of permanent restrooms at the Kenai Little League fields complex.

With the assistance of Senator Bjorkman and Representative Ruffridge, the City successfully amended the grants scope to include the City's Dock facility in addition to the North and South Beaches previously included. The Administration is reviewing needs and will be seeking appropriation to complete identified projects in the future.

FY24 Revenues

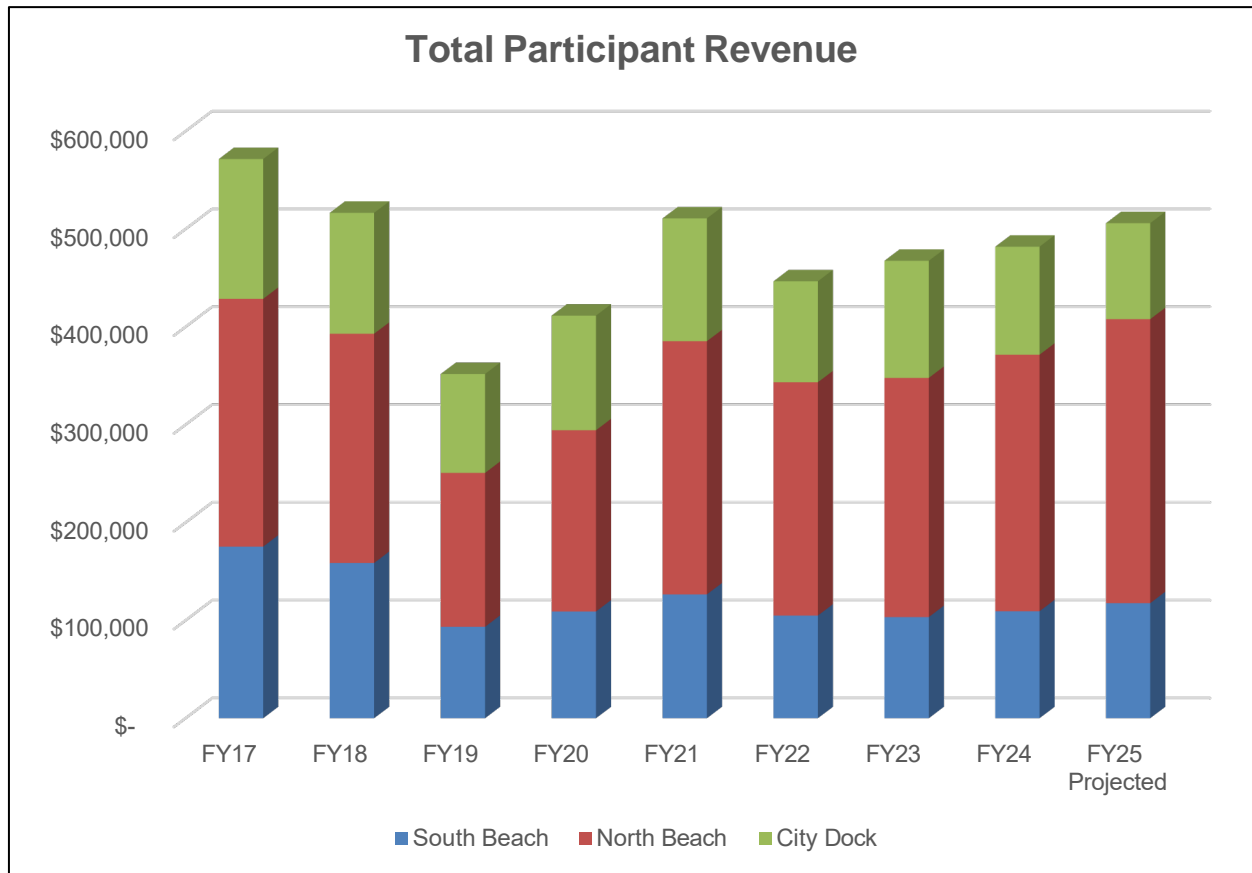
FY25 fees collected increased 4.8% over FY24. FY25 fishery revenues, not including capital grant revenues and net of sales tax and transaction fees, are projected to be \$505,986, which is \$12,948 greater than budgeted and \$24,039 more than FY24 fishery revenues. Capital grant revenue is projected to be \$355,700, assuming complete expenditure of the remaining state grant. A comparison of FY25 fishery revenue to prior years is shown below, the breakdown by site and service for FY17 thru FY25 is based upon actual transactions.

	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>FY22</u>	<u>FY23</u>	<u>FY24</u>	<u>FY25 Projected</u>
South Beach	\$ 175,439	\$ 158,665	\$ 93,448	\$ 109,080	\$ 126,577	\$ 104,940	\$ 103,400	\$ 109,361	\$ 117,627
North Beach	253,218	234,298	157,293	185,269	258,782	238,471	244,436	262,202	290,242
City Dock	142,901	123,612	101,104	117,172	125,534	103,171	119,681	110,384	98,117
Interest	671	1,522	7,624	8,836	750	(4,412)	4,755	19,502	750
PERS On-behalf	2,688	1,546	2,743	3,355	5,688	2,394	694	549	1,270
Capital Grants	21,725	46,920	5,770	32,699	373,076	-	24,579	-	355,701
Total	<u>\$ 596,642</u>	<u>\$ 566,563</u>	<u>\$ 367,982</u>	<u>\$ 456,411</u>	<u>\$ 890,407</u>	<u>\$ 444,564</u>	<u>\$ 497,545</u>	<u>\$ 501,998</u>	<u>\$ 863,707</u>



Total transactions in 2024 were up 4% from 2023, and down 1% from the 5-year average. Person-sessions were up 2% over previous years. North beach continues to increase participation, while participation at the dock continues to decline, with a 13% decrease year over year. South Beach had an increase of 9% this year, marking the first year-over-year increase since 2020. North

beach now accounts for 62% of all transactions, with south beach at 21% and the dock at 17%. The percentages of participants from different regions didn't vary significantly from previous years.



Future Considerations

North Beach Third Shack

As the number of transactions continues to grow on North Beach, providing a third fee shack at this location may be necessary. The third shack would be located in the lower parking lot and serve as an information booth and a fee shack. Users could renew their permits or upgrade from drop-off passes without going to the top of the hill. This could be done via a temporary shack, such as a trailer brought down via peak traffic time.

Pedestrian Pathway to Beach

An alternative to installing a third shack is to address the high pedestrian traffic along Spruce Street, where fishery visitors often walk to the fee shacks. A dedicated pedestrian or bike pathway could help reduce congestion by separating foot and vehicle traffic along the road. This pathway would also benefit residents and beachgoers, enhancing safety and accessibility for all users.



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: Dave Ross, Police Chief

DATE: September 11, 2024

SUBJECT: **2024 Dipnet Report - Police**

The 2024 Dipnet fishery opened on July 10 and ended as scheduled on July 31. From July 18 until the end of the fishery on July 31, the fishery was open 24 hours per day. In 2024 the City employed five temporary enforcement officers (TEOs) dedicated to Police dipnet operations. Due to one leaving employment early for full time employment, there were four TEOs the majority of the fishery. Significant 2024 Police dipnet information includes:

- Police handled 64 dipnet-related calls for service during the month of July, approximately 25% less than 2023. Those calls included a wide variety of issues: 11 (9-1-1) misdials, 6 parking problems, 2 traffic congestion, 1 motor vehicle crash, 3 vehicle lock-outs, 11 lost & found property, 3 disorderly complaints, 1 boat collision, 1 boat capsize, 2 camping complaints, 3 thefts, and 20 miscellaneous calls for service.
- Despite the very large influx of people on the busiest weekend there were no major police incidents to report during the fishery.
- TEOs wrote 142 dipnet related citations (primarily for paid parking and other parking related violations). This is a substantial increase from 2023.
- Salmon Frenzy volunteers were again present at the fishery and provided invaluable assistance to the police department. Volunteers assisted at the beach with traffic flow along Kenai Avenue.
- Commercial setnet traffic on the beach was again eliminated this year due to an emergency closure of that fishery. The City installed a bypass lane at the pay shacks in 2023 for local traffic and those that already had purchased passes. This lane worked extremely well again this year to reduce congestion on Spruce Street.
- The City Parks Department continues to take a very hands-on proactive approach to management of the event, leading to a number of improvements over the last two years.



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: Jay Teague
DATE: September 11, 2024
SUBJECT: 2024 Dipnet Report – Fire & EMS

For the 2024 season, we had 13 dipnet fishery-related calls compared to 8 in 2023. KFD responded to 2 dipnet-related EMS calls, 1 Fire call, and one technical rope rescue on the bluffs. We conducted 3 dipnet “no wake” patrols in coordination with KPD. KFD responded to one beach fatality involving a dipnet fisherman who suffered a cardiac arrest.

The Fire Department had the following service calls directly related to Dipnet Season:

Fires: (1)

Trauma Related Calls: (0)

Medical/Illness Calls: (1)

Cardiac Arrest: (1)

Boat Rescues: (6)

Boat Patrols: (3)

Technical/Rope Rescues: (1)