



Kenai City Council - Regular Meeting

July 08, 2026 – 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; twenty (20) minutes aggregated*)

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

E. PUBLIC HEARINGS

1. **Ordinance No. 3531-2026** - Increasing Estimated Revenues and Appropriations in the Kenai Recreation Center Improvements Capital Project Fund and Accepting a Grant from the Energy Efficiency and Conservation Block Grant Program to Replace Lighting in the Kenai Recreation Center. (Administration)
2. **Ordinance No. 3532-2026** - Determining that the Proposed Subdivision of Dena'ina Point Estates Serves Other City Purposes, Authorizing the City to Share in Subdivision Costs, and Increasing Estimated Revenues and Appropriations in the General Fund - Lands Administration in the Amount of \$54,219. (Administration)
3. **Ordinance No. 3533-2026** - Increasing Estimated Revenues and Appropriations for the Senior Center Canopy Roof Replacement and Authorizing a Contract Award for the Animal Control and Senior Center Canopy Roof Replacement Project. (Administration) [*KMC 1.15.070(d)*]
 1. Motion for Introduction
 2. Motion for Second Reading (Requires a Unanimous Vote)
 3. Motion for Enactment (Requires Five Affirmative Votes)
4. **Resolution No. 2026-51** - Authorizing the City Manager to Execute a Memorandum of Understanding with Tidewater, LLC Regarding the Planning, Replatting, and Potential Phased Development of Dena'ina Point Estates Subdivision. (Administration)

- [5.](#) **Resolution No. 2026-52** - Authorizing a Contract Award for the Kenai Municipal Airport Concessions. (Administration)
- [6.](#) **Resolution No. 2026-53** - Authorizing a Contract Award for the Park Pavilion Construction Project and Redirecting Capital Funds in the Parks Improvement Capital Project Fund for the Project. (Administration)

F. MINUTES

- [1.](#) *Regular Meeting of June 17, 2026. (City Clerk)

G. UNFINISHED BUSINESS

H. NEW BUSINESS

- [1.](#) ***Action/Approval** - Bills to be Ratified. (Administration)
- [2.](#) ***Action/Approval** - Purchase Orders and Purchase Order Amendments Requiring Council Approval in Accordance with KMC 7.15.020. (Administration)
- [3.](#) ***Action/Approval** - Special Use Permit for Kenai Chamber of Commerce and Visitor Center for the Moosemeat John Cabin. (Administration)
- [4.](#) ***Action/Approval** - Approving the Official Bond Amounts for City Manager, City Clerk and Finance Director. (Administration)
- [5.](#) ***Action/Approval** - Non-Objection to the Issuance of a Retail Marijuana Store License for Fat Tops, LLC DBA Fat Tops, LLC - License No. 42816. (City Clerk)
- [6.](#) ***Ordinance No. 3534-2026** - Amending Kenai Municipal Code 7.25.030 - Unbudgeted Appropriations, to Allow the City Manager to Appropriate Donations and Grants Under Ten Thousand Dollars. (Askin, Grieme)
- [7.](#) ***Ordinance No. 3535-2026** - Removing Public Purpose Designations on Kenai Peninsula Borough Parcel Numbers 04711308, 04711309, 04711310, 04711311, 04711312, and 04108003, to Accommodate Disposal Recommendations in the City of Kenai Land Management Plan. (Administration)

I. COMMISSION REPORTS

1. Council on Aging Commission
- [2.](#) Airport Commission
3. Parks and Recreation Commission
- [4.](#) Planning and Zoning Commission
5. 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 at 907-283-8231.

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

<https://us02web.zoom.us/meeting/register/UIT3VnHtT3W1XC6l8Gep2w>



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3531-2026**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE KENAI RECREATION CENTER IMPROVEMENTS CAPITAL PROJECT FUND AND ACCEPTING A GRANT FROM THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM TO REPLACE LIGHTING IN THE KENAI RECREATION CENTER.

WHEREAS, the City of Kenai applied for and received a \$75,270 grant from the the Energy Efficiency and Conservation Block Grant Program to replace older street light fixtures with energy efficient LED street lights; and,

WHEREAS, after completion of the street light assessment, it has been determined these funds would be better spent replacing light fixtures at the Kenai Recreation Center; and,

WHEREAS, Public Works requested and was approved to use the grant funds for the Kenai Recreation Center; and,

WHEREAS, it is in the best interest of the City to accept the grant funds to proceed with this project.

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 Energy Efficiency and Conservation Block Grant Program in the amount of \$75,270 and expend the funds in accordance with the provisions of the grant.

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

Kenai Recreation Center Improvements Capital Projects Fund:

Increase Estimated Revenues - Federal Grants -	<u>\$75,270</u>
Increase Appropriations - Construction	<u>\$75,270</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 8TH DAY OF JULY 2026.

Henry H. Knackstedt, Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____

Introduced:	June 17, 2026
Enacted:	July 8, 2026
Effective:	July 8, 2026



MEMORANDUM

TO: Mayor Knackstedt and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Lee Frey, Public Works Director

DATE: June 9, 2026

SUBJECT: **Ordinance 3531-2026** - Increasing Estimated Revenues and Appropriations in the Kenai Recreation Center Improvements Capital Project Fund and Accepting a Grant from the Energy Efficiency and Conservation Block Grant Program to Replace Lighting in the Kenai Recreation Center.

The memo requests Council's approval to accept a grant from the Energy Efficiency and Conservation Block Grant (EECBG) Program to replace lighting at the Kenai Recreation Center with energy efficient LED lighting.

The City applied for a grant to this program to replace older street light fixtures with LED fixtures for energy efficiency. After completion of the street lighting assessment, it was determined that the majority of the City owned light fixtures have already been converted and these funds could be more useful somewhere else. The Kenai Recreation Center was determined to be the best use of funds as there is regular use at this facility during the year and lighting replacement could have a significant effect on electrical use. The high bay lighting in the gym and racquetball courts would be the main goal as they are in poor condition and difficult to work on.

The City does not have any additional funding appropriated for this project. We will bid out work with alternates to maximize grant funding, but may also request additional funding to complete needed upgrades as the \$75,270 available through the grant.

The Public Works Department recommends accepting the grant from the EECBG Program to complete lighting upgrades at the Kenai Recreation Center.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3532-2026**

AN ORDINANCE DETERMINING THAT THE PROPOSED SUBDIVISION OF DENA'INA POINT ESTATES SERVES OTHER CITY PURPOSES, AUTHORIZING THE CITY TO SHARE IN SUBDIVISION COSTS, AND INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND - LANDS ADMINISTRATION IN THE AMOUNT OF \$54,219.

WHEREAS, Kenai Municipal Code 22.05.025(c) provides that lease applicants proposing a subdivision are responsible for subdivision costs unless the City Council determines that the subdivision serves other City purposes; and,

WHEREAS, if the Council determines that other City purposes are served, the Council may, in its sole discretion, share in subdivision costs in an amount it determines is reasonable given the benefit to the City; and,

WHEREAS, the proposed subdivision of Dena'ina Point Estates will facilitate the development and disposition of City-owned property and therefore serves other City purposes; and,

WHEREAS, the City Council finds that sharing in subdivision costs in an amount not to exceed \$54,219 is reasonable given the benefit to the City.

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

Section 1. The City Council determines, pursuant to KMC 22.05.025(c), that the proposed subdivision of Dena'ina Point Estates serves other City purposes and authorizes the City Manager to share in subdivision costs in an amount not to exceed \$54,219.

Section 2. That estimated revenues and appropriations in the General Fund – Lands Administration are hereby increased as follows:

General Fund:

Increase Estimated Revenues:	
Appropriation of Fund Balance	<u>\$54,219</u>

Increase Appropriations:	
Land Administration – Professional Services	<u>\$54,219</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 8TH DAY OF JULY, 2026.

Henry H. Knackstedt, Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____

Introduced:	June 17, 2026
Enacted:	July 8, 2026
Effective:	July 8, 2026



MEMORANDUM

TO: Mayor Knackstedt and Council Members

FROM: Terry Eubank, City Manager

DATE: June 8, 2026

SUBJECT: **Ordinance No. 3532-2026** - Determining that the Proposed Subdivision of Dena'ina Point Estates Serves Other City Purposes, Authorizing the City to Share in Subdivision Costs, and Increasing Estimated Revenues and Appropriations in the General Fund – Lands Administration in the Amount of \$54,219.

The proposed ordinance would determine that the subdivision of Dena'ina Point Estates serves other City purposes and authorize the City to share in subdivision costs in an amount not to exceed \$54,219.

Kenai Municipal Code 22.05.025(c) requires applicants proposing a subdivision to bear all subdivision-related costs unless the City Council determines that the subdivision serves other City purposes. If such a determination is made, the Council may, in its sole discretion, share in subdivision costs in an amount it determines is reasonable given the benefit to the City.

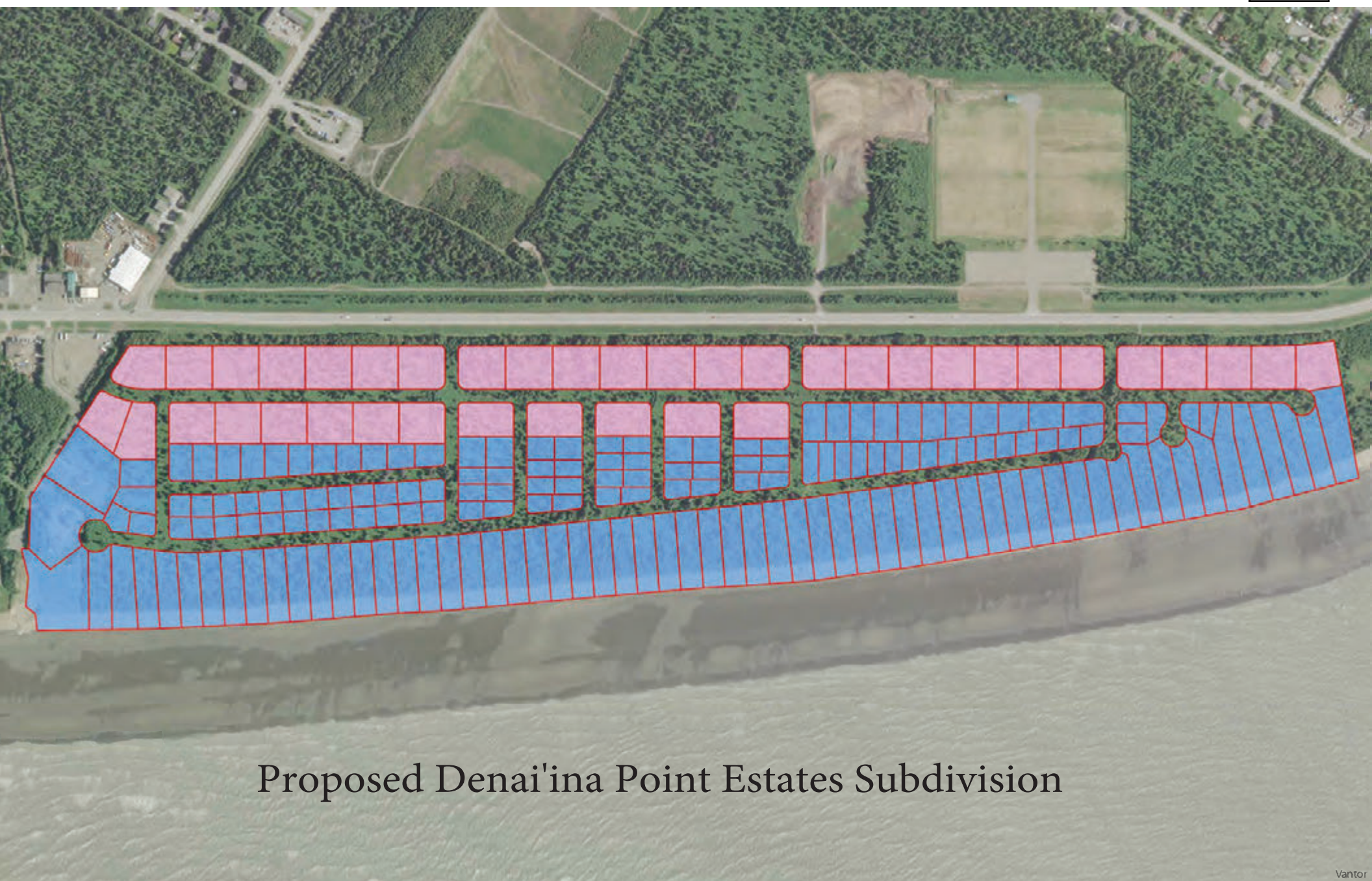
The proposed subdivision would reconfigure City-owned property into developable lots and establish the rights-of-way and utility corridors necessary to support future development, including residential development opportunities. The subdivision advances the City's land management objectives, supports additional housing opportunities, and increases the utility, marketability, and development potential of City-owned land.

The proposed cost sharing is contemplated in a Memorandum of Understanding (MOU) between the City and Tidewater, LLC, which is being presented for Council consideration under separate resolution. The MOU establishes a framework for replatting and potential future development but does not obligate either party to enter into a lease, sale, or other transaction.

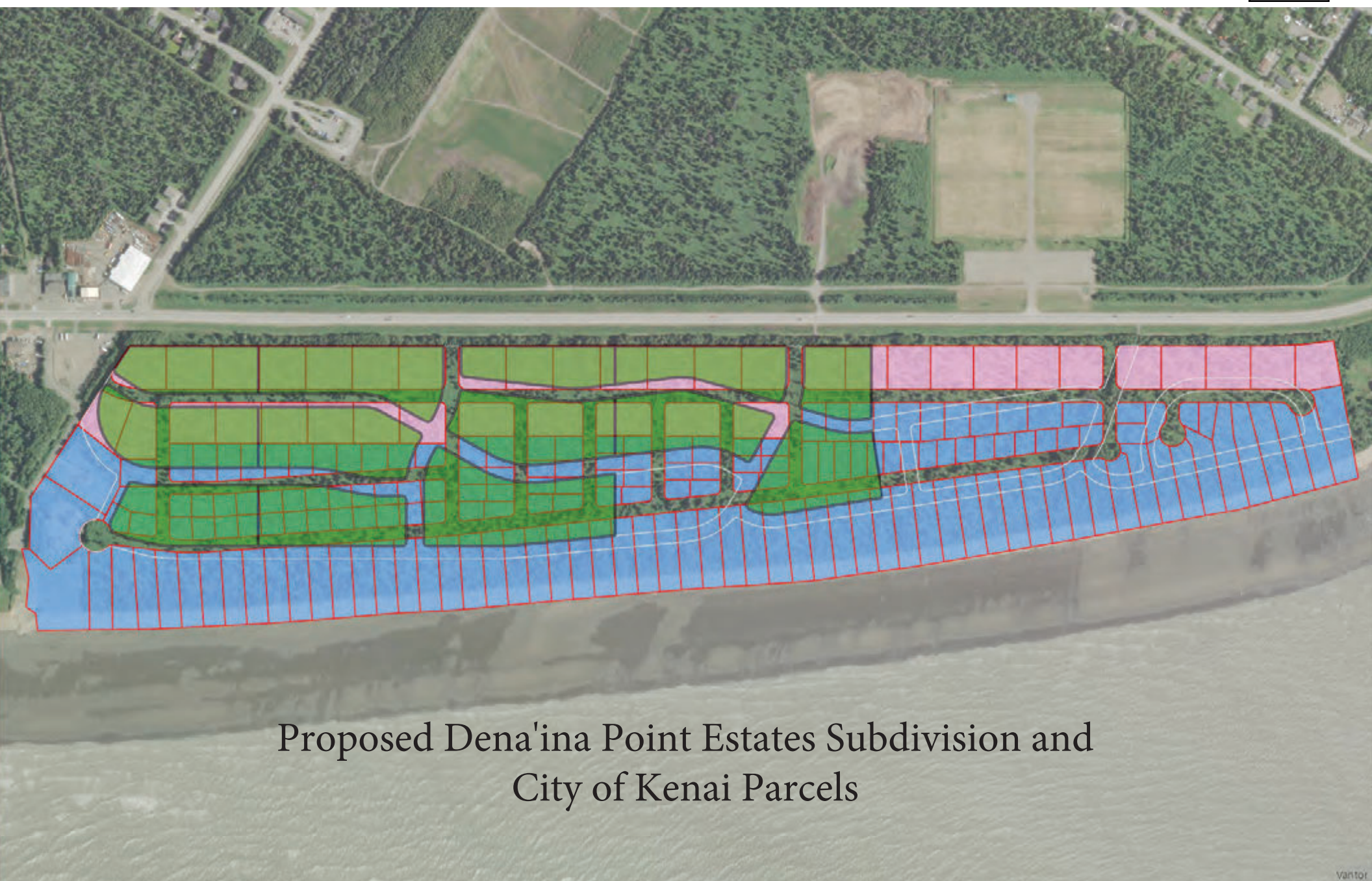
The estimated subdivision cost is \$82,150. The proposed City contribution is limited to \$54,219, with the Developer responsible for the remaining subdivision costs and all other project-related costs unless otherwise approved by the City Council.

Staff recommends that the Council determine the subdivision serves other City purposes and authorize cost sharing in an amount not to exceed \$54,219.

Your consideration is appreciated.



Proposed Denai'ina Point Estates Subdivision



Proposed Dena'ina Point Estates Subdivision and
City of Kenai Parcels



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3533-2026**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS FOR THE SENIOR CENTER CANOPY ROOF REPLACEMENT AND AUTHORIZING A CONTRACT AWARD FOR THE ANIMAL CONTROL AND SENIOR CENTER CANOPY ROOF REPLACEMENT PROJECT.

WHEREAS, an Invitation to Bid was released on June 5, 2026 with bids due on June 30, 2026 for the Animal Control and Senior Center Canopy Roof Replacement projects; and,

WHEREAS, one bid was received

<u>Contractor</u>	<u>Cost</u>
Orion Construction Inc.	\$396,370; and,

WHEREAS, Orion Construction Inc. was the lowest bidder with a total cost of \$396,370 for the project; and,

WHEREAS, the bid was determined to be responsive and responsible; and,

WHEREAS, an additional appropriation of \$110,000 is needed to award the Senior Center Canopy Roof Replacement to cover construction, project management and contingency funds; and,

WHEREAS, pursuant to KMC 1.15.070(d) the City may introduce and finally pass on the same day, an ordinance making, repealing, transferring or otherwise changing and appropriation; and,

WHEREAS, this project will reroof the flat roof section of the Animal Control building and the flat roof canopy at the Senior Center; and,

WHEREAS, it is in the best interest of the City to appropriate these additional funds and award the contract to Orion Construction Inc.

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

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

General Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$110,000</u>
Increase Appropriations – Non-Departmental -	
Transfer to Senior Center Improvement Capital Project Fund	<u>\$110,000</u>

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

Senior Center Improvement Capital Project Fund:

Increase Estimated Revenues –	
Transfer from General Fund	<u>\$110,000</u>

Increase Appropriations –
Senior Center Canopy Roof Replacement - Construction \$110,000

Section 3. That the City Manager is authorized to execute a contract with Orion Construction Inc. in the amount of \$396,370 for the Animal Control and Senior Center Canopy Roof Replacement projects.

Section 4. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.


Section 5. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 8TH DAY OF JULY, 2026.

Henry H. Knackstedt, Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:  _____

Introduced: July 8, 2026
Enacted: July 8, 2026
Effective: July 8, 2026



MEMORANDUM

TO: Mayor Knackstedt and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Lee Frey, Public Works Director

DATE: June 30, 2026

SUBJECT: **Ordinance No. 3533-2026** - Increasing Estimated Revenues and Appropriations for the Senior Center Canopy Roof Replacement and Authorizing a Contract Award for the Animal Control and Senior Center Canopy Roof Replacement Project.

This memo requests Council’s approval to appropriate additional funds and award a contract for the Animal Control and Senior Center Canopy Roof Replacement to Orion Construction Inc. The project was released for bidding and one bid was received. Bids received are as follows:

<u>Contractor</u>	<u>Cost</u>
Orion Construction Inc.	\$396,370

Orion Construction Inc. was the lowest bid for the project with a cost of \$396,370 for the project with the Animal Control roof costing \$273,470 and the Senior Center roof costing \$122,900. The project consists of reroofing the flat roof portion of the Animal Control building and the flat roof canopy of the Senior Center. While the canopy roof at the Senior Center is significantly smaller, there is additional work on this portion of the project increasing the cost which includes replacing plywood, adding heat trace and replacing light fixtures. The costs for the project were determined to be reasonable.

\$50,000 was originally appropriated for the Senior Center roof project in FY25 and approximately \$30,000 remains after design services were completed. We recommend appropriating an additional \$110,000 to award and complete this work. The additional funds will cover project management and provide contingency for any issues that may be discovered during the construction project.

Appropriation of the additional funding and award of this agreement is in the best interest of the City. A double reading of the Ordinance is requested to be able to award the entire contract at this meeting in July. Otherwise, the additional funding and award of the Senior Center Canopy would be pushed to the first meeting in August. Council’s approval is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2026-51**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH TIDEWATER, LLC REGARDING THE PLANNING, REPLATTING, AND POTENTIAL PHASED DEVELOPMENT OF DENA'INA POINT ESTATES SUBDIVISION.

WHEREAS, the City of Kenai owns approximately 80.438 acres within Dena'ina Point Estates Subdivision, including approximately 53.56 acres across thirteen parcels and approximately 26.878 acres of associated rights-of-way; and,

WHEREAS, Tidewater, LLC owns and has contracts to acquire additional property within and adjacent to Dena'ina Point Estates Subdivision and has proposed a phased mixed-use development that may include subdivision and replatting activities, roadway and utility infrastructure improvements, residential development, and mixed-use commercial development; and,

WHEREAS, the City has determined that portions of Dena'ina Point Estates, as currently configured, are not conducive to efficient development due to existing lot configurations, diverse ownership of property, roadway layouts, and infrastructure limitations; and,

WHEREAS, the proposed replat is intended to create developable lots, facilitate roadway and utility infrastructure improvements, support housing development, encourage mixed-use development opportunities, and increase the long-term value and usability of City-owned land; and,

WHEREAS, the proposed Memorandum of Understanding establishes a cooperative framework between the City and Tidewater, LLC regarding planning, replatting, phased development, and future lease and sale opportunities associated with Dena'ina Point Estates; and,

WHEREAS, the Memorandum of Understanding is intended to establish the parties' understanding regarding the project and, except as expressly provided therein, does not obligate the City to enter into any future lease, sale, conveyance, rezoning, Subdivision Installation Agreement, land exchange, or other transaction, all of which remain subject to separate agreements and any approvals required by law; and,

WHEREAS, the City Council finds that granting the Development-Related First Right of Refusal contemplated by the Memorandum of Understanding serves other City purposes by promoting coordinated development, facilitating long-term infrastructure planning, encouraging private investment in housing and mixed-use development, and supporting the efficient use and long-term value of City-owned property; and

WHEREAS, execution of the Memorandum of Understanding, including the Development-Related First Right of Refusal, is in the best interest of the City and will facilitate coordinated planning and evaluation of future development opportunities within Dena'ina Point Estates.

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

Section 1. That the City Manager is authorized to execute a Memorandum of Understanding with Tidewater, LLC, substantially in the form attached to this resolution, regarding the planning, replatting, and potential phased development of Dena'ina Point Estates Subdivision.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 8TH DAY OF JULY, 2026.

Henry H. Knackstedt, Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



MEMORANDUM

TO: Mayor Knackstedt and Council Members

FROM: Terry Eubank, City Manager

DATE: June 23, 2026

SUBJECT: **Resolution No. 2026-51** - Authorizing the City Manager to Execute a Memorandum of Understanding with Tidewater, LLC Regarding the Planning, Replatting, and Potential Phased Development of Dena'ina Point Estates Subdivision.

This resolution authorizes the City Manager to execute a Memorandum of Understanding (MOU) with Tidewater, LLC, the current lease applicant for Dena'ina Point Estates.

The MOU establishes a cooperative framework for evaluating and planning a long-term, phased mixed-use development. The concept includes roadway and utility infrastructure improvements, residential development, and future commercial opportunities. The MOU also includes a Development-Related First Right of Refusal (FROR) for certain City-owned property within the project area.

This resolution is related to Ordinance No. 3532-2026, which would appropriate up to \$54,219 toward subdivision and replat costs. The ordinance addresses the City's financial participation in the replat process, while the MOU establishes the framework for coordination and future planning. Approval of this resolution does not authorize any future lease, land exchange, conveyance, rezoning, or construction activity.

The City's General Fund land management practices are governed by Title 22 of the Kenai Municipal Code. Title 22 was repealed and reenacted in 2019 to encourage responsible growth and development, require development of leased property, and discourage land speculation. In general, City-owned land is managed for commercial and development purposes, and the leasing provisions of Title 22 are structured for projects involving permanent vertical improvements, such as buildings and related site development.

Dena'ina Point Estates presents a unique development context, as development is dependent on subdivision installation and horizontal infrastructure improvements rather than immediate vertical construction. However, the lease process remains the most appropriate mechanism to initiate a competitive disposal process while ensuring development occurs before any transfer of City-owned property.

Dena'ina Point Estates is a long-standing subdivision, originally platted in 1987 as a subdivision with 29 large tracts intended for residential use with infrastructure development. Over time, the

area developed into a mixed ownership pattern with unconstructed roads and limited infrastructure, which has constrained development potential.

The City currently owns approximately 80 acres within the subdivision, including approximately 54 acres across 13 parcels and approximately 26 acres in rights-of-way. Tidewater, LLC currently owns approximately 7 acres and is under contract to acquire additional private parcels totaling 53 acres within the proposed development area. The proposed replat would reorganize the subdivision to establish a functional road layout, rights-of-way, utility infrastructure, and developable parcels to support future housing and mixed-use development. The concept includes approximately 46 multi-family lots, 128 single-family residential lots, and 30 lots for commercial development.

The MOU outlines a phased approach. The parties would first complete a preliminary plat for the full subdivision, followed by a Subdivision Installation Agreement for Phase I with a term of up to two years. Additional phases may be considered through future Subdivision Installation Agreements, subject to City Council approval and any required code waivers or amendments, and could extend up to ten years.

Following completion of platting and infrastructure requirements, the MOU contemplates a potential land exchange designed to ensure the City retains land acreage comparable to its current holdings within the project area. Future agreements may include performance security, such as a deed of trust or other security acceptable to the City, and may allow for phased release of lots as improvements are completed and accepted.

The FROR is intended to support Tidewater, LLC's long-term investment in subdivision planning and infrastructure development. In exchange, Tidewater, LLC commits to acquiring the remaining private property, participating in infrastructure planning, and supporting the long-term development of Dena'ina Point Estates. The FROR does not convey ownership or guarantee future leases. If another party seeks to lease eligible City-owned property, Tidewater, LLC would have 60 days to exercise the FROR and 90 days to execute a lease or other document under the terms of the MOU.

The MOU does not approve or obligate any future development action. All future leases, land exchanges, conveyances, sales, rezoning actions, plat approvals, or code amendments will require separate City Council consideration and approval. The City also retains full discretion over all legislative, quasi-judicial, and discretionary decisions.

No additional expenditures are authorized beyond those already contemplated for the replat effort. Subject to approval of Ordinance No. 3532-2026, the City's contribution toward replat costs is limited to \$54,219. Any future project costs will require separate Council authorization.

The MOU provides a framework to address longstanding barriers that have limited development of Dena'ina Point Estates for nearly 40 years. These barriers include mixed ownership and inefficient lot layouts that increase development costs associated with installation of roads and utilities. The MOU also represents a public private partnership with Tidewater, LLC to mutually develop both private and public lands in a manner that supports the City's housing needs, encourages responsible growth, and increases the long-term value and utility of the area.

Your consideration is appreciated.

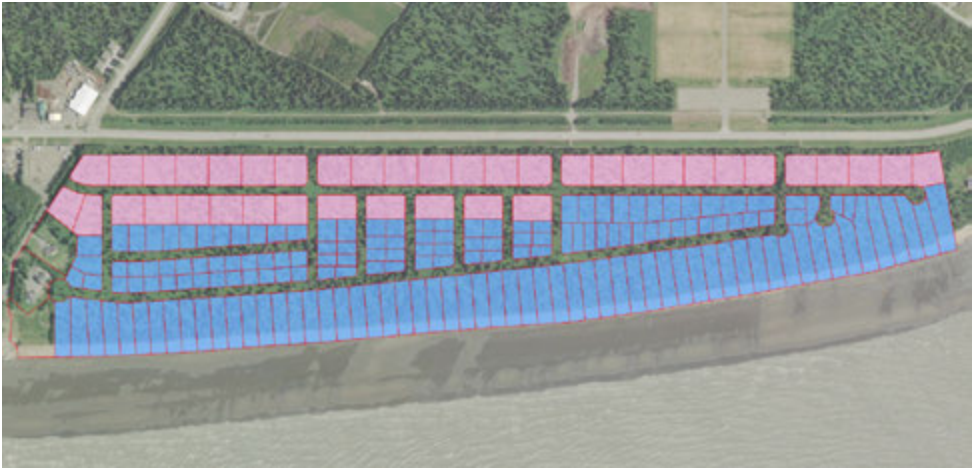


Exhibit A – Property Subject to First Right of Refusal

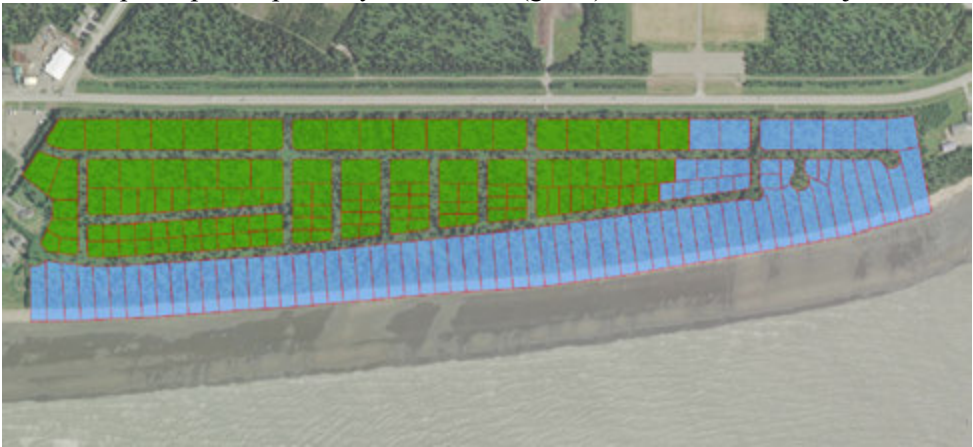
- 1. The existing City-owned property (green) within Dena'ina Point Estates subject to the FROR:



- 2. The proposed replat concept for the development area:



- 3. The anticipated post-replat City-owned lots (green) that will remain subject to the FROR:



Property boundaries shown for illustrative purposes only, with final lot configuration, acreage, and legal descriptions to be established through the approved replat process. Rights-of-way, easements, public utility tracts, and any other City-owned property not specifically identified in Exhibit A are excluded from the FROR unless otherwise approved by the City Council.

**MEMORANDUM OF UNDERSTANDING
DEVELOPMENT PARTNERSHIP FOR DENA'INA POINT ESTATES**

The CITY OF KENAI (“City”) whose address is 210 Fidalgo Avenue, Kenai, Alaska 99611 and TIDEWATER, LLC. (“Developer”) whose address is 38334 Lakewood Road, Sterling Alaska, 99672, hereby enter into the Memorandum of Understanding (MOU) as follows:

1. PURPOSE

- A. The purpose of this MOU is to establish a framework for cooperation between the City and the Developer regarding the planning, replatting, and potential phased development of property within Dena'ina Point Estates Subdivision and to establish a First Right of Refusal for future lease opportunities on certain City-owned property.
- B. The parties acknowledge that the proposed project may include subdivision and replatting activities, road construction, utility extensions, residential development, commercial development, and other related improvements.
- C. The City further recognizes that portions of Dena'ina Point Estates, as currently configured, are not conducive to efficient development due to existing lot configurations, roadway layouts, and infrastructure limitations. The proposed replat is intended to create developable lots, facilitate roadway and utility infrastructure improvements, support significant housing development, encourage mixed-use development opportunities, and increase the long-term taxable value and usability of City-owned land. Accordingly, the City has determined that it is in the public interest to partner with the Developer in advancing the replatting and planning efforts contemplated by this MOU.
- D. Except as expressly provided in Section 7 of MOU, this MOU is intended to document the parties' understanding and does not obligate either party to enter into any lease, sale, subdivision installation agreement, or other future transaction.

2. PROPERTY OWNERSHIP

- A. The City owns approximately 80.438 acres within Dena'ina Point Estates Subdivision, consisting of approximately 53.56 acres across thirteen (13) parcels and approximately 26.878 acres of associated rights-of-way.
- B. The Developer owns approximately 7.38 acres, consisting of Tract C-4, and represents that it is under contract to acquire the remaining approximately 53.22 acres of adjacent privately-owned property within the proposed development area. Any references in this MOU to property under contract are contingent upon the Developer successfully completing the associated property acquisitions.

3. PROPOSED DEVELOPMENT

The Developer has proposed a phased mixed-use development that may include:

1. Replatting and subdivision of City-owned and privately-owned property;
2. Construction of roads and utility infrastructure;
3. Development of approximately forty-six (46) multi-family dwelling units;
4. Development of approximately one hundred twenty-eight (128) single-family residential lots; and
5. Mixed-use commercial and residential development opportunities.

The parties acknowledge that all development concepts are preliminary and remain subject to design, engineering, permitting, subdivision approvals, financing, market conditions, and City Council approval as applicable.

4. REPLAT COOPERATION AND COST SHARING

- A. The parties agree to cooperate in preparing and processing a preliminary replat as necessary to accommodate the proposed development through preliminary plat, agency review, final plat, and recording consistent with City Code. The City will take actions reasonably necessary as a property owner to facilitate the replat consistent with City Code.
- B. The estimated cost of the replat is \$82,150, based upon the engineer's estimate.
- C. Subject to appropriation by the Kenai City Council through Ordinance 3532-2026, the City will contribute sixty-six percent (66%) of the replat cost, not to exceed \$54,219, in recognition of the public benefits associated with the project, including the creation of developable lots, facilitation of roadway and utility infrastructure improvements, support for housing development, and enhancement of the value and marketability of City-owned land. If Ordinance 3532 is not enacted, the City shall have no obligation to contribute toward replat costs under this MOU.
- D. The Developer will be responsible for the remaining replat costs and all other pre-development costs associated with the project.
- E. Unless otherwise approved by the City Council, all costs associated with roadway construction, utility extensions, infrastructure improvements, permitting, and development will be the responsibility of the Developer.
- F. Any future subdivision development requiring public improvements will be subject to a Subdivision Installation Agreement and compliance with applicable City standards.
- G. In its capacity as owner and operator of the receiving wastewater collection and treatment system, the City will provide existing system information and documentation required by the KPB pursuant to KPB Code 20.40.070 at no cost to the Developer.
- H. The City agrees to support the Developer in pursuing any block-length exception that may be required under KPB Code 20.30.170, including providing support as a participating landowner.

- I. Subject to City Council authorization, the City will initiate and process any rezoning applications necessary to support the proposed development concurrent with the replatting process. The parties anticipate that the rezoning application will propose changing approximately thirty-nine (39) lots from Suburban Residential (RS) to Central Mixed Use (CMU), with the remaining approximately one hundred sixty-five (165) lots retaining the Suburban Residential (RS) designation. The final number, configuration, and zoning designation of lots will be established through the subdivision and rezoning processes. The parties acknowledge that a rezoning application cannot be submitted until a preliminary plat has been prepared and, therefore, rezoning will proceed in coordination with the replatting process to the extent practicable. This does not bind any City discretionary body from exercising its discretionary authority under City Code.

5. FUTURE LEASE FRAMEWORK

- A. The parties acknowledge that the Developer has submitted an application on January 19, 2026 to lease City-owned property with an option to purchase following completion of required improvements.
- B. The lease application was publicly advertised in accordance with the Kenai Municipal Code, and no competing lease application was received during the required application period.
- C. Pursuant to KMC 22.05.035, the application will expire upon execution of a lease, rejection of the lease application by the City Council, or twelve (12) months after submission of the application. Accordingly, the application will expire on January 19, 2027, unless terminated earlier pursuant to the Kenai Municipal Code. Upon expiration of the application, the First Right of Refusal established by this MOU will govern the Developer's preferential opportunity to lease property subject to the terms and conditions of this MOU.
- D. Upon completion of the replat, the parties anticipate negotiating one or more leases for City-owned property corresponding to development phases. Any lease is subject to approval by the Kenai City Council.
- E. The parties intend that the replat preserve the City's ownership position in substantially the same acreage, utility, and value as existed prior to replatting. The City will retain such rights-of-way, easements, and other property interests as necessary to preserve the development potential of City-owned land. To facilitate efficient development, the parties may identify isolated or irregular remnants of City-owned property located within Developer-owned parcels and Developer-owned property located within City-owned parcels that would benefit from an exchange. The anticipated City-owned and Developer-owned lots after the proposed replat are shown on Exhibit A. The parties may prepare conveyance documents to implement such exchanges concurrent with final plat recording; however, any exchange of property interests shall remain subject to City Council approval.
- F. The parties acknowledge that implementation of the replat may require adjustments to property boundaries, rights-of-way, and ownership interests. Any

such adjustments will be structured to preserve the City's ownership position in substantially the same acreage, utility, and value as existed prior to replatting unless otherwise approved by the City Council.

- G. The parties agree that an appraisal will be completed in 2026, at the Developer's expense, as required by the Kenai Municipal Code. The appraisal shall be performed on an as-is, current-zoning, per-square-foot basis using the existing parcels as configured at the time of appraisal and shall establish values for distinct areas of property based on location and market characteristics, including, but not limited to, highway frontage, visibility, access, and other factors that may affect value. The appraised value may be adjusted annually using the Consumer Price Index for use in future lease and purchase negotiations. The appraisal shall serve as a basis for determining future land values; however, all lease and purchase terms remain subject to approval by the City Council.
- H. The parties further anticipate that any lease approved pursuant to this MOU may include a right to purchase and may deviate from the City's standard lease form to support the phased development contemplated herein.
- I. Subject to City Council approval, the parties anticipate that any right to purchase may include the following framework:
 - 1. The lessee may purchase leased property only after completion of all improvements required under the applicable lease.
 - 2. The purchase price shall be based upon the fair market value of the land only in accordance with the appraisal framework established in Section 5.G and shall exclude the value of permanent improvements constructed by the lessee.
 - 3. Fair market value shall be established through an appraisal completed in accordance with the appraisal framework established in Section 5.G.
 - 4. Upon satisfaction of all lease conditions and payment of the applicable purchase price, no further City Council authorization shall be required to complete the sale.
 - 5. All proceeds from any sale shall be deposited into the General Fund Land Sale Permanent Fund.
 - 6. The parties further contemplate a development incentive whereby the City may convey all or a portion of the leased property at no cost to the Developer, with the value of such conveyance limited to a maximum of fifty-percent (50%) of the documented cost of permanent improvements installed by the Developer and accepted by the City. The specific terms, eligibility requirements, and maximum conveyance amount must be established in the applicable lease and approved by the City Council.

6. DEVELOPMENT IMPLEMENTATION FRAMEWORK

- A. PRELIMINARY PLAT AND COMMENCEMENT OF PHASE I
 - 1. The parties agree to cooperate in completing the preliminary plat for the proposed subdivision.
 - 2. Upon approval of the preliminary plat, Phase I of the development process may commence.

3. Subject to City Council approval, the parties may amend this MOU or enter into separate agreements authorizing the Developer to construct roads, utilities, and other improvements located on City-owned property associated with Phase I.
 4. Nothing in this section authorizes construction on City-owned property absent all approvals required by law.
- B. PHASE I SUBDIVISION INSTALLATION AGREEMENTS
1. Following approval of the preliminary plat, the parties anticipate entering into one or more Subdivision Installation Agreements (“SIA”) in accordance with the Kenai Municipal Code.
 2. The Phase I Subdivision Installation Agreement is anticipated to have a term of two (2) years and will establish the public improvements, construction obligations, performance requirements, timelines, and security requirements applicable to Phase I.
 3. Subject to City Council approval and any required amendments to the Kenai Municipal Code, any Subdivision Installation Agreement entered into following the completion of Phase I may have a term of up to ten (10) years and may establish the public improvements, construction obligations, performance requirements, timelines, and security requirements applicable to the associated phase or phases of development.
 4. The parties acknowledge that execution of any Subdivision Installation Agreement remains subject to all approvals required by law.
 5. The Developer's obligation to enter into a Subdivision Installation Agreement shall be limited to development phases that include privately owned property controlled by the Developer or City-owned property subject to an executed lease with the Developer. The Developer shall not be required, solely as a condition of final plat approval, to enter into a Subdivision Installation Agreement for development phases consisting exclusively of City-owned property that the Developer neither owns nor leases. The existence of a First Right of Refusal established under this MOU shall not, by itself, obligate the Developer to enter into a Subdivision Installation Agreement for City-owned property prior to execution of a lease for such property.
- C. FINAL PLAT AND LAND EXCHANGE
1. Following execution of the applicable Subdivision Installation Agreements and satisfaction of all applicable platting requirements, the parties anticipate pursuing final plat approval for the entire subdivision in accordance with applicable law and approval processes.
 2. The parties anticipate that the land exchange contemplated by this MOU will be completed concurrently with recording of the final plat in order to align ownership boundaries and facilitate efficient development patterns.
 3. Any land exchange shall be structured to preserve the City's ownership position in substantially the same acreage, utility, and value as existed prior to replatting unless otherwise approved by the City Council.
 4. Any land exchange shall remain subject to City Council approval and all applicable legal requirements.

D. DEVELOPMENT PHASING AND SECURITY

1. The parties anticipate that development will proceed in multiple phases over the term of the project in accordance with the timelines and performance requirements established in the applicable Subdivision Installation Agreement(s) and other project agreements approved by the City.
2. Subject to the terms of the applicable Subdivision Installation Agreement(s), development phases may proceed concurrently or sequentially as approved through the applicable agreements and City approval processes.
3. The parties anticipate the applicable Subdivision Installation Agreement(s) will require security, which may include a Deed of Trust or other security required by Kenai Municipal Code.
4. Subject to the terms of the applicable Subdivision Installation Agreement(s), the Deed of Trust shall provide for the partial release of properties as individual phases are completed by the Developer and accepted by the City.
5. The specific terms, conditions, and release provisions of any Deed of Trust shall be established in the applicable agreement and remain subject to City Council approval.

E. ANTICIPATED ORDINANCE

1. The parties acknowledge that implementation of a long-term Subdivision Installation Agreement for one or more phases and any related land exchange may require amendments to the Kenai Municipal Code or other legislative action by the City Council.
2. Following execution of this MOU, the City anticipates preparing an ordinance for City Council consideration that would amend or otherwise authorize alternative procedures under the Kenai Municipal Code necessary to implement the phased development structure contemplated by this MOU, including consideration of a Subdivision Installation Agreement term exceeding two (2) years.
3. The parties anticipate that such ordinance may be introduced for City Council consideration as early as August 5, 2026.
4. Nothing in this MOU obligates the City Council to adopt any ordinance or approve any legislative action.
5. The parties acknowledge that the development sequence described in this Section is intended to establish a general framework for implementation of the project and may be modified by mutual written agreement of the parties.

7. DEVELOPMENT-RELATED FIRST RIGHT OF REFUSAL

A. GRANT OF RIGHT

1. In consideration of the Developer's participation in the replat process, contribution toward project planning and development, and commitment to pursue the proposed development, the City grants the Developer a First Right of Refusal ("FROR") for the City-owned property identified in Exhibit A that is not subject to an existing lease. The FROR shall apply to City-owned

parcels and successor City-owned parcels created through the approved replat that are specifically identified in Exhibit A. The City-owned property subject to the FROR shall consist of all City-owned parcels shown in Exhibit A, Image 3, which the parties anticipate will total approximately 57.80 acres following the replat.

2. The parties acknowledge that the FROR established by this MOU is separate from and independent of the Developer's lease application submitted pursuant to KMC 22.05.035 and shall remain in effect in accordance with Section 7.E. The expiration or termination of the lease application shall not, by itself, terminate the FROR.

B. PURPOSE

1. The purpose of the FROR is to provide development certainty while the Developer advances the phased development contemplated by this MOU.
2. The FROR is intended to encourage timely development and must not be interpreted as creating a right to hold property for speculative purposes.

C. EXERCISE OF FIRST RIGHT OF REFUSAL

1. If the City receives an application, proposal, or inquiry (collectively, "Proposal") from another party to lease City-owned property subject to this FROR, the City will provide written notice to the Developer.
2. If the City receives such a Proposal prior to recording of the final plat, the City will defer consideration until after the recording of the final plat and will coordinate in good faith with the Developer during active platting.
3. If the City receives such a Proposal any time after recording of the final plat, the City shall provide the required notice to Developer but, in its discretion, may defer consideration of the Proposal for a reasonable period.
4. Within sixty (60) days of receipt of such notice, the Developer must notify the City in writing of its intent to exercise the FROR. If the Developer timely exercises the FROR, the Developer shall have an additional ninety (90) days to execute a lease or other agreement approved by the City Council for the applicable property. Failure to provide written notice within the sixty (60) day period or to execute a lease or other agreement within the ninety (90) day period shall constitute a waiver of the FROR with respect to the subject property, and the City may proceed to consider other applications or proposals.
5. The FROR shall be exercised on a parcel-by-parcel basis. Any waiver, expiration, or termination of the FROR shall apply only to the subject property identified in the City's notice and shall not affect the Developer's rights with respect to any other property identified in Exhibit A.

D. PHASED DEVELOPMENT STRUCTURE

1. The parties anticipate that future leases may be structured in phases.
2. The City and Developer may establish separate lease areas corresponding to development phases.

3. The parties further anticipate that the ability to obtain leases for future phases may be conditioned upon substantial completion of improvements required for preceding phases.
4. This subsection describes anticipated lease structuring only and shall not expand, limit, or otherwise modify the scope or exercise of the FROR.

E. DURATION AND TERMINATION

1. The FROR will commence upon execution of this MOU and remain in effect until the earliest of:
 - a. Ten (10) years from the effective date of this MOU; or
 - b. Written relinquishment of the FROR by the Developer; or
 - c. Termination by the City Council if the Developer discontinues the project, abandons development efforts, or is in default of a requirement of any lease, subdivision installation agreement, or other agreement related to the project and fails to cure the default as specified in the applicable agreement, or if no cure period is specified, within sixty (60) days of written notice of the default.
2. Prior to termination under subsection (c), the City will provide written notice to the Developer and a reasonable opportunity to respond.

F. NO OBLIGATION TO LEASE

1. Nothing contained herein obligates the City to enter into a lease or convey property.
2. Any lease remains subject to City Council approval and compliance with applicable law.

G. ASSIGNMENT

The FROR may not be assigned or transferred without prior approval of the City Council. The City's consent will not be unreasonably withheld.

8. MULTIPLE LEASE PHASES

The parties acknowledge that the project may proceed in phases. Subject to City Council approval, the City and Developer may enter into one lease or multiple leases corresponding to development phases.

9. NO BINDING OBLIGATION

- A. Except for the parties' commitment to cooperate in good faith regarding the matters described herein, this MOU does not obligate either party to approve, any lease, sale, conveyance, subdivision, rezoning, or other legislative, discretionary, or quasi-judicial action.
- B. Any lease, purchase option, subdivision agreement, or other binding obligation is subject to separate written agreements and all approvals required by law.

10. TERM

ACKNOWLEDGMENTS

STATE OF ALASKA)
)ss
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ____ day of _____, 2026, 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)

The foregoing instrument was acknowledged before me this ____ day of _____, 2026, by Dennis Downs, President, Tidewater, LLC, an Alaska limited liability company, on behalf of the company.

Notary Public for Alaska
My Commission Expires:_____

ATTEST:

City Clerk

SEAL:

APPROVED AS TO FORM:

Scott M. Bloom, City Attorney

Sponsored by: Administration



**CITY OF KENAI
RESOLUTION NO. 2026-52**

A RESOLUTION AUTHORIZING A CONTRACT AWARD FOR THE KENAI MUNICIPAL AIRPORT CONCESSIONS.

WHEREAS, a Request for Proposals was released on May 27, 2026 with proposals due on June 25, 2026 for the Kenai Municipal Airport Concessions; and,

WHEREAS, one proposal was received;

<u>Proposer</u>	<u>Total Score</u>
Jersey Subs AK, LLC	270; and,

WHEREAS, Jersey Subs AK, LLC was the highest-ranking proposer with a cost proposal of 10% of gross receipts to the airport; and,

WHEREAS, the proposal was determined to be responsive and responsible; and,

WHEREAS, this contractor will operate the restaurant space at the Kenai Municipal Airport terminal building to provide food service to the public; and,

WHEREAS, the contract is for a three-year term and available for two one-year extensions based on mutual agreement; and,

WHEREAS, it is in the best interest of the City to award the contract to Jersey Subs AK, LLC.

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

Section 1. That the City Manager is authorized to execute a restaurant concession agreement with Jersey Subs AK, LLC for the Kenai Municipal Airport for a three-year term, with two one-year extensions that may be authorized by the City Manager without further Council action.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 8TH DAY OF JULY, 2026.

Henry H. Knackstedt, Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



KENAI

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

MEMORANDUM

TO: Mayor Knackstedt and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Lee Frey, Public Works Director

DATE: June 30, 2026

SUBJECT: **Resolution No. 2026-52** - Authorizing a Contract Award for the Kenai Municipal Airport Concessions.

This memo requests Council’s approval to award a contract for the Kenai Municipal Airport Concession agreement. Proposals were requested for this contract and one proposal was received. Proposal as follows:

<u>Proposers</u>	<u>Total Score</u>
Jersey Subs AK, LLC	270

Jersey Subs AK, LLC was the highest scoring proposal with a cost proposal of 10% of gross receipts.

This agreement is for operation of the restaurant space within the Kenai Municipal Airport terminal. The space provides food and beverage services for terminal users and the public.

Award of this agreement is in the best interest of the City. Council’s approval is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2026-53**

A RESOLUTION AUTHORIZING A CONTRACT AWARD FOR THE PARK PAVILION CONSTRUCTION PROJECT AND REDIRECTING CAPITAL FUNDS IN THE PARKS IMPROVEMENT CAPITAL PROJECT FUND FOR THE PROJECT.

WHEREAS, the Parks and Recreation Department previously budgeted \$50,000 for the Beaver Creek Pavilion Project and \$75,000 for the Municipal Park Shelter Replacement Project with \$120,000 remaining available after design costs; and,

WHEREAS, an Invitation to Bid was released on May 21, 2026 with bids due on June 25, 2026 for the Park Pavilion Construction project; and,

WHEREAS, five bids were received

<u>Contractor</u>	<u>Cost</u>
Crave Alaska Cabin Company LLC	\$157,500
Nodak Electric & Construction Inc.	\$187,517
Build Alaska General Contracting, LLC	\$313,440
Pinnacle Construction, Inc.	\$360,000
Chumley's Inc.	\$390,000; and,

WHEREAS, Crave Alaska Cabin Company LLC was the lowest bidder with a cost of \$157,500 for the Park Pavilion Construction; and,

WHEREAS, the bids were determined to be responsive and responsible; and,

WHEREAS, additional funding is need to complete this project; and,

WHEREAS, \$50,000 in previously appropriated capital funds for Park Area Hazardous Tree Removal is no longer needed; and,

WHEREAS, it is in the best interest of the City to redirect the Park Area Hazardous Tree Removal capital funds in the amounts of \$15,000 to the Municipal Park Shelter Replacement project and \$35,000 to the Beaver Creek Pavilion project; and

WHEREAS, it is in the best interest of the City to award the contract for Park Pavilion Construction to Crave Alaska Cabin Company LLC.

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

Section 1. That the following capital project budget revision is authorized:

Parks Improvement Capital Project Fund:

Decrease Expenditures -

Park Area Hazardous Tree Removal - Construction

\$50,000

Increase Expenditures:

Municipal Park Shelter #3 Replacement - Construction	<u>\$15,000</u>
Beaver Creek Pavilion - Construction	<u>\$35,000</u>

Section 2. That the City Manager is authorized to execute a contract with Crave Alaska Cabin Company LLC in the amount of \$157,500 for the Park Pavilion Construction project.

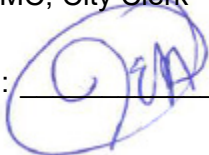
Section 3. That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 8TH DAY OF JULY, 2026.

Henry H. Knackstedt, Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:  _____



MEMORANDUM

TO: Mayor Knackstedt and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Lee Frey, Public Works Director

DATE: June 30, 2026

SUBJECT: **Resolution 2026-53** - Authorizing a Contract Award for the Park Pavilion Construction Project and Redirecting Capital Funds in the Parks Improvement Capital Project Fund for the Project.

The Parks and Recreation Department has previously budgeted \$50,000 for construction of the Beaver Creek Pavilion and \$75,000 for construction of the Municipal Park Shelter Replacement of which \$70,000 is remaining. Through bidding construction of the pavilions, the lowest bid for the project is \$157,500 and additional funding is needed to construct the two pavilions.

The Invitation to Bid for construction of the pavilions was released on May 21, 2026 and five bids were received by the due date on June 25, 2026. Bids received are as follows:

<u>Contractor</u>	<u>Cost</u>
Crave Alaska Cabin Company LLC	\$157,500
Nodak Electric & Construction Inc.	\$187,517
Build Alaska General Contracting, LLC	\$313,440
Pinnacle Construction, Inc.	\$360,000
Chumley's Inc.	\$390,000

Crave Alaska Cabin Company LLC was the lowest bid for the contract with a cost of \$157,500.

In FY24, \$50,000 of capital funds were appropriated for Park Area Hazardous Tree Removal. Through the Community Wildfire Protection grant, a significant number of hazardous trees have been removed from City lands, and these funds are no longer needed for a specific project. It is recommended to redirect \$15,000 of these funds to the Municipal Park Shelter Replacement and \$35,000 of these funds to the Beaver Creek Pavilion to have \$170,000 available for the project for contract award, potential change orders and project management costs.

It is in the best interest of the City to redirect the capital funding needed for this project and award the contract for Park Pavilion Construction to Crave Alaska Cabin Company LLC.

**KENAI CITY COUNCIL – REGULAR MEETING
JUNE 17, 2026 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
MAYOR HENRY H. KNACKSTEDT, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on June 17, 2026, in City Hall Council Chambers, Kenai, AK. Mayor Knackstedt called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Mayor Knackstedt led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Henry Knackstedt, Mayor
Sovala Kisena
Deborah Sounart

Victoria Askin, Vice Mayor
Phil Daniel
Glense Pettey (*remote participation*)

A quorum was present.

Absent:

Bridget Grieme

Also in attendance were:

**Josh Bolling, Student Representative
Terry Eubank, City Manager
Scott Bloom, City Attorney
David Swarner, Finance Director
Kevin Buettner, Planning Director (*remote participation*)
Tyler Best, Parks and Recreation Director
Lee Frey, Public Works Director
Kathy Romain, Senior Services Director
Mary Bondurant, Interim Airport Manager
Julie Semmens, Airport Administrative Assistant
Dave Ross, Police Chief
Ryan Coleman, Police Sergeant
Shellie Saner, City Clerk

3. Agenda and Consent Agenda Approval

Mayor Knackstedt noted the following additions to the Packet:

- Add to item E. 7. **Public Hearing - Resolution No. 2026-50**
- Informational Materials

MOTION:

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

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

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

1. Alaska Wastewater Monitoring for Infectious Disease Program, Clayton Weingartner, MPA HAI/AR Program Manager for the Alaska Department of Health, Division of Public Health / Section of Epidemiology.

Clayton Weingartner addressed the Council regarding the wastewater monitoring program, noting its use for tracking community level disease trends; methods and locations used for collecting samples; wastewater monitoring data reporting and trend analysis capabilities; and identified the role of the utility operators in supporting the program.

2. 2026 March for Meals Event, Jerry Nassen, Vice President for Kenai Senior Connection, Inc.

Jerry Nassen, President for Kenai Senior Connection, Inc., presented a \$120,000 check to the Kenai Senior Center, noting that \$75,000 was from the March for Meals fundraiser with the remaining funds coming from Senior Connection, Inc.; he reported that roughly 31,000 meals were served to seniors in the community and that was a 21% increase from the previous year.

D. UNSCHEDULED PUBLIC COMMENTS - None.

E. PUBLIC HEARINGS

1. **Ordinance No. 3528-2026** - Accepting and Appropriating \$42,867.04 in asset Forfeiture Sharing Funds for the Purchase of Law Enforcement Equipment into the General Fund, Police Department. (Administration)

MOTION:

Vice Mayor Askin **MOVED** to enact Ordinance No. 3528-2026. Council Member Sounart **SECONDED** the motion.

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

A summary overview of the memorandum as attached to Ordinance No. 3528-2026 was provided.

VOTE:

YEA: Daniel, Askin, Pettey, Kisen, Sounart, Knackstedt

NAY: None

ABSENT: Grieme

**Student Representative Bolling: Yea

MOTION PASSED.

2. **Ordinance No. 3529-2026** - Increasing Estimated Revenues and Appropriations in the General Fund - City Manager for Leave Cash-Out, Finance Information Technology

Salaries and Benefits, and Public Works Administration Salaries and Benefits in Excess of Budgeted Amounts. (Administration)

MOTION:

Vice Mayor Askin **MOVED** to enact Ordinance No. 3529-2026. Council Member Sounart **SECONDED** the motion.

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

VOTE:

YEA: Askin, Pettey, Kisen, Sounart, Knackstedt, Daniel

NAY: None

ABSENT: Grieme

**Student Representative Bolling: Yea

MOTION PASSED.

3. **Ordinance No. 3530-2026** - Accepting and Appropriating a Grant Awarded to the Kenai Senior Center from the Kenai Peninsula Foundation, Inc. and the Alaska Community Foundation, Inc., Through the Elmer and Ruth Schwantes Fund for the Purchase of Meals on Wheels Delivery Bags. (Administration)

MOTION:

Vice Mayor Askin **MOVED** to enact Ordinance No. 3530-2026. Council Member Sounart **SECONDED** the motion.

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

Appreciation was stated for staff obtaining grant funds.

VOTE:

YEA: Pettey, Kisen, Sounart, Knackstedt, Daniel, Askin

NAY: None

ABSENT: Grieme

**Student Representative Bolling: Yea

MOTION PASSED.

4. **Resolution No. 2026-47** - Authorizing Binding of the City's Property, Liability, Workers' Compensation, Airport and Other Ancillary Insurance Policies with the Alaska Public Risk Alliance for July 1, 2026 Through June 30, 2027. (Administration)

MOTION:

Vice Mayor Askin **MOVED** to adopt Resolution No. 2026-47. Council Member Sounart **SECONDED** the motion.

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

A summary overview of the memorandum as attached to Resolution No. 2026-47 was provided; it was reported that the City had received a refund for Fiscal Year 2026 of \$47,000 for loss incentives such as safety meetings and employee training.

Appreciation was stated for the loss incentive activities.

UNANIMOUS CONSENT was requested.

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

5. **Resolution No. 2026-48** - Authorizing an Agreement with the Boys and Girls Club of the Kenai Peninsula for the Operation of the Teen Center Located in the Kenai Recreation Center. (Administration)

MOTION:

Vice Mayor Askin **MOVED** to adopt Resolution No. 2026-48. Council Member Sounart **SECONDED** the motion.

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

UNANIMOUS CONSENT was requested.

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

6. **Resolution No. 2026-49** - Amending the City of Kenai Land Management Plan to Change the Land Management Designation of Tract E, Boat Ramp Subdivision From "Retain" to "Mixed – Retain/Dispose. (Administration)

MOTION:

Vice Mayor Askin **MOVED** to adopt Resolution No. 2026-49. Council Member Sounart **SECONDED** the motion.

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

A summary overview of the memorandum as attached to Resolution No. 2026-49 was provided; there was discussion regarding the parties who had previously noted interest in the land; the portions of the land that would be retained for City purposes; and the portion of land nearby that is used for dewatering the silt when dredging the boat launch annually.

UNANIMOUS CONSENT was requested.

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

7. **Resolution No. 2026-50** - Authorizing a Contract Award and Corresponding Purchase Order to Vector Airports Systems for Aircraft Operating Fee Billing and Collection Services. (Administration)

MOTION:

Vice Mayor Askin **MOVED** to adopt Resolution No. 2026-50. Council Member Sounart **SECONDED** the motion.

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

A summary overview of the memorandum as attached to Resolution No. 2026-50 was provided; it was reported this was an automated service; this would capture 75% of the landing fees not currently being collected; this ensures all user are paying; and there were no new fees added.

UNANIMOUS CONSENT was requested.

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

F. MINUTES

1. *Regular Meeting of June 3, 2026. (City Clerk)

Approved by the consent agenda.

G. UNFINISHED BUSINESS - None.

H. NEW BUSINESS

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

Approved by the consent agenda.

2. ***Action/Approval** - Special Use Permit to Empire Airlines, Inc. for Use of Apron Space at Kenai Municipal Airport for Aircraft Parking. (Administration)

Approved by the consent agenda.

3. ***Action/Approval** - Special Use Permit to Everts Air Fuel, Inc. for Use of Apron Space at Kenai Municipal Airport for Aircraft Parking and Loading. (Administration)

Approved by the consent agenda.

4. ***Action/Approval** - Special Use Permit to State of Alaska, Department of Natural Resources, Division of Forestry and Fire Protection for Use of Apron Space at Kenai Municipal Airport for Aircraft Parking and Loading. (Administration)

Approved by the consent agenda.

5. ***Action/Approval** - Special Use Permit to United Parcel Service Co., Inc. for Apron Space at Kenai Municipal Airport for Aircraft Parking and Loading. (Administration)

Approved by the consent agenda.

6. ***Action/Approval** - Second Amendment to the Agreement with Tyler Distributing Company, Inc. for ATM Services at the Kenai Municipal Airport Terminal. (Administration)

Approved by the consent agenda.

7. ***Action/Approval** - Memorandum of Agreement with the Alaska Department of Health for Participation in the Wastewater Monitoring Program. (Administration)

Approved by the consent agenda.

8. ***Ordinance No. 3531-2026** - Increasing Estimated Revenues and Appropriations in the Kenai Recreation Center Improvements Capital Project Fund and Accepting a Grant from the Energy Efficiency and Conservation Block Grant Program to Replace Lighting in the Kenai Recreation Center. (Administrations)

Introduced by the consent agenda and Public Hearing set for July 8, 2026.

9. ***Ordinance No. 3532-2026** - Determining that the Proposed Subdivision of Dena'ina Point Estates Serves Other City Purposes, Authorizing the City to Share in Subdivision Costs, and Increasing Estimated Revenues and Appropriations in the General Fund - Lands Administration in the Amount of \$54,219. (Administrations)

Introduced by the consent agenda and Public Hearing set for July 8, 2026.

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging Commission

No report, next meeting July 9, 2026.

2. Airport Commission

Council Member Sounart reported on the June 11, 2026 meeting, next meeting July 9, 2026.

3. Parks and Recreation Commission

No report, next meeting August 6, 2026.

4. Planning and Zoning Commission

Council Member Daniel reported on the June 10, 2026 meeting, next meeting June 24, 2026.

5. Beautification Commission

No report, next meeting September 8, 2026.

J. REPORT OF THE MAYOR

Mayor Knackstedt reported on the following:

- Thanked Senior Connection, Inc. for their work and donation.
- The Senior Center was accepting rhubarb donations.
- Thanked staff for having Flags on every pole for Flag Day.
- Noted the Field of Flowers progress this year.
- Reminded everyone about the Kenai vs. Soldotna Food Drive Competition.

K. ADMINISTRATION REPORTS

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

- Provided a staffing update, welcomed new employees; reported ongoing interviews for the Airport Manager, and the resignation of Jennifer Anderson, City Controller.
- Activities in Juneau regarding the Alaska LNG, noting the House passed their Bill and the Senate was in Special Session working on how to deal with Taxes for the proposed project.
- Meeting with Kenai Peninsula Economic Development District regarding their pipeline-to-pipeline initiative.
- Working with the Planning Department to update the Land Management Plan.
- Personal Use Fishery is only weeks away and City preparations were underway.
- Industry Appreciation Day is scheduled for Saturday, August 22, 2026.

2. City Attorney - No report.

3. City Clerk - City Clerk Saner reported on the following:

- Annual Marijuana License Review.

L. ADDITIONAL PUBLIC COMMENTS

1. Citizen Comments (*Public comments limited to (5) minutes per speaker*) - None.

2. Council Comments

Council Member Kisena noted his appreciation for the Kite Festival.

Council Member Sounart thanked Senior Connection, Inc.; stated her appreciation for the Flags on Flag Day; and noted she was excited to see the Field of Flowers.

Council Member Daniel noted the enjoyable weather.

Vice Mayor Askin thanked Senior Connection, Inc.; and stated her appreciation for the Flags on Flag Day.

M. EXECUTIVE SESSION - None.

N. PENDING ITEMS

O. ADJOURNMENT

P. INFORMATIONAL ITEMS - None.

There being no further business before the Council, the meeting was adjourned at 7:20 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of June 17, 2026.

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.*

DRAFT

PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: JULY 8, 2026

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	114,303.43
ENSTAR	GAS USAGE	VARIOUS	UTILITIES	26,973.21
PREMERA	JUNE PREMIUM	VARIOUS	INSURANCE	225,184.72

PURCHASE ORDERS OVER \$35,000.00 WHICH NEED COUNCIL APPROVAL

COUNCIL MEETING OF: JULY 8, 2026

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
---------------	--------------------	--------------	----------------	---------------

INCREASE OF EXISTING PURCHASE ORDER

VENDOR	DESCRIPTION	P.O. # - DEPT.	REASON	AMOUNT	TOTAL PO AMT
HDR ENGINEERING	KENAI BLUFF STABILZATION	123004 - BLUFF EROSION	WATER MAIN WORK	5,000.00	1,037,728.61



MEMORANDUM

TO: Mayor Knackstedt and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Lee Frey, Public Works Director
DATE: June 30, 2026
SUBJECT: **Bluff Erosion Mitigation Design – PO Increase**

The Public Works Department previously recommended an increase of \$100,000 to the Bluff Erosion Project with HDR, Inc. to perform expedited design services to mitigate stormwater erosion and associated issues as part of the bluff project. After completing a site visit, we discussed the best way to proceed to mitigate current issues but also accomplish necessary work prior to next winter.

We have authorized a survey under this contract and are currently proceeding with designs to abandon a portion of the water main and reroute a water service off this portion of the main, address the ongoing erosion on Mission Avenue, install stormwater infiltration and diversion structures to minimize future erosion in this location. Current fee estimates to complete this total scope of work is \$105,000.

The Public Works Department recommends an additional increase of \$5,000 with HDR Inc. to complete this design work to allow the City to construct improvements prior to the next winter.

Thank you for your consideration and I am available for any questions.



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Kevin Buettner, Planning Director

DATE: April 24, 2026

SUBJECT: **Action/Approval** - Special Use Permit for Kenai Chamber of Commerce and Visitor Center for the Moosemeat John Cabin.

The Kenai Chamber of Commerce and Visitor Center (KCCVC) has requested a Special Use Permit to use and operate the Moosemeat John Cabin located on approximately 10,000 square feet (100 feet x 100 feet) of Lot 1, Gusty Subdivision No. 8, where the KCCVC is located. Since 2013, the KCCVC has allowed the use of the Moosemeat John Cabin during the summer months by the Kenai Historical Society in conjunction with its operations in Old Town Kenai. The Kenai Chamber of Commerce operated on the premises from 1977 until 2012. In 2012, the Kenai Chamber of Commerce merged with the Kenai Convention and Visitor's Bureau to form the new entity, "Kenai Chamber of Commerce and Visitor Center".

A Special Use Permit (SUP) was granted for the use of the Moosemeat John Cabin for 12 months from July 31, 2025 to July 30, 2026. The KCCVC would like an SUP for the same use of the Moosemeat John Cabin from July 31, 2026 to July 30, 2027. The KCCVC complied with the terms of the SUP for the Moosemeat John Cabin for previous years of issuance.

If the City Council approves the Special Use Permit, the City Manager will be authorized to execute the Special Use Permit Agreement for the continued use of the cabin for 12 months to Kenai Chamber of Commerce and Visitor Center.

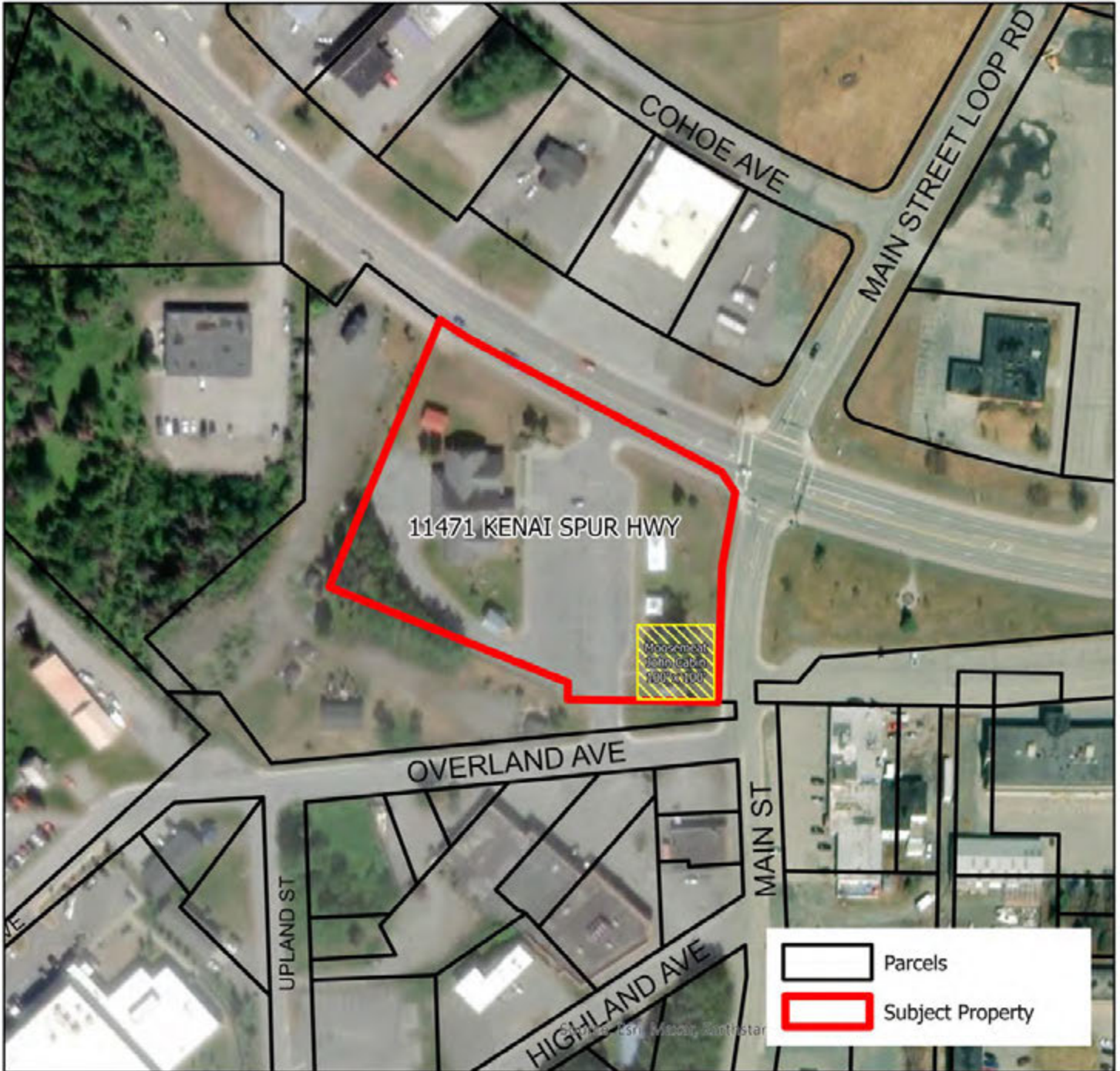
Thank you for your consideration.

Attachments

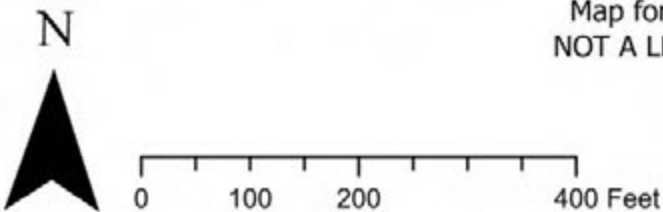
1. Aerial Map
2. Special Use Permit for Moosemeat John Cabin



Special Use Permit - KCCVC
Moosemeat John Cabin
Portion of Lot 1, Gusty Subd. No. 8
11471 Kenai Spur Hwy
KPB Parcel ID: 04716005



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 the **Kenai Chamber of Commerce and Visitor Center (PERMITTEE)**, the right to use the Premises, identified on the attached Exhibit A to this Permit, and described as:

The southeast 100-foot x 100-foot portion of Lot 1, Gusty Subdivision, Addition No. 8, Kenai Recording District, according to Plat No. 91-9, to use and operate the "Moosemeat John" Cabin.

1. **Use/Term.** Permittee shall have use of the Premises from July 31, 2026 to July 30, 2027.
2. **Fee.** The Permittee shall not be charged a fee for the use or privilege specified herein.
3. **No Exclusivity.** The use by the Permittee of the Premises is limited to the purposes specified herein and is not intended to grant any exclusive use to the described Premises except as otherwise provided herein. This use is also 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.
4. **Improvements.** Permittee shall not make any permanent improvements to the Premises.
5. **Preparation of Premises.** It is Permittee's responsibility to prepare the Premises and to assure itself to its own satisfaction that the Premises are safe for its purposes. The City does not make any warranty or guaranty of the suitability of the Premises for Permittee's intended purposes.
6. **Trash and Debris.** The Premises must be returned to its original condition at the end of each use. Clean up and/or repair charges beyond normal wear and tear will be billed to Permittee based upon cost of repair. Debris and trash shall be collected and removed from the Premises by Permittee. Permittee shall alert City (Parks and Recreation Department) of unsightly, unsanitary, dirty or other conditions on the Premises which exist prior to Permittee's use.
7. **No Alcohol or Illegal Substances.** No possession or consumption of alcoholic beverages, marijuana or illegal substances is permitted on the Premises.
8. **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.
9. **Personalty.** Any or all personal property placed or used upon lands or in facilities may be removed and/or impounded by the City, and when so removed and/or impounded, such property may be redeemed by the owner thereof only upon the payment to the City of the costs of removal plus storage charges of \$25 per day. The City of Kenai is not responsible for any damage to or theft of any personalty of Permittee or its invitees to the Premises.

10. **Assumption of Risk.** Permittee assumes full control and sole responsibility as between Permittee and City for the activities of Permittee, its personnel, employees, and persons acting on behalf of or under the authority of the Permittee anywhere on the Premises. Permittee shall provide all proper safeguards and shall assume all risks incurred in its activities on the Premises and its exercise of the privileges granted in this Permit.
11. **No Waiver.** Failure to insist upon a strict compliance with the terms, conditions, and requirements herein contained, or referred to, shall not constitute or be construed as a waiver or relinquishment of the right to exercise such terms, conditions, or requirements.
12. **Insurance.** Permittee shall secure and keep in force adequate insurance, as stated below, to protect City and Permittee. Where specific limits are stated, the limits are the minimum acceptable limits. If Permittee's insurance policy contains higher limits, City is entitled to coverage to the extent of the higher limits.
 - A. Commercial General Liability Insurance, including Premises, all operations, property damage, personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit. The policy must 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. 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 thirty (30) days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.
 - v. Evidence of insurance coverage must be submitted to City prior to any use.

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

13. **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.

14. **Contact Information.** The Contact information for the Permittee, and the person in responsible charge for Permittee during the term of the Permit, for purposes of notice and all communications from City to Permittee is:

_____ (Name)

_____ (Title)

Kenai Chamber of Commerce & Visitor Center
11471 Kenai Spur Hwy.
Kenai, AK 99611

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

16. **Authority.** By signing this Permit, Permittee represents that it has read this agreement and it agrees to be bound by the terms and conditions herein and that the person signing this Permit is duly authorized by the organization to bind the organization hereunder.

ATTEST:

Michelle M. Saner, MMC, City Clerk

SEAL:

APPROVED AS TO FORM:

Scott M. Bloom, City Attorney



MEMORANDUM

TO: Mayor Knackstedt and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Dave Swarner, Finance Director

DATE: June 17, 2026

SUBJECT: **Action/Approval** - Approving Officials Bond Amounts for City Manager, City Clerk and Finance Director.

The purpose of this memo is to request approval for the bonding amounts of the City Manager, City Clerk and Finance Director. Kenai Municipal Charter Section 4-3 Official Bonds requires the City Administrator, the Finance Director, the City Treasurer, and other officers and employees as the Council may designate to be bonded for the faithful performance of their respective duties in such amounts as the Council may prescribe and the City shall pay the premiums.

The City's general liability insurance policy provides \$1,000,000 for employee dishonesty coverage for all City employees provided by Alaska Public Risk Alliance) APRA. In addition to this coverage, Council set the bonding amount for these positions at \$100,000 for FY2027. \$100,000 is the minimum bonding amount available to the City. The purchase of bonds in the amount of \$100,000 will provide \$1,100,000 of coverage for each position at a total cost of \$359.

I respectfully request a motion approving \$100,000 as the prescribed bonding amount for the City Manager, City Clerk and Finance Director positions for FY2027.

MEMORANDUM

TO: Mayor Knackstedt and City Council Members
THROUGH: Shellie Saner, City Clerk
FROM: Logan Parks, Deputy City Clerk
DATE: June 20, 2026
SUBJECT: **Action/Approval** - Non-Objection to the Issuance of a Retail Marijuana Store License for Fat Tops, LLC DBA Fat Tops, LLC - License No. 42816.

An application was submitted to the Alcohol and Marijuana Control Office (AMCO) for a new Retail Marijuana Store License by the following establishment:

Applicant: Fat Tops, LLC.
D/B/A: Fat Tops, LLC
Physical Address: 6384 Kenai Spur Hwy.
Kenai, AK 99611
License Type: Retail Marijuana Store
License No.: 42816

On April 29, 2026, the City of Kenai Planning and Zoning Commission conducted a duly noticed public hearing on the above referenced application. Public notice was provided in accordance with the requirements of Kenai Municipal Code. Following its review of the application and consideration of the applicable approval criteria, the Planning and Zoning Commission, by Resolution No. PZ2026-06, approved a Conditional Use Permit authorizing the operation of a Retail Marijuana Store at the proposed location.

The administrative review of application has been completed in accordance with KMC 2.10.010 and it has been determined that the applicant has met all obligations to the City, as established within City code. With the approval of Council, a letter of non-objection to the issuance of a new Retail Marijuana Store License will be forwarded to AMCO and the applicant.

Your consideration is appreciated.



THE STATE of ALASKA GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

June 15, 2026

ATTN: City of Kenai & Kenai Peninsula Borough

VIA Email: micheleturner@kpb.us; sessert@kpb.us; mjenkins@kpb.us; nscarlett@kpb.us; rraidmae@kpb.us; slopez@kpb.us; bcarter@kpb.us; hmills@kpb.us; jwest@kpb.us; cityclerk@kenai.city

Table with 2 columns: Field Name and Value. Fields include License Number (#42816), License Type (Retail Marijuana Store), Licensee (Fat Tops, LLC), Doing Business As (Fat Tops, LLC), Physical Address (6384 Kenai Spur Hwy, Kenai, AK 99611, UNITED STATES), Designated Licensee, Phone Number, and Email Address.

[X] New Application [] New Onsite Consumption Endorsement Application (Retail Only)

AMCO has received a complete application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.025(d)(2). Application documents will be sent to you separately via ZendTo.

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant. If the protest is a "conditional protest" as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license, but require the applicant to show to the board's satisfaction that the requirements of the local government have been met before the director issues the license.

3 AAC 306.010, 3 AAC 306.080, and 3 AAC 306.250 provide that the board will deny an application for a new license if the board finds that the license is prohibited under AS 17.38 as a result of an ordinance or election conducted under AS 17.38 and 3 AAC 306.200, or when a local government protests an application on the grounds that the proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the marijuana establishment, unless the local government has approved a variance from the local ordinance.

This application will be in front of the Marijuana Control Board at our June 24th & 25th, 2026, meeting.

Sincerely,

[Handwritten signature]

Alcohol & Marijuana Control Office

License Number: 42816

License Status: New

License Type: Retail Marijuana Store

Doing Business As: FAT TOPS, LLC.

Business License Number: 1042820

Designated Licensee: David Parker

Email Address: [REDACTED]

Local Government: Kenai (City of)

Local Government 2:

Community Council:

Latitude, Longitude: 60.565433, -151.125408

Physical Address: 6384 Kenai Spur Hwy
Kenai, AK 99611
UNITED STATES

Licensee #1	Entity Official #1
<p>Type: Entity</p> <p>Alaska Entity Number: 10041733</p> <p>Alaska Entity Name: FAT TOPS, LLC.</p> <p>Phone Number: [REDACTED]</p> <p>Email Address: [REDACTED]</p> <p>Mailing Address: 35975 Kenai Spur Highway Soldotna, AK 99669 UNITED STATES</p>	<p>Type: Individual</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>Date of Birth: [REDACTED]</p> <p>Phone Number: [REDACTED]</p> <p>Email Address: [REDACTED]</p> <p>Mailing Address: 35975 Kenai Spur Highway Soldotna, AK 99669 UNITED STATES</p>

Note: No affiliates entered for this license.



Alaska Marijuana Control Board

Form MJ-00: Application Certifications

Why is this form needed?

This application certifications form is required for all marijuana establishment license applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306.

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

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Fat Tops, LLC	License Number:	42816		
License Type:	Retail Marijuana Store				
Doing Business As:	Fat Tops, LLC				
Premises Address:	6384 Kenai Spur Hwy.				
City:	Kenai	State:	AK	ZIP:	99611

Section 2 – Individual Information

Enter information for the individual licensee.

Name:	David Parker
Title:	member/manager/licensee

Section 3 – Other Licenses

Ownership and financial interest in other licenses:

Yes No

Do you currently have or plan to have an ownership interest in, or a direct or indirect financial interest in another marijuana establishment license?

If "Yes", which license numbers (for existing licenses) and license types do you own or plan to own?

Retail License Numbers: 11140, 23810, 36739
 Standard Cultivation Facility License # 11138



Alaska Marijuana Control Board
Form MJ-00: Application Certifications

Section 4 – Certifications

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

Initials

I certify that I have not been convicted of a felony in any state or the United States, including a suspended imposition of sentence, for which less than five years have elapsed from the time of the conviction to the date of this application.

DP
DP

I certify that I am not currently on felony probation or felony parole.

DP
DP

I certify that I have not been found guilty of selling alcohol without a license in violation of AS 04.11.010.

DP
DP

I certify that I have not been found guilty of selling alcohol to an individual under 21 years of age in violation of 04.16.051 or AS 04.16.052.

DP
DP

I certify that I have not been convicted of a misdemeanor crime involving a controlled substance, violence against a person, use of a weapon, or dishonesty within the five years preceding this application.

DP
DP

I certify that I have not been convicted of a class A misdemeanor relating to selling, furnishing, or distributing marijuana or operating an establishment where marijuana is consumed within the two years preceding this application.

DP
DP

I certify that my proposed premises is not within 500 feet of a school ground, recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility, as set forth in 3 AAC 306.010(a).

DP
DP

I certify that my proposed premises is not located in a liquor licensed premises.

DP
DP

I certify that I meet the residency requirement under AS 43.23 for a permanent fund dividend in the calendar year in which I am initiating this application.

DP
DP

I certify that all proposed licensees (as defined in 3 AAC 306.020(b)(2)) have been listed on my online marijuana establishment license application. Additionally, if applicable, all proposed licensees have been listed on my application with the Division of Corporations.

DP
DP

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by AMCO is grounds for denial of my application.

DP
DP



Alaska Marijuana Control Board
Form MJ-00: Application Certifications

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

Initials

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

DP
DP

I certify and understand that I must operate in compliance with each applicable public health, fire, safety, and tax code and ordinance of this state and the local government in which my premises is located.

DP
DP

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

Initials

Only initial next to the following statement if this form is accompanying an application for a marijuana testing facility license:

I certify that I do not have an ownership in, or a direct or indirect financial interest in a retail marijuana store, a marijuana cultivation facility, or a marijuana products manufacturing facility.

Only initial next to the following statement if this form is accompanying an application for a retail marijuana store, a marijuana cultivation facility, or a marijuana products manufacturing facility license:

I certify that I do not have an ownership in, or a direct or indirect financial interest in a marijuana testing facility license.

DP
DP

All marijuana establishment license applicants:

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.

DP
DP

David Parker

 Printed name of licensee

David Parker

 Signature of licensee



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Why is this form needed?

An operating plan is required for all marijuana establishment license applications. Applicants should review **Title 17.38 of Alaska Statutes** and **Chapter 306 of the Alaska Administrative Code**. This form will be used to document how an applicant intends to meet the requirements of those statutes and regulations. If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020(c).

What must be covered in an operating plan?

Applicants must identify how the proposed premises will comply with applicable statutes and regulations regarding the following:

- Control plan for persons under the age of 21
- Security
- Business records
- Inventory tracking of all marijuana and marijuana product on the premises
- Employee qualification and training
- Health and safety standards
- Transportation and delivery of marijuana and marijuana products
- Signage and advertising

Applicants must also complete the corresponding operating plan supplemental forms (**Form MJ-03, Form MJ-04, Form MJ-05, or Form MJ-06**) to meet the additional operating plan requirements for each license type.

Section 1 – Establishment & Contact Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Fat Tops, LLC	MJ License #:	42816
License Type:	Retail Marijuana Store		
Doing Business As:	Fat Tops, LLC		
Premises Address:	6384 Kenai Spur Hwy.		
City:	Kenai	State:	Alaska
		ZIP:	99611
Mailing Address:	PO Box 1462		
City:	Sterling	State:	Alaska
		ZIP:	99672
Designated Licensee:	David Parker		
Main Phone:	[REDACTED]	Cell Phone:	[REDACTED]
Email:	[REDACTED]		



Form MJ-01: Marijuana Establishment Operating Plan

Section 2 – Control Plan for Persons Under the Age of 21

2.1. Describe how the marijuana establishment will prevent persons under the age of 21 from gaining access to any portion of the licensed premises and marijuana items:

This is a marijuana retail store. As such, no one under 21 years of age will be allowed to enter or remain in our store; no persons of any age shall be permitted to loiter upon the premises; any loiterers will be asked to leave upon detection. Our perimeter, parking lot, and premises will be under constant video surveillance. Traffic into our store will be controlled by enabling walk-in access through only the main door and keeping other possible routes of ingress/egress closed and locked. The main entry door will be monitored at all times. All guests and visitors to our facility will have their ID checked immediately upon entry to verify that they are over 21 years of age. Employees will ensure that the ID presented is a valid ID, bearing close resemblance to the person presenting it. Employees will also check to make sure the ID presented is unexpired and unaltered- showing no signs of having been tampered with- and that it was issued by an AMCO approved agency. Marijuana and MJ product will be stored in the restricted access area where customers do not have access to it. When the store is closed the marijuana and product will be stored in an even more secure location which, when coupled with our security plan, has been designed deter and prevent diversion to or by persons of any age.

Section 3 – Security

Restricted Access Areas (3 AAC 306.710):

3.1. Describe how you will prevent unescorted members of the public from entering restricted access areas:

Traffic into our store will be controlled by enabling walk-in access to occur only through the main door and keeping other possible routes of ingress/egress closed, locked, and monitored. The main entry door will be monitored at all times. All entrances to restricted access areas will be clearly marked and labeled- featuring signage posted in accordance with AMCO policy. Within the facility, the customers side of the retail sales area or "unrestricted" areas of the licensed premises will be separated from the restricted access side by way of physical barrier. Other restricted access areas will be locked. No person who is not an employee shall be permitted to enter or remain in any restricted access area without satisfying the requirements of our sign in process, donning a visitor badge, and being escorted by an employee. The escorting employee is responsible for ensuring the visitor is directly and continuously accompanied and supervised for the entirety of their time in a restricted access area. Visitors must wear the visitor badge in an openly visible location for the entire duration of their visit. No employee shall be engaged in supervision of visitors and guests simultaneously. The ratio of budtenders to customers shall remain greater than or equal to 1:5. The ratio of employees to guests in a restricted access area will stay greater than or equal to 1:3

3.2. Describe your recordkeeping and processes for admitting visitors into and escorting them through restricted access areas:

A logbook to record the persons full name, date of visit, time of entry and departure and nature/purpose of visit will be maintained. Visitor's I.D. numbered badges will also be required to be worn at all times while upon the premises. Badges will be returned and accounted for at the end of each visit as well. METRC will be checked for incoming transfers regularly so that arrivals may be anticipated. The licensee requests all visitors to call ahead and establish an appointment at the facility before they arrive. Upon arrival, an employee escort will greet visitors, request identification from the visitor, complete the visitor's log, and issue a visitor's badge. This process will be completed in a non-restricted access area. No visitors will be allowed to enter or remain in a restricted access area until and unless they have been properly signed in and are wearing the visitors badge. Valid forms of identification include an unexpired, unaltered passport; a driver's license or permit; an identification card of any U.S. state or province or territory of Canada or any other form of identification deemed lawful and acceptable by AMCO. Anyone without identification and/or under the age of 21 may not enter the retail facility. Information on the visitor's log includes- at minimum- the date, visitor tag number, time in, time out, purpose of visit, visitor's name, email address or phone number, and the employee escort's name. The visitor shall wear the badge while on premises and at all times while in a restricted access area. The employee escort is required to remain with the visitor at all times during which they are in a restricted access area and is also responsible for noting the time the visitor leaves and retrieving the visitor's badge. The Visitor Policy shall apply to all facility visitors including, but not limited to: contractors, delivery drivers, transfer agents, friends, old coworkers, and family members not under the employ of this business. No more than five visitors per escort at any time for any reason. All restricted access areas will be clearly marked with compliant signage and access points will remain locked and closed until a need for them to be opened is determined.



Form MJ-01: Marijuana Establishment Operating Plan

3.3. Provide samples of licensee-produced identification badges that will be displayed by each licensee, employee, or agent while on the premises, and of visitor identification badges that will be worn by all visitors while in restricted access areas:



David Parker
Licensee
MHP# _____
Expires _____



VISITOR
#1

Security Alarm Systems and Lock Standards (3 AAC 306.715):

3.4. Exterior lighting is required to facilitate surveillance. Describe how the exterior lighting will meet this requirement:

Commercial type exterior high lumen output lighting will be provided at all facility exits and entrances and each side of the building. Some of the lighting will be motion sensitive if desired or on at all times. Security cameras will be I.R. capable, and the field of view will cover the approach up to each exterior door. Security cameras will record 24 hours per day, seven days per week, 365 days per year for a minimum of 40 days as per AMCO regulation.



Form MJ-01: Marijuana Establishment Operating Plan

3.5. An alarm system is required for all license types that must be activated on all exterior doors and windows when the licensed premises is closed for business. Describe the security alarm system for the proposed premises, explain how it will meet all regulatory requirements, and outline your policies and procedures regarding the actions to be taken by a licensee, employee, or agent when the alarm system alerts of an unauthorized breach:

The alarm system that will be in use at the proposed facility will be provided and monitored by, Alarm.com or similar company. The system will be comprised of a main control panels with panic functions for fire, emergency and medical. Hold up alarms (silent alarms), multiple interior motion sensors, door and window sensors for all doors and windows. Motion detectors in all rooms and covering all doors and windows. Internal and external siren. All to be monitored at all times when activated during closed hours. Alarm system controls will be wall-mounted. Any time the facility is left unattended, the alarm system shall be "active". All windows and exits will be monitored 24 hours a day, 7 days a week. The video system will record 24 hours per day, seven days per week, 24 hours per day in excess of 40 days with day, date and time stamps. Motion Detectors are integrated into the security system. In the event of a motion related alarm, Licensee or designated agent will view the camera feed from inside the proposed facility or other location to determine if any further action is necessary. The panic audible alarm button will be used in the event of any perceived security breach as well as silent alarm buttons/switches to be activated in case of hold up or other emergency that may arise. Procedures for a notification of security breach: If facility is staffed, assess situation and take appropriate action. Call 911 if necessary. If the situation allows, remain at facility to assist law enforcement. If facility is vacant, Licensee or authorized agent are to return to facility to assist law enforcement once the area is made safe by law enforcement. Law enforcement will be notified immediately by the alarm monitoring company should the alarm be set-off or for fire or other emergency. They will then respond. All employees, agents of licensee and licensee will cooperate with members of law enforcement. We will notify the Department of Commerce, Community, and Economic Development, Alcohol and Marijuana Control Office as soon as reasonably practical and in any case not more than 24 hours after any unauthorized access to the premises or the establishment's knowledge of evidence or circumstances that reasonably indicate theft, diversion, or unexplained disappearance of marijuana, marijuana products, or money from the licensed premises.

3.6. Describe your policies and procedures for preventing diversion of marijuana or marijuana product, including by employees:

All marijuana product on premises will only be handled by licensee, employees or agents designated by licensee. All will have the required marijuana handler's card. Licensee, employee or agent will be present at transfers of marijuana product to ensure integrity of shipment. All marijuana product on premises will be logged in and tracked in accordance with Franwell/METRC system from seed to sale. Routine inventory and internal audits will be conducted and reviewed periodically. Video cameras will run 24 hours per day, 365 days per year both indoors and outside as previously designated and will be stored for a minimum of 40 days. Should any diversion occur, a review of the video surveillance tapes both from the inside and outside will help to catch any perpetrator and proper action may be taken. Furthermore, the tracking system and recorded weights of marijuana product will detect any change to our marijuana supplies, so that action may immediately be taken which includes notification to AMCO and local law enforcement. All employees including their bags, backpacks, purses etc. will be subject to search as a part of their condition of employment upon suspicion of diversion. Furthermore, employees will have to place all personal belongings into a separate locker when coming to work or lock them within their vehicle or leave them at home. If diversion is determined to have occurred, AMCO enforcement will be notified immediately and no more than 24 hours after the diversion, theft or loss etc. is discovered.

3.7. Describe your policies and procedures for preventing loitering:

Signs will be posted stating a clear message that "No Trespassing" or "No Loitering" is permitted, and that area is video monitored 24/7. Video surveillance of the exterior areas will be available to employees inside the facility. Standard policy is to notify law enforcement of any violation these regulations or of any suspicious activity. There will be no loiterers or trespassers: None.

You must be able to certify the statement below. Read the following and then sign your initials in the box to the right: Initials

3.8. I certify that if any additional security devices are used, such as a motion detector, pressure switch, and duress, panic, or hold-up alarm, to enhance security of the licensed premises, I will have written policies and procedures describing their use.

DP
DP



Form MJ-01: Marijuana Establishment Operating Plan

Video Surveillance (3 AAC 306.720):

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

3.9. The video surveillance and camera recording system for the licensed premises covers each restricted access area, and both the interior and exterior of each entrance to the facility.

DP
DP

3.10. Each video surveillance recording: is preserved for a minimum of 40 days, in a format that can be easily accessed for viewing (consistent with the Alcohol & Marijuana Control Office's approved format list); clearly and accurately displays the time and date; and is archived in a format that does not permit alteration of the recorded image.

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DP

3.11. The surveillance room or area is clearly defined on the Form MJ-02: Premises Diagram that is submitted with this application.

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3.12. Surveillance recording equipment and video surveillance records are housed in a designated, locked, and secure area or in a lock box, cabinet, closet or other secure area where access is limited to the licensee(s), an authorized employee, and law enforcement personnel (including an agent of the Marijuana Control Board).

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DP

3.13. Describe how the video cameras will be placed to produce a clear view adequate to identify any individual inside the licensed premises, or within 20 feet of each entrance to the licensed premises:

Entrances/exits to and from the facility will have cameras (within 20 feet of each entrance/exit) trained on them from the interior in such a way that faces are easily identified. Facility entrances/exits will also have exterior cameras (within 20 feet of each entrance/exit) to monitor areas around exits to provide a view of the approach to the entrances/exits. All rooms will have cameras as well covering all portions of each room. All cameras will be high definition, mounted at a height sufficient for clear video footage with infrared/night vision capabilities for night viewing and recording.

3.14. Describe the locked and secure area where video surveillance recording equipment and original copies of surveillance records will be housed and stored, and how you will ensure the area is accessible only to authorized personnel, law enforcement, or an agent of the Marijuana Control Board. If you will be using an offsite monitoring service and offsite storage of video surveillance records, your response must include how the offsite facility will meet these security requirements:

All video surveillance will be stored in a digital format on a local device and backed up on a hard drive. Storage will be sized appropriately to maintain at a minimum 40 days of recording, and a digital back-up of all data. Server rack will consist of a wall mountable, lockable cabinet sized appropriately to contain all necessary computer components. The rack will be located within a secure locked room within the proposed facility, ensuring that only authorized personnel are able to access the video surveillance equipment. Its' accessibility will be via password protection and only the licensee, or designated employee will have access to it. It maintains storage for over 40 days and will be accessible to AMCO enforcement and/or law enforcement as well upon request. It is not accessible to the general public.













Form MJ-01: Marijuana Establishment Operating Plan

Section 4 – Business Records

Review the requirements under 3 AAC 306.755. All licensed marijuana establishments must maintain, in a format that is readily understood by a reasonably prudent business person, certain business records.

4.1. I certify that the following business records will be maintained and kept on the licensed premises: Initials

- a. all books and records necessary to fully account for each business transaction conducted under my license for the current year and three preceding calendar years *(records for the last six months must be maintained on the licensed premises; older records may be archived on or off-premises);* 
- b. a current employee list setting out the full name and marijuana handler permit number of each licensee, employee, and agent who works at the marijuana establishment; 
- c. the business contact information for vendors that maintain video surveillance systems and security alarm systems for the licensed premises; 
- d. records related to advertising and marketing; 
- e. a current diagram of the licensed premises, including each restricted access area; 
- f. a log recording the name, and date and time of entry of each visitor permitted into a restricted access area; 
- g. all records normally retained for tax purposes; 
- h. accurate and comprehensive inventory tracking records that account for all marijuana inventory activity from seed or immature plant stage until the retail marijuana or retail marijuana product is sold to a consumer, to another marijuana establishment, or destroyed; 
- i. transportation records for marijuana and marijuana product, as required by 3 AAC 306.750(f); and 
- j. registration and inspection reports of scales registered under the Weights and Measures Act, as required by 3 AAC 306.745. 

4.2. A marijuana establishment is required to exercise due diligence in preserving and maintaining all required records. Describe how you will prevent records and data, including electronically maintained records, from being lost or destroyed:

All required business records will be kept on the premises in a locked file cabinet, safe, or another secure location on site for a minimum of six months. They will be kept readily accessible whether on site or offsite for a minimum of two years. These records will be made available for inspection by AMCO upon request. These records include but are not limited to: a current employee list and handler card information, contact information for our vendors and video surveillance and alarm systems, records on advertising and marketing, visitor logs, tax records, premise diagram and transportation records. The digital records will be backed up at the end of each business day. Security camera video will be maintained for 40 days of recording at a minimum. This company will provide any record required to be kept on the licensed premises to an employee of the board upon request. Any records kept off premises will be provided within 3 days of the request. Some of these records may be kept on an external hard drive and maintained within the locked cabinet and/or safe.



Form MJ-01: Marijuana Establishment Operating Plan

Section 5 – Inventory Tracking of All Marijuana and Marijuana Product

Review the requirements under 3 AAC 306.730. All licensed marijuana establishments must use a marijuana inventory tracking system capable of sharing information with Metrc to ensure all marijuana cultivated and sold in the state, and each marijuana product processed and sold in the state, is identified and tracked from the time the marijuana is propagated from seed or cutting, through transfer to another licensed marijuana establishment, or use in manufacturing a marijuana product, to a completed sale of marijuana or marijuana product, or disposal of the harvest batch of marijuana or production lot of marijuana product.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: _____ Initials

5.1. My marijuana establishment will be using Metrc, and if any other tracking software is used, it will be capable of sharing information with Metrc.

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DP

5.2. All marijuana delivered to a marijuana establishment will be weighed on a scale registered in compliance with 3 AAC 306.745.

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5.3. My marijuana establishment will use registered scales in compliance with AS 45.75.080 (Weights and Measures Act), as required by 3 AAC 306.745.

DP
DP

Section 6 – Employee Qualification and Training

Review the requirements under 3 AAC 306.700. All licensees, and every employee or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or a marijuana product, or who checks the identification of a consumer or visitor, must obtain a marijuana handler permit from the board before being licensed or beginning employment at a marijuana establishment.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: _____ Initials

6.1. All licensees, and each employee or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or marijuana product, or who checks the identification of a consumer or visitor, shall obtain a marijuana handler permit from the board before being licensed or beginning employment at the marijuana establishment.

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DP

6.2. Each licensee, employee, or agent who is required to have a marijuana handler permit shall keep that person's marijuana handler permit card in that person's immediate possession (or a valid copy on file on the licensed premises) when on the licensed premises.

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DP

6.3. Each licensee, employee, or agent who is required to have a marijuana handler permit shall ensure that that person's marijuana handler permit card is valid and has not expired.

DP
DP

6.4. Describe any in-house training that will be provided to employees and agents (apart from a marijuana handler course):

Aside from the marijuana handlers course required for employment in this industry, our employees will receive mandatory additional in-house training and have other optional opportunities for additional education, training, and development. We will keep a written training log on site which will keep record of training and communications/updates provided to team members. New employees will be provided basic retail training, customer service training, training related to industry standards, training specific to AMCO policies, and point of sale training. Management team members will also receive training related to website management, METRC training, and management training. Industry educational materials and trade magazines will be available and product knowledge or job skills may be incentivized and tested randomly or via internal competitions. Ongoing training and re-training will be delivered verbally and/or in writing as needed and documented. When advisory notices or regulations updates are published, copies will be included in the training/communication binder and employees will be asked to read the updates and sign off that they have reviewed and understand the information presented. Changes to company policies and other similar communications will also be distributed in this manner and signed off upon. We value education, knowledge, training, and skills and will encourage and support the growth of our team members.



Form MJ-01: Marijuana Establishment Operating Plan

Section 7 – Health and Safety Standards

Review the requirements under 3 AAC 306.735.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

- 7.1. I understand that a marijuana establishment is subject to inspection by the local fire department, building inspector, or code enforcement officer to confirm that health or safety concerns are not present. DP
- 7.2. I have policies regarding health and safety standards (including: ensuring a person with an illness or infection does not come into contact with marijuana or marijuana product; good hygienic practices; cleaning and maintenance of equipment and the premises; pest deterrence; chemical storage; sanitation principles; and proper handling of marijuana and marijuana product) and will take all reasonable measures and precautions to ensure that they are met or exceeded. DP
- 7.3. I have policies to ensure that any marijuana or marijuana product that has been stored beyond its usable life, or was stored improperly, is not salvaged and returned to the marketplace. DP
- 7.4. I have policies to ensure that in the event information about the age or storage conditions of marijuana or marijuana product is unreliable, the marijuana or marijuana product will be handled in accordance with 3 AAC 306.735(d). DP

Answer "Yes" or "No" to each of the following questions: Yes No

- 7.5. Adequate and readily accessible toilet facilities that are maintained and in good repair and sanitary condition are clearly indicated on my Form MJ-02: Premises Diagram.
- 7.6. Convenient handwashing facilities with running water at a suitable temperature are clearly indicated on my Form MJ-02: Premises Diagram.

7.7. If you answered "No" to either 7.5 or 7.6 above, describe how toilet and/or handwashing facilities are made accessible, as required by 3 AAC 306.735(b)(2):

Section 8 – Transportation and Delivery of Marijuana and Marijuana Products

Review the requirements under 3 AAC 306.750.

8.1. Describe how marijuana or marijuana product will be prepared, packaged, and secured for shipment. Include a description of the type of locked, safe, and secure storage compartments to be used in vehicles transporting marijuana or marijuana product:

All transfers within our facility will be conducted in a restricted access area which is obscure from the public view. This includes exchanges of marijuana, marijuana product, and financial exchanges. In preparing an outbound transfer, the weight/quantity and package tag number(s) will be verified to the product and verified to the manifest when the manifest is produced. All information on the manifest will be completed before the commencement of the transfer. When an agent arrives to pick up a transfer, they will be asked to verify the accuracy of the manifest as it pertains to their credentials, their vehicle, their route, and their time estimates. They will be asked to verify the weight/quantities and/or cash count before departing. Product will be transported with mandatory disclosure forms, metrc package tags, and a copy of the transfer. It will be in tamper-evident packaging and in locked and tamper tagged containers. It will remain in the direct possession of the person authorized to transfer the product until received physically and in METRC by the recipient.



Form MJ-01: Marijuana Establishment Operating Plan

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

8.2. The marijuana establishment from which a shipment of marijuana or marijuana product originates will ensure that any individual transporting marijuana shall have a marijuana handler permit required under 3 AAC 306.700.

DP
DP

8.3. The marijuana establishment that originates the transport of any marijuana or marijuana product will use the marijuana inventory tracking system to record the type, amount, and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and expected delivery, and the make, model, and license plate number of the transporting vehicle.

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DP

8.4. The marijuana establishment that originates the transport of any marijuana or marijuana product will ensure that a complete printed transport manifest on a form prescribed by the board must be kept with the marijuana or marijuana product at all times during transport.

DP
DP

8.5. During transport, any marijuana or marijuana product will be in a sealed package or container in a locked, safe, and secure storage compartment in the vehicle transporting the marijuana or marijuana product, and the sealed package will not be opened during transport.

DP
DP

8.6. Any vehicle transporting marijuana or marijuana product will travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and will not make any unnecessary stops in between except to deliver or pick up marijuana or marijuana product at any other licensed marijuana establishment.

DP
DP

8.7. When the marijuana establishment receives marijuana or marijuana product from another licensed marijuana establishment, the recipient of the shipment will use the marijuana inventory tracking system to report the type, amount, and weight of marijuana or marijuana product received.

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8.8. The marijuana establishment will refuse to accept any shipment of marijuana or marijuana product that is not accompanied by the transport manifest.

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DP

Section 9 – Signage and Advertising

Review the requirements under 3 AAC 306.770.

9.1. Describe any signs that you intend to post on your establishment, including quantity, dimensions, graphics, and location on your establishment (photos or drawings may be attached):

We may feature up to three signs, which may be mounted to our building or pole mounted (if permitted by local ordinance) No signs will exceed 4800 sq. in. Any signs will feature our logo and will not be enticing to children.



Form MJ-01: Marijuana Establishment Operating Plan

9.2. Describe any advertising you intend to distribute for your establishment. Include medium types and business logos (photos or drawings may be attached):

Advertising may consist of local Alaska Leaf magazine, trade magazines, newspaper ads or inserts, social media promotion, lighters, clothing items or other items of permissible branding, website, business cards, stickers, and/or in collaboration with local and state wide manufacturers or cultivators. It would reflect the name of the business, address, phone number, email address and company logo. May also feature prices, coupons, or sales promotions. The logo will not be enticing towards children. This list is inclusive but not exhaustive.



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



David Parker

Printed name of licensee

David Parker

Signature of licensee



Form MJ-01: Marijuana Establishment Operating Plan

(Additional Space as Needed):

3.6 Cont'd Response:

All employees including their bags, backpacks, purses etc. will be subject to search as a part of their condition of employment upon suspicion of diversion. Furthermore, employees will have to place all personal belongings into a separate room when coming to work or lock them within their vehicle or leave them at home.

8.1 Cont'd Response:

In accordance with 3 AAC 306.470, when we package the marijuana, we will either place in a package of 1 ounce or less, in approved packaging for the retail store to sell individually. In accordance with 3 AAC 306.475, the packaging shall have these 5 statements to be on the packaging:

- (1) "Marijuana has intoxicating effects and may be habit forming and addictive.";
- (2) "Marijuana impairs concentration, coordination, and judgment. Do not operate a vehicle or machinery under its influence.";
- (3) "There are health risks associated with consumption of marijuana.";
- (4) "For use only by adults twenty-one and older. Keep out of the reach of children.";
- (5) "Marijuana should not be used by women who are pregnant or breast feeding.".



Alaska Marijuana Control Board Operating Plan Supplemental Form MJ-03: Retail Marijuana Store

Why is this form needed?

This operating plan supplemental form is required for all applicants seeking a retail marijuana store license and must accompany **Form MJ-01: Marijuana Establishment Operating Plan**, per 3 AAC 306.020(b)(11). Applicants should review **Chapter 306: Article 3** of the **Alaska Administrative Code**. This form will be used to document how an applicant intends to meet the requirements of the statutes and regulations.

If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020 and 3 AAC 306.315(2).

What additional information is required for retail stores?

Applicants must identify how the proposed establishment will comply with applicable regulations regarding the following:

- Prohibitions
- Signage and advertising
- Displays and sales
- Exit packaging and labeling
- Security
- Waste disposal
- Walk-up or drive-through exterior window pick-up service

This form must be completed and submitted to AMCO's Anchorage office before any new or transfer application for a retail marijuana store license will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	David Parker	MJ License #:	3a-42816
License Type:	Retail		
Doing Business As:	Fat Tops llc		

Section 2 – Overview of Operations

2.1. Provide an overview of your proposed facility's operations. Include information regarding the intake and flow of marijuana and marijuana product at your premises, and a description of what a standard customer visit to your establishment would entail:

When an incoming transfer of marijuana or marijuana product arrives at our facility, the transfer agent will be greeted and will have their marijuana handler permit checked by our staff before being granted access to our facility. All transfers will occur in the secure portion of our facility. All visitors, including other licensees and transfer agents, will be logged in our visitors log and will be issued a visitors pass to wear prior to being granted access to enter the secure portion of our facility. Every incoming transfer will be verified against the manifest; ensuring package tags are with product and match product, and that the quantities and weights manifested are accurate. Once weights, quantities, and package tags have been verified, the manifest will be signed and dated by the receiving manager on duty and the time of acceptance will be noted on the hard copy of the manifest and the transfer will be accepted in METRC. If any variance should exist between the manifested quantity and the actual quantity, every effort will be made to reach the licensee before accepting or rejecting any transfer. Continued on additional page...



Section 3 - Exterior Window Service Operating Plan

3.1. Describe how you will comply with the requirements set forth in 3 AAC 306.380 and 3 AAC 306.715. Your response must include include policies and procedures regarding video surveillance, ID verification, display of marijuana or marijuana products, security features including alarm systems and locks, measures to prevent consumers from unlawfully accessing marijuana and funds through the exterior window and licensee control of the area outside of the exterior window.

N/A

Read each statement below, and then sign your initials in the corresponding box to the right [if applicable]:

Initials

I have included a title, lease or other documentation showing sole right of possession to the additional area(s), including the exterior window area, if the additional area(s) are not already part of my approved licensed premises.

[]

I certify the area immediately outside the walk-up or drive-through exterior window does not include any public property including public streets, public sidewalks, or public parking lots.

[]

I certify I have read, understood and will comply with all requirements set forth in 3 AAC 306.380, 3 AAC 306.715 and 3 AAC 306.720.

[]

Section 4 - Prohibitions

Review the requirements under 3 AAC 306.310.

4.1. Describe how you will ensure that the retail marijuana store will not sell, give, distribute, or deliver marijuana or marijuana product to a person who is under the influence of an alcoholic beverage, inhalant, or controlled substance:

All customers entering the store will be required to show I.D. before any purchases are made. At the time the employee makes contact with the customer they are trained to evaluate the customer's condition and take appropriate steps and decline service.

4.2. I certify that the retail marijuana store will not:

Initials

a. Sell, give, distribute, deliver, or offer to sell, give, distribute, or deliver marijuana or marijuana product in a quantity exceeding the limit set out in 3 AAC 306.355; or in violation of 3 AAC 306.380.

DP

b. Sell, give, distribute, deliver, or offer to sell, give, distribute, or deliver marijuana or marijuana product over the internet; other than as permitted under 3 AAC 306.380.

DP

c. Offer or deliver to a consumer, as a marketing promotion or for any other reason, free marijuana or marijuana product, including a sample;

DP

d. Offer or deliver to a consumer, as a marketing promotion or for any other reason, alcoholic beverages, free or for compensation; or

DP

e. Allow a person to consume marijuana or a marijuana product on the licensed premises, except as allowed under 3 AAC 306.370.

DP

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Section 5 – Signage and Advertising

Review the requirements under 3 AAC 306.365 and 306.770. All licensed retail marijuana stores must meet minimum standards for signage and advertising.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

5.1. I understand and agree to post, in a conspicuous location visible to customers, the notification signs required under 3 AAC 306.365.

DP

5.2. I certify that no advertisement for marijuana or marijuana product will contain any statement or illustration that:

DP

a. Is false or misleading;

DP

b. Promotes excessive consumption;

DP

c. Represents that the use of marijuana has curative or therapeutic effects;

DP

d. Depicts a person under the age of 21 consuming marijuana; or

DP

e. Includes an object or character, including a toy, a cartoon character, or any other depiction designed to appeal to a child or other person under the age of 21, that promotes consumption of marijuana.

DP

5.6. I certify that no advertisement for marijuana or marijuana product will be placed:

a. Within 1,000 feet of the perimeter of any child-centered facility, including a school, childcare facility, or other facility providing services to children, a playground or recreation center, a public park, a library, or a game arcade that is open to persons under the age of 21;

DP

b. On or in a publicly owned or operated property;

DP

c. Within 1,000 feet of a substance abuse or treatment facility.

DP

Section 6 – Displays and Sales

6.1. Describe how marijuana and marijuana products at the retail marijuana store will be displayed and sold:

Products will be displayed behind the counter and in a closed display case accessible only to employees. Non THC products will be shelved and available for customers to bring to the counter for purchase.

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Dept. of Commerce
AMCO



Section 7 – Exit Packaging and Labeling

Review the requirements under 3 AAC 306.345.

7.1. Describe how the retail marijuana store will ensure that marijuana and marijuana products sold on its licensed premises will meet the packaging and labeling requirements set forth in 3 AAC 306.345(a):

Products will be packaged in opaque, resealable, child-resistant packaging as described in 3 AAC 306.345(a). Any and all products to be sold will comply with; 3 AAC 306.470, 3 AAC 306.475, 3 AAC 306.565, 3 AAC 306.570 and 3 AAC 306.345(b). Upon receipt of any marijuana from a license cultivation facility, staff will be required to inspect such packaging to verify the labeling requirements described in 3 AAC 306.475(a) and 3 AAC 306.570(c). Staff will also make sure to review the labeling information to verify the packaging and potency conforms to regulations set forth in 3 AAC 306.560. The facility will utilize weight measuring scales in compliance to 3 AAC 306.745 to verify weights of product. Packaging to be resold from a cultivation facility without additional handling from our facility will not be in excess of one ounce in weight and will contain our company logo and license number.

7.2. Provide a sample label that the retail marijuana store will use to meet the labeling requirements set forth in 3 AAC 306.345(b):





Section 8 - Security

Review the requirements under 3 AAC 306.350 and 3 AAC.306.720.

8.1. Describe the retail marijuana store's procedures for ensuring a form of valid photographic identification has been produced before selling marijuana or marijuana product to a person, as required by 3 AAC 306.350(a):

Upon entering and/or before ordering customers must provide adequate indentification before purchases are made.

A book/pamphlet of all legal ID's for all 50 states will also be used to include Canada should any questions arise surrounding its authenticity. If questions surround its authenticity, age verification etc. the person will not be admitted in to the facility and will be told to leave the premises immediately.

You must be able to certify the statement below. Read the following and then sign your initials in the box to the right:

Initials

8.2. The video surveillance and camera recording system for the licensed premises covers each point-of-sale area.



Section 9 - Waste Disposal

Review the requirements under 3 AAC 306.740.

9.1. Describe how you will store, manage, and dispose of any marijuana waste, including expired marijuana or marijuana products, in compliance with any applicable laws. Include details about the material(s) you will mix with ground marijuana waste and the processes that you will use to make the marijuana waste unusable for any purpose for which it was grown or produced:

Marijuana waste will be logged as it is created; product awaiting disposal will be separated and stored in our secure waste storage area. Our secure aste storage is secured and monitored in compliance to 3 AAC 306.715 and 3 AAC 306. 720, utilizing commercial glass entry doors with high definition surveillance cameras. Upon approval, any marijuana waste, including expired marijuana products will be ground and mixed with organic material consisting of household waste paper , food, coffee ground, leavens, grass clippings etc. to produce a final waste product that is no more than 50% marijuana product. Once marijuana product is reconciled to be unusable for any and all intended purposes, we will transfer the waste to our on \-site secured dumpster to await final disposal. Upon final disposal, we will record the final destination of said waste, in accordance with 3 AAC 306.740(c)(2), and store athese records in our secure office in compliance with 3 AAC 306.755

You must be abie to certify the statement beiw. Read the foliowing and then sign your initials in the box to the right:

Initials

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



David Parker

Printed name of licensee

David Parker

Signature of licensee



MAY 27 2026

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(Additional Space as Needed):

Sec. 2.1 (continued)...incoming marijuana or marijuana products received in bulk will be repackaged physically and with METRC, and will accordingly be labeled before imported into our POS system and becoming available for sale. Each time a bulk package is opened or repackaged, weights will be taken at the beginning and end of the process. Internal logs will be kept and variance due to moisture loss will be kept in internal logs, adjusted, noted, and accounted for in METR. Any waste will be noted in waste logs as well, and reported to AMCO via email three days before destroying and exposing of the waste materials. Unpackaged quantities of bulk marijuana and/or marijuana product will remain locked in secure storage, consistent with our operating plan. METR ackage tags will remain physically attached to the vessel containing bulk marijuana associated with each tag. Incoming marijuana or marijuana product which has been prepackaged prior to it's arrival at our facility will have the labeling double checked for compliance before being made available for retail sale. Product will then be added to inventory within the point of sale system, and may have additional, POS specific, labeling/sku added. Upon entering the establishment, a customer will immediately be asked to present ID. Once their ID has been checked they will select product from a menu, be given an opportunity to view or sniff the product before purchasing. Products will be placed in AMCO compliant exit packaging before leaving our facility. All sales will be entered through our point of sale system, and will be reported through METRC, daily. Each drawer will be closed at the end of each shift and the proceeds from each shift and day will be verified against accountability reports generated by our POS. At the end of each day, the day will be closed out with our POS. Within 24 hours of the closure of a business day, our sales data will be uploaded to METRC. Routine internal audits will be conducted-verifying accuracy between METRC, our POS, and product on hand. Inventory of prepackaged products will occur each night at the close of the shift and/or each morning before opening on internal forms, i.e. shift reports. Retail operations are anticipated to begin at 9am until as late as 11:00 p.m., 7 days a week. Employees will look for signs of impairment to include but not limited to:

- watery eyes
- slurred speech;
- blood shot or red eyes
- glassy eyes which may have trouble staying open,
- their gait,
- coordination. This list is not exhaustive. If any of the above signs or any others are identified, they will be asked to leave the premises and no sales will occur. This facility implements a zero tolerance for non-compliant behavior on our licensed premises. Our policy requires that all personnel be trained on how to identify a person who is under the influence of an alcoholic beverage, inhalant, or controlled substance as set forth above. Any person(s) who are suspected of being in violation of 3 AAC306.310(a)(2) will be asked to vacate the premises and will be notified that on compliance will result in a trespassing charge in which local law enforcement will be notified.



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-07: Public Notice Posting Affidavit

Why is this form needed?

A public notice posting affidavit is required for all marijuana establishment license applications, per 3 AAC 306.020(b)(10). As soon as practical after initiating a marijuana establishment license application, an applicant must give notice of the application to the public by posting a true copy of the application for ten (10) days at the location of the proposed licensed premises and one other conspicuous location in the area of the proposed premises, per 3 AAC 306.025(b)(1).

This form must be completed and submitted to AMCO's Anchorage office before any new or transfer license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	David Parker	License Number:	3A42816		
License Type:	Retail Marijuana Store				
Doing Business As:	Fat Tops llc				
Premises Address:	6384 Kenai Spur Hwy.				
City:	Kenai	State:	AK	ZIP:	99611

Section 2 – Certification

I certify that I have met the public notice requirement set forth under 3 AAC 306.025(b)(1) by posting a copy of my application for the following 10-day period at the location of the proposed licensed premises and at the following conspicuous location in the area of the proposed premises:

Start Date: 4/10/2026 End Date: 4/24/2026

Other conspicuous location: Post Office Kenai Alaska

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

Signature of licensee

David Parker

Printed name of licensee

Signature of Notary Public

Notary Public in and for the State of Alaska



My commission expires: 09/01/2028

Subscribed and sworn to before me this 12 day of June, 2026



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Marijuana Control Board
Form MJ-08: Local Government Notice

Why is this form needed?

A local government notice is required for all marijuana establishment license applications with a proposed premises that is located within a local government, per 3 AAC 306.025(b)(3). As soon as practical after initiating a marijuana establishment license application, an applicant must give notice of the application to the public by submitting a copy of the application to each local government and any community council in the area of the proposed licensed premises. For an establishment located inside the boundaries of city that is within a borough, both the city and the borough must be notified.

This form must be completed and submitted to AMCO's Anchorage office before any new or transfer license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	David Parker	License Number:	3A42816
License Type:	Retail Marijuana Store		
Doing Business As:	Fat Tops llc		
Premises Address:	6384 Kenai Spur Hwy.		
City:	Kenai	State:	AK, ZIP: 99611

Section 2 – Certification

I certify that I have met the local government notice requirement set forth under 3 AAC 306.025(b)(3) by submitting a copy of my application to the following local government (LG) official(s) and community council (if applicable):

Local Government(s): City of Kenai/Kenai Peninsula Borough Date Submitted: 4/10/2026
 Name/Title of LG Official 1: Logan Parks/Deputy Clerk Name/Title of LG Official 2: Michelle Turner/Borough Clerk
 Community Council: Planning and Zoning Commission Date Submitted: 4/16/2026
(Municipality of Anchorage and Matanuska-Susitna Borough only)

You must be able to certify the statement below. Read the following and then sign your initials in the box to the right: Initials

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

DP

David Parker
 Printed name of licensee

David Parker
 Signature of licensee



Alaska Marijuana Control Board

Form MJ-09: Statement of Financial Interest

Why is this form needed?

A statement of financial interest completed by each proposed licensee (as defined in 3 AAC 306.020(b)(2)) is required for all marijuana establishment license applications, per 3 AAC 306.020(b)(4). A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's Anchorage office by each proposed licensee before any license application will be considered complete.

Section 1 - Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Table with 5 rows: Licensee (David Parker), License Type (Retail), Doing Business As (Fat Tops llc), Premises Address (6384 Kenai Spur Highway), City (Kenai), State (Alaska), ZIP (99611)

Section 2 - Individual Information

Enter information for the individual licensee.

Table with 3 rows: Name (David Parker), Title (Owner/Member), SSN (redacted), Date of Birth (redacted)



MAY 21 2025

Dept. of Commerce AMCO



Alaska Marijuana Control Board

Form MJ-09: Statement of Financial Interest

Section 3 - Certifications

You must be able to certify the statements below. Read the following and then sign your initials in the boxes to the right: Initials

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

DP

I further certify that any ownership change shall be reported to the board as required under 3 AAC 306.040.

DP

I understand that my fingerprints will be used to check the criminal history records of the Federal Bureau of Investigation (FBI), and that I have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record.

DP

The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

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.

DP

David Parker

Printed name of licensee

David Parker

Signature of licensee

RECEIVED
MAY 2 1 2022
Dept. of Commerce
AMCO



June 17, 2026

Sent via email: cityclerk@kenai.city

Shellie Saner, City Clerk
City of Kenai

RE: New Application for Retail Marijuana Store

Business Name : Fat Tops, LLC
License Location : 6384 Kenai Spur Hwy, City of Kenai
License No. : 42816
License Type : Retail Marijuana Store

Dear Ms. Saner,

This serves to advise that the Kenai Peninsula Borough (KPB) has reviewed the above referenced application for tax compliance and determined that all tax accounts associated with the licensee/applicant are in good standing. Therefore, KPB has no objection to the new license.

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

Sincerely,

Michele Turner, MMC
Borough Clerk

cc: daveparker907@gmail.com;

amco.localgovernmentonly@alaska.gov



Sponsored by: Council Member Grieme and Vice Mayor Askin

**CITY OF KENAI
ORDINANCE NO. 3534-2026**

AN ORDINANCE AMENDING KENAI MUNICIPAL CODE 7.25.030 - UNBUDGETED APPROPRIATIONS, TO ALLOW THE CITY MANAGER TO APPROPRIATE DONATIONS AND GRANTS UNDER TEN THOUSAND DOLLARS.

WHEREAS, Kenai Municipal Code 7.25.030 currently requires the Council to appropriate by ordinance all expenditures not authorized in the budget; and,

WHEREAS, each of the last three years, Council has appropriated between 10-17 donations or grants under \$10,000; and,

WHEREAS, amending KMC 7.25.030 to allow the City Manager to appropriate grants and donations under \$10,000 will reduce administrative effort in legislative preparation, streamline council meetings, and allow for greater efficiency in appropriating grants and donations by eliminating the typical two meeting ordinance process; and,

WHEREAS, the proposed changes safeguard council's authority by requiring the City Manager to report to Council all intended appropriations prior to the appropriation occurring and allowing any council member to require the appropriation be decided legislatively.

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

Section 1. Amendment of Section 7.25.030 of Kenai Municipal Code: That Kenai Municipal Code, Section Unbudgeted Appropriations.7.25.030 is hereby amended as follows:

7.25.030 Unbudgeted Appropriations.

For any expenditures not provided an authorization in the budget for the fiscal year, except as provided below, the Council shall authorize such expenditures by ordinance, making the required appropriation. For donations and grants to the City or any of its departments under ten thousand dollars, the Council conditionally delegates its appropriation authority to the City Manager, who will report all such intended appropriations to the Council at a Council Meeting, prior to the appropriation being made, at which time any Council Member may object to the intended appropriation by the City Manager, and the appropriation will be brought to the Council at a future meeting by Ordinance. If no objection is received when presented to the Council, the City Manager may make the appropriation.

Section 2. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5TH DAY OF AUGUST, 2026.

Henry H. Knackstedt, Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced:	July 8, 2026
Enacted:	August 5, 2026
Effective:	September 4, 2026



MEMORANDUM

TO: Mayor Knackstedt and Council Members

FROM: Council Member Bridget Grieme and Vice Mayor Victoria Askin

DATE: July 2, 2026

SUBJECT: **Ordinance 3534-2026** - Amending Kenai Municipal Code 7.25.030 - Unbudgeted Appropriations, to Allow the City Manager to Appropriate Donations and Grants Under Ten Thousand Dollars.

This Ordinance is intended to reduce administrative time in legislative preparation, streamline council meetings and increase efficiency in appropriating grants and donations by conditionally delegating the Council’s authority to the City Manager to appropriate grants and donations under \$10,000. In 2023, 17 ordinances were brought to Council for appropriations less than \$10,000. In 2024, 15 ordinances, and in 2025, 10 ordinances were introduced for the same purpose. The current typical process, takes two meetings, one for introduction and another for a public hearing.

This Ordinance proposes to conditionally delegate Council’s authority to appropriate expenditures not in the budget, for grants and donations less than \$10,000 to the City Manager, so these appropriations can be made without the need for legislation requiring two meetings. The Ordinance would require the City Manager to report all intended appropriations to the City Council at a City Council Meeting, where recognition to those making donations and staff for pursuing grants could be made as appropriate, and also allows any Council Member to object to the Manager making the appropriation which would result in an ordinance being brought to the whole council at a later meeting for consideration of the appropriation.

While state statute requires legislative bodies to make appropriations for many types of municipalities, it does not require the same for home rule cities such as Kenai. Your consideration is appreciated.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3535-2026**

AN ORDINANCE REMOVING PUBLIC PURPOSE DESIGNATIONS ON KENAI PENINSULA BOROUGH PARCEL NUMBERS 04711308, 04711309, 04711310, 04711311, 04711312, AND 04108003, TO ACCOMMODATE DISPOSAL RECOMMENDATIONS IN THE CITY OF KENAI LAND MANAGEMENT PLAN.

WHEREAS, on June 15, 2022, Resolution 2022-51 was passed, adopting the City of Kenai Land Management Inventory and Recommendations (Land Management Plan); and,

WHEREAS, Kenai Peninsula Borough parcels 04711308, 04711309, 04711310, 04711311, and 04711312, known as Lots 12-16, Block 3, East Addition Townsite of Kenai, located at 600-608 Peninsula Avenue were given a retention status of "Dispose"; and,

WHEREAS, Ordinance 2791-2014 retained the above listed parcels for the public purpose of bluff erosion control and then for parks and recreation; and,

WHEREAS, the primary bluff erosion control project was completed in 2025; and,

WHEREAS, in 2026 the City adopted the first Parks and Recreation Master Plan; and,

WHEREAS, the Parks and Recreation Master Plan did not specify a recommendation for a new park in the East Addition of the Townsite of Kenai; and,

WHEREAS, parcels 04711308, 04711309, 04711310, 04711311, and 04711312 are all 0.11 acre lots and are in the Central Commercial Zoning District which is designed to encourage a compact group of businesses of the type which are mutually beneficial and located close enough together to encourage walk-in trade; and,

WHEREAS, on March 21, 1979, the City passed Ordinance 477-79 retaining the parcel now known as 04108003, Lot 3, Block H, Beaver Creek Alaska Subdivision Amended, located at 5168 Beaver Loop Road for a public purpose for a fire station site; and,

WHEREAS, the Land Management Plan identified parcel 04108003 as suitable for development and recommended for disposal at such time as an alternative location for a fire station is identified; and,

WHEREAS, the City has retained a consultant to determine the feasibility for the construction of a new or renovated public safety building; and,

WHEREAS, the one-acre lot is insufficient for a new fire station; and,

WHEREAS, in accordance with Kenai Municipal Code 22.05.110(b), City Council by ordinance, may remove the public purpose designation; and,

WHEREAS, the Council finds that removing the public purpose designation of parcels 04711308, 04711309, 04711310, 04711311, 04711312, and 04108003 is consistent with the goals of the Land Management Plan and in the best interests of the City.

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

Section 1. That the City of Kenai Land Management Plan is hereby amended to remove the public purpose designations of Kenai Peninsula Borough parcels 04711308, 04711309, 04711310, 04711311, and 04711312, known as Lots 12-16, Block 3, East Addition Townsite of Kenai, located at 600-608 Peninsula Avenue and parcel 04108003, Lot 3, Block H, Beaver Creek Alaska Subdivision Amended, located at 5168 Beaver Loop Road.

Section 2. That the City Manager is authorized to update the Land Management Plan and associated land inventory records to reflect this amendment.

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

Section 4. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5TH DAY OF AUGUST, 2026.

Henry H. Knackstedt, Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced: July 08, 2026
Enacted: August 05, 2026
Effective: September 04, 2026

MEMORANDUM

TO: Mayor Knackstedt and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Kevin Buettner, Planning Director

DATE: June 29, 2026

SUBJECT: **ORD 3535-2026** - Removing Public Purpose Designations on Kenai Peninsula Borough Parcel Numbers 04711308, 04711309, 04711310, 04711311, 04711312, and 04108003, to Accommodate Disposal Recommendations in the City of Kenai Land Management Plan.

City Administration is undertaking an update to the City of Kenai Land Management Inventory and Recommendations, also known as the Land Management Plan. This update is intended to give the Administration and members of the public an accurate inventory and status of all City-owned lands.

Upon an initial review of the plan, it was noted that six parcels were given a retention status of “Dispose” while possessing a public purpose designation which was explained in the comments section of the table corresponding to each map. Kenai Peninsula Borough parcels 04711308, 04711309, 04711310, 04711311, and 04711312, known as Lots 12-16, Block 3, East Addition Townsite of Kenai, located at 600-608 Peninsula Avenue and parcel 04108003, Lot 3, Block H, Beaver Creek Alaska Subdivision Amended, located at 5168 Beaver Loop Road were given public purpose designations by Ordinance 2791-2014 and Ordinance 477-79, respectively.

A public purpose designation is not compatible with a “Dispose” designation, as the methods for land leases or sales is outlined in Kenai Municipal Code 22.05 – Disposition of City Lands. Administration requests the removal of the public purpose designations on these six parcels. Parcels 04711308, 04711309, 04711310, 04711311, and 04711312 were set aside to support the Bluff Erosion Project and then held a Parks and Recreation designation. The Bluff Erosion Project was substantially completed in 2025 and a new Parks and Recreation Master Plan, adopted in June 2026 did not include a recommendation for a park in the area, due to proximity to existing facilities.

Parcel 04108003 was set aside for a new fire station. The Land Management Plan identified parcel 04108003 as suitable for development and recommended for disposal at such time as an alternative location for a fire station is identified. Currently, the City is working with a consultant to determine the feasibility for the construction of a new or renovated public safety building. The one-acre size of the lot may not be sufficient for a new replacement fire station and would likely only be able to accommodate a satellite facility. Other parcels in the area may be better suited for a larger replacement facility. Removal of the public purpose designation would allow the parcels to be considered for new development.

Thank you for your consideration.

Beaver Loop Aerial Map



Peninsula Ave. Aerial Map



**KENAI AIRPORT COMMISSION – REGULAR MEETING
JUNE 11, 2026 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR GLENDA FEEKEN, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Airport Commission was held on June 11, 2026, 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 | Paul Minelga, Vice Chair |
| James Bielefeld | Cody Whicker |
| James Zirul | |

A quorum was present.

Absent:

- | | |
|------------|---------------|
| Dan Knesek | Scott Bremmer |
|------------|---------------|

Also in attendance were:

- Mary Bondurant, Interim Airport Manager
- Julie Semmens, Airport Administrative Assistant
- Deborah Sounart, City Council Liaison

3. Agenda Approval

MOTION:

Commissioner Zirul **MOVED** to approve the agenda as presented. Commissioner Minelga **SECONDED** the motion.

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

B. SCHEDULED PUBLIC COMMENTS - None.

1. HDL Engineering - Discussion on Summer 2026 Airport Projects.

Jackie LaBelle, project engineer for HDL, provided a construction update on the Airport Runway and Apron Rehabilitation projects, noting anticipated milestones over the next month.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

1. May 14, 2026 Regular Meeting Minutes

MOTION:

Commissioner Bielefeld **MOVED** to approve the May 14, 2026 Airport Commission minutes. Commissioner Whicker **SECONDED** the motion.

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

E. UNFINISHED BUSINESS - None.

F. NEW BUSINESS

1. **Discussion/Recommendation** - Special Use Permit to Empire Airlines.

MOTION:

Commissioner Minelga **MOVED** to recommend City Council approval of the Special Use Permit to Empire Airlines. Commissioner Whicker **SECONDED** the motion.

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

UNANIMOUS CONSENT was requested on the motion.

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

2. **Discussion/Recommendation** - Special Use Permit to State of Alaska DNR/Department of Forestry.

MOTION:

Commissioner Whicker **MOVED** to recommend City Council approval of Special Use Permit to State of Alaska DNR/Department of Forestry. Commissioner Minelga **SECONDED** the motion.

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

UNANIMOUS CONSENT was requested on the motion.

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

3. **Discussion/Recommendation** - Second Amendment to Agreement for Automatic Teller Machine (ATM) Services.

MOTION:

Commissioner Minelga **MOVED** to recommend City Council approval of the Second Amendment to the Agreement for Automatic Teller Machine Services. Commissioner Bielefeld **SECONDED** the motion.

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

UNANIMOUS CONSENT was requested on the motion.

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

G. REPORTS

1. Airport Manager - Airport Manager Bondurant reported on the following:

- Receipt of new plow truck with sander attachment, completing the snow removal equipment grant project.
- Progress on the Airport Master Plan, including development and evaluation of four alternatives, with a recommendation anticipated later this fall.
- Termination of Aleutian Airways' airport lease effective June 8, 2026.
- Opening of the floatplane basin.
- Restoration of fuel pump operations.
- A May 19 visit from United States Marine Corps representatives to discuss a potential Arctic Edge exercise involving Kenai Peninsula communities next spring.
- Closure of Debbie's Bistro in the airport terminal on May 23, 2026.
- Ongoing solicitation for airport terminal concessions, with proposals due June 25, 2026.
- Fox Air began service between Kenai and Anchorage on June 8, 2026.
- Completion of Fiscal Year 2026 budget closeout activities and preparations for the new fiscal year.

2. Commission Chair - Chair Feeken asked about recruitment updates for an Airport Manager.

Staff clarified a new round of interviews was scheduled.

3. City Council Liaison - Council Member Sounart reported on recent actions of the City Council.

H. **ADDITIONAL PUBLIC COMMENTS** - None.

I. **NEXT MEETING ATTENDANCE NOTIFICATION** - July 9, 2026.

J. **COMMISSION QUESTIONS AND COMMENTS**

There was Commission discussion regarding potential impacts of pending federal legislation related to the use of Automatic Dependent Surveillance-Broadcast data and alternative fee collection options.

K. **ADJOURNMENT**

L. **INFORMATIONAL ITEMS**

1. Planepass by Vector Airport Systems.

There being no further business before the Airport Commission, the meeting was adjourned at 6:46 p.m.

I certify the above represents accurate minutes of the Airport Commission meeting of June 11, 2026.

Logan Parks, Deputy City Clerk

**KENAI PLANNING & ZONING COMMISSION – REGULAR MEETING
JUNE 24, 2026 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR KEATON, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on June 24, 2026, in City Hall Council Chambers, Kenai, AK. Chair Keaton called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Keaton led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Jeanne Keaton, Chair
Gwen Woodard
Diane Fikes

Sonja Earsley
Stacie Krause
Marty Askin

A quorum was present.

Absent:

Alex Douthit, Vice Chair

Also in attendance were:

Kevin Buettner, Planning Director
Phil Daniel, City Council Liaison
Logan Parks, Deputy City Clerk

3. Agenda and Consent Agenda Approval

Chair Keaton noted the following additions to the Packet:

Add to Item F.1.

Postponement Memo - Administration

Public Comment

- Brad Brown
- KPB River Center

MOTION:

Commissioner Fikes **MOVED** to approve the agenda and consent agenda with the requested revisions. Commissioner Earsley **SECONDED** the motion.

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

Chair Keaton 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

Commissioner 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 June 10, 2026.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS

Brad Brown addressed the Commission, noting concerns with the effectiveness of the City's public hearing notification process and encouraged consideration of improved methods to better notify affected property owners.

There was discussion from Commissioners regarding public hearing notification procedures and reports of nearby property owners not receiving mailed notices. Clarification was provided regarding publication and mailing requirements; the use of Kenai Peninsula Borough parcel records to identify notified property owners; and efforts to improve online notifications.

David Brighton addressed the Commission, noting concerns regarding the timing of mailed public hearing notifications and encouraged the City to provide earlier and more direct notice to affected residents.

MOTION:

Commissioner Earsley **MOVED** to excuse Commissioner Askin's June 10, 2026 absence. Commissioner Woodard **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

E. CONSIDERATION OF PLATS - None.

F. PUBLIC HEARINGS

1. **Resolution PZ2026-19** - Granting a Conditional Use Permit for the Development and Use of Zero Lot Line Townhouses and a Six Family Dwelling in the Rural Residential Zoning District.

MOTION:

Commissioner Fikes **MOVED** to approve Resolution PZ2026-19. Commissioner Woodard **SECONDED** the motion.

Planning Director Buettner read the memo as included in the laydown packet that indicated the applicant had withdrawn their project from consideration and the Administration was requesting the item to be postponed indefinitely.

Chair Keaton opened the floor for public comment.

Mark Hall spoke in opposition to Resolution PZ2026-19 noting concerns regarding neighborhood compatibility; increased traffic; and impacts to the surrounding residential area.

Brad Brown spoke in opposition to Resolution PZ2026-19 noting concerns that the proposed development did not meet applicable City Code requirements related to residential density and should not have advanced through the review process; and spoke in support of efforts to revise City Code to improve clarity and consistency; and stated the proposed development was incompatible with the surrounding neighborhood.

Clarification was provided that the proposed development would have required revision had the application not been pulled; and there was discussion regarding the significance of accurate staff reports;

the value of public participation in the review process; opportunities to improve future reviews; and notification procedures.

Scott Stanford spoke in opposition to Resolution PZ2026-19 noting concerns that residents had to identify issues with the application and commented that the timing of public notification limited opportunities for public participation.

Phil Draheim spoke in opposition to Resolution PZ2026-19 noting that the proposed development would significantly increase neighborhood traffic and questioned the accuracy of the traffic analysis.

David Brighton spoke in opposition to Resolution PZ2026-19 requesting that the application be denied rather than withdrawn, citing concerns that it could otherwise be resubmitted or reconsidered; and encouraged the Commission to consistently apply City Code during the review process to protect the character of the neighborhood.

Clarification was provided that postponing an application indefinitely would not allow it to return in its current form; the applicant had withdrawn the offer to purchase the property; therefore, the proposed project would not move forward at that location.

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

MOTION:

Commissioner Fikes **MOVED** to postpone Resolution PZ2026-19 indefinitely. Commissioner Askin **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

G. UNFINISHED BUSINESS - None.

H. NEW BUSINESS

1. Discussion/Approval - Establishing Work Session Schedule for Fall 2026

Work Sessions were scheduled for September 23, 2026 and September 30, 2026 at 6:15 p.m.

I. REPORTS

1. Planning Director

Planning Director Buettner reported on the following:

- Reviewed code enforcement activity, including reporting procedures, seasonal increases in complaints, progress under the updated enforcement process, and continued use of fines and legal action when necessary to achieve compliance.
- Announced appointment as Vice President of the State Planning Board and shared that a statewide planning conference will be held in conjunction with the Alaska Municipal League conference, with budgeted funding available to support Commissioner attendance.

2. Commission Chair

Chair Keaton shared appreciation for staff's collaborative approach to working with the public and noted the Commission's continued growth and effectiveness in addressing Planning & Zoning issues.

3. Kenai Peninsula Borough Planning

Commissioner Fikes reported on recent actions of the Kenai Peninsula Borough Planning Commission.

4. City Council Liaison

Council Member Daniel reported on recent actions of the City Council.

J. ADDITIONAL PUBLIC COMMENTS

David Brighton thanked the Commission and staff for their work and service to the community.

Jen Brighton thanked the Commission for its consideration of the neighborhood; emphasized the importance of preserving its residential character and long-term community; and clarified the street receives City snow removal services and that private residential trash services are available within the neighborhood.

Brad Brown thanked the Planning Department for their assistance throughout the application review process.

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: July 15, 2026

L. COMMISSION COMMENTS AND QUESTIONS

Commissioner Askin stated appreciation for the public's participation.

Commissioner Earsley thanked Kenai residents for attending the meeting and sharing their perspectives; and the audience's acknowledgment of the staff and Commission's efforts.

Commissioner Woodard agreed with Commissioners Askin and Earsley.

Commissioner Krause thanked the public for their participation and encouraged residents to remain engaged in future Planning and Zoning Commission meetings.

Commissioner Fikes appreciated the strong public participation and emphasized the value of resident testimony in the decision-making process.

Chair Keaton thanked the public for their patience and participation, noting the Commission relies on public input and encouraged residents to remain engaged in future planning matters.

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 8:00 p.m.

I certify the above represents accurate minutes of the Kenai Planning & Zoning Commission meeting of June 24, 2026.

Logan Parks, Deputy City Clerk



June 15, 2026

National Coastal Resilience Fund
1625 Eye Street NW, Suite 300
Washington, DC 20006

Dear Sir or Madam,

On behalf of the City of Kenai, I am writing in support of Kenai Watershed Forum's (KWF) proposal, "Cook Inlet (Alaska) Wetlands Stewardship, Decision Support, and Community Capacity Building." Wetlands throughout the Kenai Peninsula Borough provide critical ecological and community benefits that we are privileged to enjoy, and would like to support the stewardship thereof.

Our organization recognizes the growing need for improved local capacity to understand, interpret, and apply wetlands information in planning, permitting, and land management decisions. While substantial investments have been made in wetlands mapping and hydrologic datasets across the region, there remain technical and institutional gaps in translating these tools into practical decision-making resources for communities, agencies, landowners, and local governments. Coupled with reductions in local technical staffing from agencies involved in wetlands management, an increased need has grown for collaborative, community-based capacity building efforts.

This project represents an important opportunity to address those needs through:

- Development of accessible wetlands decision-support tools,
- Regional resilience prioritization mapping,
- Community engagement and outreach,
- Professional wetlands stewardship trainings and professional development,
- An increased integration of wetlands science into planning and permitting processes.

We believe that the proposed elements of this project including the Wetlands Stewardship Cohort, public education initiatives, and collaborative mapping tools have strong potential to create durable regional benefits that extend beyond the project period and support future conservation, restoration, and resilience efforts throughout the Cook Inlet region, and could extend to other Alaskan coastal communities.

We at the City of Kenai appreciate and support the goals of this project and strongly encourage you to fund this project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Terry Eubank".

Terry Eubank
City Manager, City of Kenai