



**Kenai Planning & Zoning Commission -
Regular Meeting**

January 26, 2022 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

****Telephonic/Virtual Information on Page 2****

www.kenai.city

Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
- 4. Election of Chair and Vice-Chair**
5. Consent Agenda
6. *Excused Absences

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of January 12, 2022

C. SCHEDULED PUBLIC COMMENT

(Public comment limited to ten (10) minutes per speaker)

- 1. Jon Faulkner - Kenai Home Port Project Update**

D. UNSCHEDULED PUBLIC COMMENT

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

E. CONSIDERATION OF PLATS

- 1. Resolution PZ2022-02 – Preliminary Subdivision Plat of Kenaitze Government Lots Replat, submitted by Edge Survey and Design, P.O. Box 208, Kasilof, AK 99610, on behalf of Kenaitze Indian Tribe, P.O. Box 988, Kenai, AK 99611**
- 2. Resolution PZ2022-03– Preliminary Subdivision Plat of Toyon Subdivision 2021 Replat, submitted by Edge Survey and Design, P.O. Box 208, Kasilof, AK 99610, on behalf of Kenaitze Indian Tribe, P.O. Box 988, Kenai, AK 99611**

F. **PUBLIC HEARINGS**

G. **UNFINISHED BUSINESS**

1. **Resolution PZ2021-39** - Recommending the Council of the City of Kenai Approve and Adopt the City of Kenai Land Management Plan. [**Clerk's Note:** At the January 12th Meeting, this Resolution was Postponed to this Meeting; a Motion to Enact is On the Floor.]

H. **NEW BUSINESS**

I. **PENDING ITEMS**

J. **REPORTS**

1. City Administration
2. Kenai Peninsula Borough Planning
3. City Council

K. **ADDITIONAL PUBLIC COMMENT**

(Public comment limited to five (5) minutes per speaker)

L. **INFORMATIONAL ITEMS**

M. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. February 9, 2022

N. **COMMISSION COMMENTS AND QUESTIONS**

O. **ADJOURNMENT**

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

Join Zoom Meeting

<https://us02web.zoom.us/j/86272502978>

OR Call: (253) 215-8782 or (301) 715-8592

Meeting ID: 862 7250 2978 **Passcode:** 640260

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
JANUARY 12, 2022 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

Chair Twait called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

Chair Twait led those assembled in the Pledge of the Allegiance.

2. Roll Call

Commissioners present: J. Twait, A. Douthit, G. Woodard, A. Douthit, J. Halstead, R. Springer, G. Greenberg

Commissioners absent: D. Fikes

Staff/Council Liaison present: Planning Director R. Foster, City Manager P. Ostrander, Deputy City Clerk M. Thibodeau, Council Liaison J. Glendening

A quorum was present.

3. Agenda Approval

MOTION:

Commissioner Halstead **MOVED** to approve the agenda and Commissioner Greenberg **SECONDED** the motion. There were no objections; **SO ORDERED**.

4. Election of Chair and Vice-Chair

Chair Twait encouraged any commissioners to consider the Chair or Vice-Chair position if they were interested.

Because not all members of the commission were present, it was decided to hold the election of Chair and Vice-Chair at their next regular meeting.

5. Consent Agenda

MOTION:

Commissioner Halstead **MOVED** to approve the consent agenda and Commissioner Woodard **SECONDED** the motion. There were no objections; **SO ORDERED**.

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

6. *Excused absences – None

B. APPROVAL OF MINUTES

1. *Regular Meeting of December 8, 2021

Approved by the consent agenda.

2. *Regular Meeting of December 22, 2021

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS – None.

F. PUBLIC HEARINGS

1. **Resolution PZ2022-01** - Application for a Conditional Use Permit for Cabin Rentals for the property described as North 70 ft of South 140 ft of Government Lot 166, located at 104 N Tinker Lane, Kenai, Alaska 99611. The application was submitted by Bill Elmore, P.O. Box 1531, Kenai, Alaska 99611.

MOTION:

Commissioner Halstead **MOVED** to approve Resolution No. PZ2022-01 and Commissioner Douthit **SECONDED** the motion.

Dale Elmore provided a background on the property, noting that it was the estate of his wife's father and was previously the Brown Bear Gun Shop. He explained that he wants to make the property a vacation rental, while maintaining the log cabin as a historical structure and tribute to his father-in-law, and wants it to be a destination for people who come to Kenai.

Planning Director Foster presented his staff report with information provided in packet explaining that the applicant wishes to obtain a conditional use permit for cabin rentals. The criteria for conditional use permits was reviewed; it was noted the application met the criteria and City staff recommends approval subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. Prior to starting operations, a landscape/site plan must be reviewed and approved by the Planning Director.

3. Prior to beginning construction of any new structures, a building permit must be issued by the Building Official for the City of Kenai. Any renovations must check in with the Building Official regarding any required building permits.
4. Standards for commercial marijuana establishments per KMC14.20.330 must be maintained.
5. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
6. The applicant will meet with City staff for on-site inspections when requested.
7. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(I)(5).
8. Pursuant to KMC 14.20.150(I)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
9. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

Chair Twait opened for public hearing.

Mosaddeque Reza expressed concern about traffic, noting there was no speed limit sign on that road. He asked if there will be any on-site management to ensure there will be no trash left out, if there is the possibility of it turning into a hotel, and if there will be increased presence of police officers.

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

In response to commissioner questions, Dale Elmore clarified that he had no plans to build additional cabins on this property; that the building would have two beds and two baths; that he there would not be on-site management but there is a plan for management, cleaning and trash; and that he resides locally.

It was noted that this will be a great opportunity to use a vacant property with a good business plan that keeps the neighborhood in mind, and appreciation was expressed for the owner's intent of maintaining the building as a historic property.

MOTION TO AMEND:

Commissioner Douthit **MOVED** to amend Resolution PZ2022-01 to add a condition of quiet hours of 10pm-6am. Commissioner Woodard **SECONDED** the motion.

VOTE ON AMENDMENT:

YEA: Springer, Halstead, Woodard, Douthit, Greenberg, Twait

NAY:

VOTE ON MAIN MOTION AS AMENDED:

YEA: Halstead, Woodard, Douthit, Greenberg, Twait, Springer

NAY:

MOTION PASSED UNANIMOUSLY.

Chair Twait noted the fifteen-day appeal period.

The Commission encouraged Mr. Reza to contact the City of Kenai Streets Department if he wants to pursue installation of a new speed limit sign.

G. NEW BUSINESS – None.

H. UNFINISHED BUSINESS

1. **Resolution PZ2021-39** - Recommending the Council of the City of Kenai Approve and Adopt the City of Kenai Land Management Plan. *[Clerk's Note: At the December 22nd Meeting, this Resolution was Postponed to this Meeting; a Motion to Enact is On the Floor.]*

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

Director Foster noting additional information provided by Administration that addresses the intent of the Land Management Plan (LMP), examples of motions, and a requested amendment with housekeeping changes. City Manager Ostrander provided further clarification on the implementation plan that will follow Council's approval of the final LMP, and the status of other commissions' resolutions recommending the LMP.

MOTION:

Commissioner Douthit **MOVED** to postpone Resolution No. PZ2021-39 until January 26, 2022 and Commissioner Woodard **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Vice Mayor Glendening noted he is pleased with the involvement of the commission, and reviewed the actions of the January 5, 2022 City Council meeting.
2. **Borough Planning** – No report.
3. **City Administration** – Planning Director Foster reported on the following:
 - Noted the letter in the Informational Items and explained how the code violation had been remedied;
 - Noted KMC Chapter 12.10 Nuisances in General in the Informational Items that was requested;
 - Provided information regarding marijuana tax as requested;
 - The next Planning & Zoning Commission regular meeting will include two plats, the continuation of LMP discussion, and the election of Chair and Vice Chair.

K. ADDITIONAL PUBLIC COMMENT

Mosaddeque Reza provided further information on the street signs near his property.

L. INFORMATIONAL ITEMS

1. Code Violation Remedy Letter - 1005 Angler
2. KMC Chapter 12.10 Nuisances in General

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. January 26, 2022

N. COMMISSION COMMENTS & QUESTIONS

Commissioner Woodard noted that she was thankful to be re-appointed for another term.

Commissioner Halstead noted that he appreciates having Chair Twait and Vice Chair Fikes.

Commissioner Greenberg welcomed City Clerk Saner.

Chair Twait thanked City Manager Ostrander for attending the meeting.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:59 p.m.

Minutes prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2022-02**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT KENAITZE GOVERNMENT LOTS REPLAT ATTACHED HERETO BE APPROVED

WHEREAS, the City of Kenai received the plat from Edge Survey and Design and,

WHEREAS, the plat meets Municipal Code requirements of the General Commercial (GC); and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, access is provided via S Spruce Street, which is a paved, City maintained road; and

WHEREAS, City water and sewer lines are located along S Spruce Street; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 Subdivision design standards, the plat conforms to the minimum street widths, easements are sufficiently provided for utilities, the proposed lot would be arranged to provide satisfactory and desirable building sites, and the preliminary plat meets standards for water and wastewater.
2. Pursuant to Kenai Municipal Code 14.24.010 Minimum lot area requirements, the proposed lots meets City standards for minimum lot sizes.
3. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the proposed lots meet City standards for minimum lot width, maximum lot coverage, maximum height, and setbacks.

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

Section 1. That the preliminary plat of Kenaitze Government Lots Replat be approved subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 26th day of January, 2022.

JEFF TWAIT, CHAIRPERSON

ATTEST:

Michelle M. Saner, MMC, City Clerk



KENAI

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

STAFF REPORT

TO: Planning and Zoning Commission
FROM: Ryan Foster, Planning Director
DATE: January 21, 2022
SUBJECT: PZ2022-02 – Preliminary Plat – Kenaitze Government Lots Replat

Applicant: Kenaitze Indian Tribe
P. O. Box 988
Kenai, AK 99611

Submitted By: Edge Survey and Design
P.O. Box 208
Kasilof, AK 99610

Requested Action: Preliminary Subdivision Plat – Kenaitze Government Lots Replat

Legal Description: T 5N R 11W SEC 6 SEWARD MERIDIAN KN GOVT LOTS 27 28 29 32 & 33

T 5N R 11W SEC 6 SEWARD MERIDIAN KN THAT PORTION OF GOVT LOT 31 AS PER W/D 273 @ 847 DESCRIBED AS BEGIN AT NE CORNER OF GOV LOT 32; THENCE N 41 DEGREES 48' 00" W 85.54 FT MORE OR LESS TO W CORNER OF GOV LOT 27; THENCE S 53 DEGREES 54' 09" W 107.77 FT MORE OR LESS TO POINT ON N LINE OF GOV LT 32; THENCE ALONG N LINE S 89 DEGREES 53' 30" E TO POINT OF BEGIN T 5N R 11W SEC 6 SEWARD MERIDIAN KN THAT PORTION OF GOVT LOT 31 AS PER W/D 273 @ 847 DESCRIBED AS BEGIN AT NE CORNER OF GOV LOT 32; THENCE N 41 DEGREES 48' 00" W 85.54 FT MORE OR LESS TO W CORNER OF GOV LOT 27; THENCE S 53 DEGREES 54' 09" W 107.77 FT MORE OR LESS TO POINT ON N LINE OF GOV LT 32; THENCE ALONG N LINE S 89 DEGREES 53' 30" E TO POINT OF BEGIN

T 5N R 11W SEC 6 SEWARD MERIDIAN KN NORTH 150 FT OF GOVT LOT 34

Property Address: 11823 Kenai Spur Highway
KPB Parcel No: 04702199, 04702017, 04702011
Lot Size: Approximately 4.82 acres, 0.11 acres, and 0.97 acres
Existing Zoning: General Commercial (GC)
Current Land Use: Vacant
Land Use Plan: Central Commercial

GENERAL INFORMATION

Edge Survey and Design submitted a preliminary plat on behalf of the property owners, the Kenaitze Indian Tribe. The plat affects the parcels with KPB Parcel No: 04702199, 04702017, and 04702011.

The proposed Kenaitze Government Lots Replat will consolidate a few smaller parcels to create one more manageable parcel, with a shared zoning designation of General Commercial and one property owner.

Application, Public Notice, Public Comment

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

The property owners completed the City of Kenai preliminary plat submittal form. The City of Kenai follows *Kenai Peninsula Borough Code 20.25.070* and *20.25.080* for preliminary plat submittal requirements. City staff published notice of the consideration of the plat as part of the agenda for the City of Kenai Planning and Zoning Commission in the *Peninsula Clarion*. No public comments have been received as of January 21, 2022.

ANALYSIS

Access to the proposed Kenaitze Government Lots Replat is provided via S Spruce Street, which is a paved, City maintained road. City water and sewer lines are adjacent along S Spruce St.

The preliminary plat meets requirements of *KMC Subdivision design standards* and *KMC 14.10.080 Minimum improvements required* under *Chapter 14.10 Subdivision Regulations*.



RECOMMENDATIONS

City staff recommends approval of the preliminary plat of Kenaitze Government Lots Replat subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.

ATTACHMENTS

1. Application
2. Preliminary Plat
3. Aerial Map





Preliminary Plat Submittal Form

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

APPLICANT (SURVEYOR)

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

PROPERTY OWNER

Name:	Kenaitze Indian Tribe				
Mailing Address:	PO Box 988	City:	Kenai	State:	AK
				Zip Code:	99611
Phone Number(s):	335-7206 - Don Ohler				
Email:	dohler@kenaitze.org				

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	04708809 and 04708610				
Current City Zoning:	General Commercial				
Use:	<input type="checkbox"/> Residential	<input type="checkbox"/> Recreational	<input checked="" type="checkbox"/> Commercial		
	<input type="checkbox"/> Other:				
Water:	<input type="checkbox"/> On Site	<input checked="" type="checkbox"/> City	<input type="checkbox"/> Community		
Sewer:	<input type="checkbox"/> On Site	<input checked="" type="checkbox"/> City	<input type="checkbox"/> Community		

PLAT INFORMATION

Preliminary Plat Name:	Kenaitze Government Lots Replat				
Revised Preliminary Plat Name:					
Vacation of Public Right-of-Way:	<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No		
Street Name (if vacating ROW):					

Exceptions Required and Requested:

None

Comments:

Platting goal is to combine several small parcels.

RECEIVED

CITY OF KENAI

DATE 1-5-22

PLANNING DEPARTMENT

REQUIRED ATTACHMENTS

<input checked="" type="checkbox"/> Certificate to Plat	<input checked="" type="checkbox"/> (1) 24" x 36" Plat	<input checked="" type="checkbox"/> (2) 11" x 17" Plats
---------------------------------------------------------	--------------------------------------------------------	---------------------------------------------------------

SIGNATURE

Signature:	<i>Chelsea Hendriks</i>	Date:	12/22/2021 14 40 AI
Print Name:	Chelsea Hendriks	Title/Business:	Interim Executive Director Kenaitze Indian Tribe



**Kenaitze Indian Tribe
Resolution No. 2021-42**

Authorizing Chelsea Hendriks, Interim Executive Director of Tribal Administration, to sign all contracts, agreements, and official documents on behalf of the Kenaitze Indian Tribe in FY2021-2022

**KENAITZE
INDIAN
TRIBE**

www.kenaitze.org

Phone: 907-335-7200 • FAX: 855-335-8865

P.O. Box 988 • Kenai, AK 99611

WHEREAS, Kenaitze Indian Tribe is a federally recognized Tribal Government reorganized in 1971 under the statutes of the Indian Reorganization Act of 1934, as amended for Alaska in 1936, and the Tribal Council is the governing body of Kenaitze Indian Tribe; and,

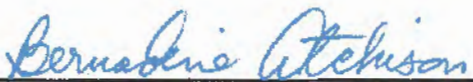
WHEREAS, Kenaitze Indian Tribe has established long-term goals to enhance the health, social, and economic well-being, education, judicial, and administrative concerns of its people via programs that serve over 4,410 Alaska Native and American Indian (AN/AI) and other people who reside in the central and upper Kenai Peninsula, including approximately 1,717 enrolled Tribal Members; and,

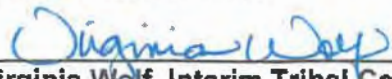
WHEREAS, Kenaitze Indian Tribe has successfully administered P.L. 93-638 "Indian Self-Determination and Educational Assistance Act" (ISDEAA) programs independently for more than 17 years, as well as other federally funded projects via the Bureau of Indian Affairs, the Indian Health Service, and the U.S. Departments of Health and Human Services, Justice, Education, Labor, Housing and Urban Development, Interior, and Homeland Security, in addition to other grants and funding agreements awarded by the State of Alaska and private foundations, among other sources, and will continue such successful administration into the future; and,

NOW THEREFORE BE IT RESOLVED, that the Kenaitze Tribal Council hereby authorizes Chelsea Hendriks, Interim Executive Director of Tribal Administration, to sign all contracts, agreements, and official documents on behalf of the Kenaitze Indian Tribe in FY2021-2022. Additionally, all documents must be signed by Bernadine Atchison, Tribal Council Chair, or Diana L. Zirul, Tribal Council Treasurer. Signature authority may be delegated by Chelsea Hendriks to Larry Barnes, Kenaitze Indian Tribe's Finance Director.

CERTIFICATION

Adopted this 25th day of June, 2021, by a vote 6 yeas and 0 nays
0 abstentions, and 0 absent, 0 opposed.


Bernadine Atchison, Tribal Council Chair
Kenaitze Indian Tribe


Virginia Wolf, Interim Tribal Council
Secretary
Kenaitze Indian Tribe

Stewart Title of the Kenai Peninsula, Inc.

35096 Kenai Spur Hwy.

Soldotna, AK 99669

Tel: (907) 260-8031 Fax: (907) 260-8036

CERTIFICATE TO PLAT

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

File Number: 21153
Premium: \$350.00
Tax:

Gentlemen:

This is a certificate as of November 30, 2021 at 8:00 A.M. for a plat out of the following property:

Parcel 1:

U.S. Government Lots 27, 28, 29, 32, and 33 in Section 6, Township 5 North, Range 11 West, Seward Meridian, Kenai Recording District, Third Judicial District, State of Alaska, EXCEPTING THEREFROM that portion described in Declaration of Taking recorded March 17, 1971 in Book 39 at Page 225, and EXCEPTING THEREFROM Lot 32, that portion lying within Thirty (30) feet of, and contiguous to, the Westerly boundary of said lot, as said lot and section are shown on the official Bureau of Land Management plat of the Dependent Resurvey and Subdivision of said Section 6.

ALSO EXCEPTING THEREFROM Lot 33, that strip of land, 4950 square feet in area, contiguous to the Westerly boundary of said lot, as said lot is described on the official Bureau of Land Management plat of the Dependent Resurvey and Subdivision of said Section 6.

ALSO EXCEPTING THEREFROM Lot 33, that strip of land, 6125 square feet, contiguous to the Southerly boundary of the aforescribed lot (commonly known as access road to Lee Apartments).

Parcel 2:

That Portion of Government Lot 31, In Section 6, Township 5 North, Range 11 West, Seward Meridian, Kenai Recording District, Third Judicial District, State of Alaska, more particularly described as follows:

Begin at the most northeasterly corner of Lot 32 of Section 6;

Thence N. 41°48'00" W., 85.54 feet more or less to the most Westerly corner of Lot 27 of said Section 6;

Thence in a direct line, S. 53°54'09" W., 107.77 feet more or less to a point on the North line of said Lot 32;

Thence along said North line, S. 89°53'30" E. to the point of beginning.

The Company certifies that record title is vested in

Kenaitza Indian Tribe

an estate in fee simple, free from all liens, encumbrances, and objections except for as follows:

1. **RESERVATIONS** and exceptions as contained in U.S. Patents, and/or acts authorizing the issuance thereof.
2. **RESERVATIONS AND EXCEPTIONS** as contained in State of Alaska Patent, and/or in acts authorizing the issuance thereof. Said patent, among other things, reserves all oil, gas and other minerals together with the privileges, mining and drilling rights and immunities. FURTHER, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.
3. **RESERVATIONS AND EXCEPTIONS** as contained in Mineral Patent from the United States of America to the State of Alaska

Recorded:

September 27, 1982

Volume/Page: 194/770

FURTHER, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.

4. **TAXES AND ASSESSMENTS**, if any due the taxing authority indicated:

Taxing Authority: City of Kenai

5. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:

Taxing Authority: KENAI PENINSULA BOROUGH

6. **RESERVATION OF EASEMENT** for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 601, dated August 10, 1949 and amended by Public Land Order No. 757, dated October 10, 1959; Public Land Order No. 1813, dated April 7, 1958; and Department of the Interior Order No. 2665, dated October 16, 1951, Amendment No. 1 thereto, dated July 17, 1952 and Amendment No. 2 thereto, dated September 15, 1956, filed in the Federal Register.

7. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:

Recorded: December 31, 1963

Volume/Page: Misc. 11/267

Granted To: Kenai Power Corporation

Affects: General Easement, no definite location disclosed
(Lots 27, 28, 29 and 31)

Release of General Right-of-Way, including the terms and conditions therein:

Recorded: November 8, 2012

Serial No.: 2012-011074-0

8. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:

Recorded: August 3, 1967

Volume/Page: 47/150

(Lot 33)

FURTHER, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.

9. **EASEMENT** affecting the portion of said premises and for the purposes stated herein, and incidental purposes thereto:

For: natural gas line and related purposes

In Favor Of: Kenai Utility Service Corporation

Recorded: July 23, 1968

Volume/Page: 32/79

Affects: Portion of said property

10. **TERMS AND CONDITIONS** contained in that certain Instrument by the City of Kenai to Kenai Electric, Inc., and recorded:

April 1, 1977

Volume/Page: 106/456

(Affects Lot 31)

11. **RECORD OF SURVEY 87-64.**

12. **RECORD OF SURVEY 2012-34.**

13. **EASEMENT** affecting the portion of said premises and for the purposes stated herein, and incidental purposes thereto:

For: ingress and egress to Lot 34

Recorded: January 16, 2013

Serial No.: 2013-000445-0
Affects: Portion of Lot 33

14. **EASEMENT** affecting the portion of said premises and for the purposes stated herein, and incidental purposes thereto:

For: telephone/telecommunication lines and related purposes
In Favor Of: ACS of the Northland, LLC
Recorded: April 9, 2013
Serial No.: 2013-003311-0
Affects: Portion of said land

15. **KENAI PENINSULA BOROUGH PLANNING COMMISSION RESOLUTION 2013-08**, including the terms and conditions therein:

Recorded: April 29, 2013
Serial No.: 2013-004092-0

NOTE: Said Resolution is to vacate the 15 foot access easement along the south boundary of Lot 33, as described and recorded in Book 47 at Page 150 and also to vacate other property. It is noted that the City of Kenai Deeded Lot 33, and excluded two pieces of property in Book 47 at Page 150. The Company can not determine if it can be vacated or it has to be deeded by the City.

16. **AN OIL AND GAS LEASE** affecting the above interest under the terms, covenants and conditions therein provided, as disclosed by Memorandum:

Lessor: State of Alaska
Lessee: Hilcorp Alaska, LLC
Recorded: February 2, 2016
Serial No.: 2016-000872-0

FURTHER, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.

17. **RIGHTS OF THE PUBLIC** and/or governmental entities lying within the boundaries of South Spruce Street and the Kenai Spur Hwy.

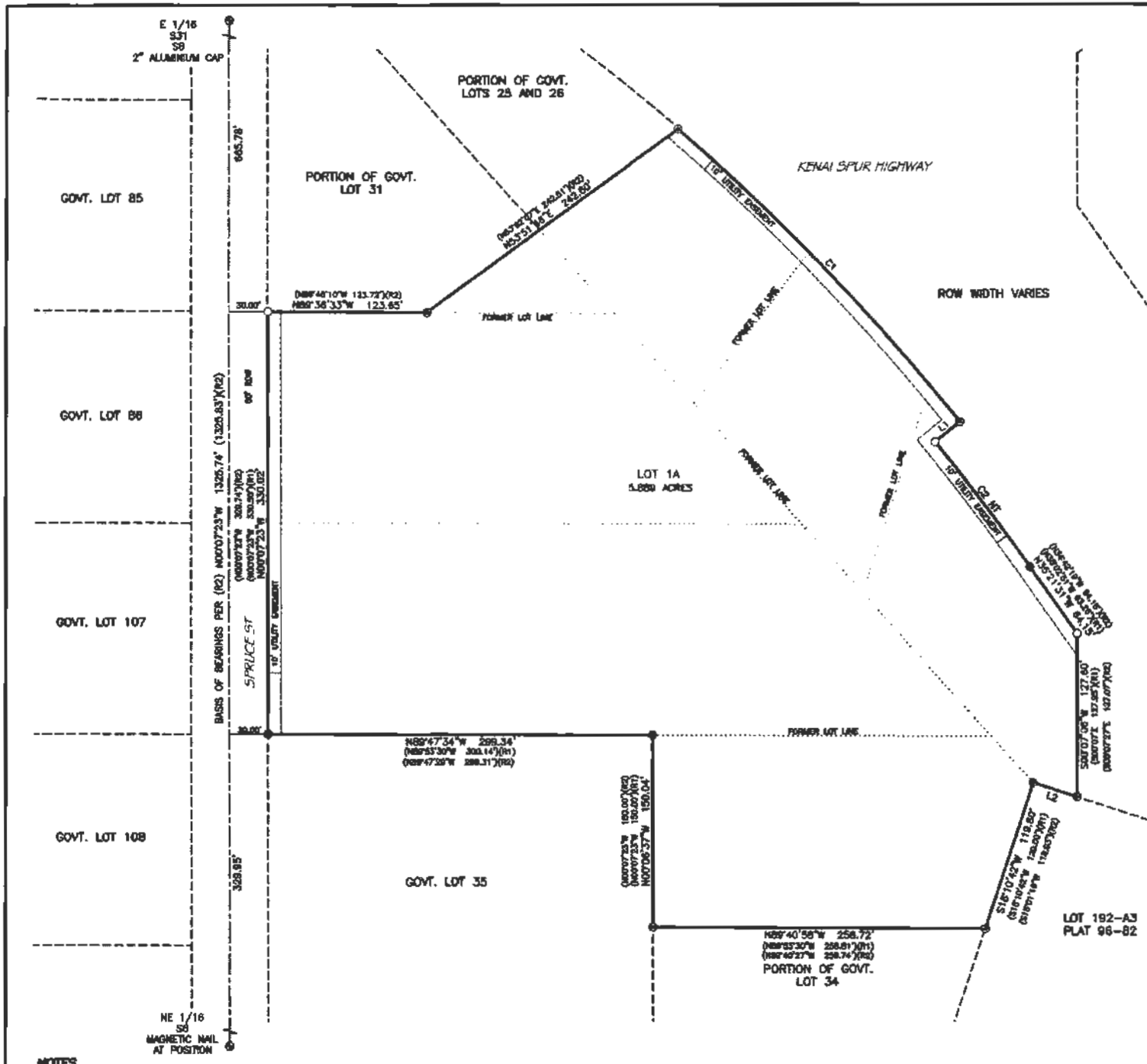
Stewart Title of the Kenai Peninsula, Inc.

By



Terri Cotterell
Authorized Signator

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



LEGEND

⊙	MONUMENT FOUND AS REFERENCED	—————	PARCEL BOUNDARY
○	PROPERTY CORNER FOUND 5/8" REBAR	FORMER LOT LINE
⊙	PROPERTY CORNER FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP STAMPED NMI 288-S	-----	ADJACENT PROPERTY LINE
⊙	PROPERTY CORNER FOUND 5/8" REBAR WITH 1-1/2" ALUMINUM CAP STAMPED LS-5182	-----	EASEMENT
⊙	PROPERTY CORNER FOUND 5/8" REBAR WITH ORANGE PLASTIC CAP STAMPED LS-8101	-----	CENTERLINE
		(R/F)	RECORD DATA, SEE REFERENCE
		KRD	KENAI RECORDING DISTRICT
		NT	NON-TANGENTIAL

REFERENCES

(R1) SELWAY - WILHELM DEED OF RECORD BOUNDARY SURVEY, PLAT 82-848S, KENAI RECORDING DISTRICT

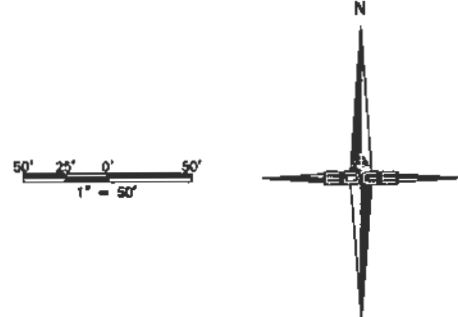
(R2) RECORD OF SURVEY, PLAT 2021-34, KENAI RECORDING DISTRICT

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	1808.86	318.05	10°04'08"	N43°23'56"W	317.84
C1(R1)	1808.86	317.53	10°03'55"	N43°58'27"W	317.84
C1(R2)	1808.86	318.05	10°04'00"	N43°54'01"W	317.82
C2	1784.86	122.31	3°55'36"	S36°55'51"E	122.29
C2(R1)	1784.86	121.84	3°54'46"	S37°00'11"E	121.82
C2(R2)	1784.86	122.34	3°55'41"	S36°55'22"E	122.34

LINE TABLE

LINE	BEARING	DISTANCE
L1	N51°10'21"E	24.82
L1(R1)	N51°02'29"E	25.00
L1(R2)	N51°13'50"E	24.82
L2	N72°03'42"W	36.15
L2(R1)	N71°42'00"W	36.78
L2(R2)	N71°57'30"W	36.42



PLAT APPROVAL

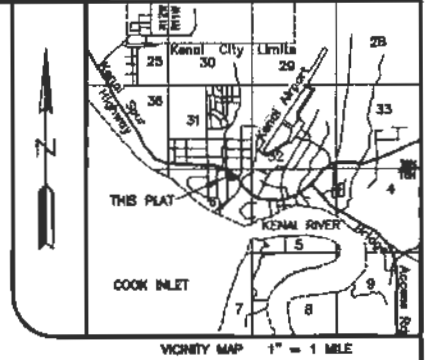
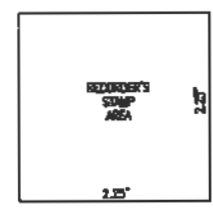
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF FEBRUARY 28, 2022.

KENAI PENINSULA BOROUGH

 AUTHORIZED OFFICIAL

CERTIFICATE OF SURVEYOR

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



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

CHELSEA HENRIKSSON, INTERIM EXECUTIVE DIRECTOR
 PO BOX 988
 KENAI, ALASKA 99611
 KENAITZE INDIAN TRIBE IRA
 KENAITZE INDIAN TRIBE

NOTARY ACKNOWLEDGEMENT

FOR: CHELSEA HENRIKSSON
 ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____, 2022

NOTARY PUBLIC SIGNATURE



KPB FILE No. 2022-000

KENAITZE GOVERNMENT LOTS REPLAT

A REPLAT OF GOVERNMENT LOTS 27, 28, 29, 32, 33, THE NORTH 150' OF GOVERNMENT 34 AND THAT PORTION OF LOT 31 AS DESCRIBED IN BOOK 273, PAGE 847, KENAI RECORDING DISTRICT

OWNERS:
 KENAITZE INDIAN TRIBE IRA
 KENAITZE INDIAN TRIBE
 PO BOX 988
 KENAI, ALASKA 99611

LOCATED WITHIN NE 1/4, SECTION 8,
 T.5N., R.11W., S.4M.
 STATE OF ALASKA
 KENAI PENINSULA BOROUGH
 KENAI RECORDING DISTRICT
 CITY OF KENAI

CONTAINING 5.889 ACRES



12501 OLD EDWARD, D ANCHORAGE, AK 99515
 Phone (907) 544-5990 Fax (907) 544-7794
 AECCL 1382

DRAWN BY: JY	DATE: 12/22/2021	PROJECT: 21-634
CHECKED BY: MA	SCALE: 1" = 50'	SHEET: 1 OF 1

- NOTES**
- FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA AND LOCAL REGULATIONS.
 - DEVELOPMENT OF THIS PARCEL SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
 - THE FRONT 10 FEET ADJACENT TO RIGHT OF WAY IS AN UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH COULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
 - GENERAL ELECTRIC AND TELEPHONE TRANSMISSION AND DISTRIBUTION LINES EASEMENT, LOCATION NOT DEFINED, GRANTED TO KENAI POWER CORPORATION, HAVING THE FOLLOWING RECORDING INFORMATION. RECORDED DECEMBER 31, 1983, VOLUME: 11, PAGE: 287. KRD. EFFECTING FORMER LOTS 27, 28, 29 AND 31.
 - GENERAL NATURAL GAS LINE LINES EASEMENT, LOCATION NOT DEFINED, GRANTED TO KENAI UTILITY SERVICE CORPORATION, HAVING THE FOLLOWING RECORDING INFORMATION. RECORDED JULY 23, 1988, VOLUME: 32, PAGE 78. KRD. EFFECTING FORMER LOT 31.
 - TERMS AND CONDITIONS CONTAINED IN THAT CERTAIN INSTRUMENT BY THE CITY OF KENAI TO KENAI ELECTRIC, INC., AND RECORDED: APRIL 1, 1977 VOLUME/PAGE: 100/456 AFFECTS FORMER LOT 31.
 - EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES THERETO: FOR: INGRESS AND EGRESS TO LOT 34 RECORDED: JANUARY 18, 2013. SERIAL NO.: 2013-000448-0.
 - EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES THERETO: FOR: TELEPHONE/TELECOMMUNICATION LINES AND RELATED PURPOSES IN FAVOR OF: ACS OF THE NORTHLAND, LLC RECORDED: APRIL 6, 2013, SERIAL NO.: 2013-003311-0.
 - RESERVATION OF EASEMENT FOR HIGHWAY PURPOSES, AND ANY ASSIGNMENTS OR USES THEREOF FOR RECREATIONAL UTILITY OR OTHER PURPOSES, AS DISCLOSED BY PUBLIC LAND ORDER NO. 801, DATED AUGUST 10, 1946 AND AMENDED BY PUBLIC LAND ORDER NO. 757, DATED OCTOBER 10, 1959; PUBLIC LAND ORDER NO. 1813, DATED APRIL 7, 1956; AND DEPARTMENT OF THE INTERIOR ORDER NO. 2865, DATED OCTOBER 16, 1951, AMENDMENT NO. 1 THERETO, DATED JULY 17, 1952 AND AMENDMENT NO. 2 THERETO, DATED SEPTEMBER 15, 1958, FILED IN THE FEDERAL REGISTER.
 - EFFECTS OF KENAI PENINSULA BOROUGH PLANNING COMMISSION RESOLUTION 2013-08, INCLUDING THE TERMS AND CONDITIONS THEREIN; RECORDED: APRIL 29, 2013 SERIAL NO.: 2013-004062-0.
 - WASTEWATER DISPOSAL: CITY WATER AND SEWER ARE AVAILABLE TO SERVE THIS PARCEL. PLANS FOR WASTEWATER TREATMENT AND DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.



Kenaitze Government Lots Replat



LEGEND

 Subject Parcel

0 50 100 Feet

Date: 1/21/2022



PLANNING & ZONING COMMISSION

Resolution PZ2022-02 – Preliminary Plat – Kenaitze Government Lots Replat

SUMMARY

Applicant: Kenaitze Indian Tribe
P. O. Box 988
Kenai, AK 99611

Property Address: 11823 Kenai Spur Highway

KPB Parcel No: 04702199, 04702017, 04702011

Lot Size: Approximately 4.82 acres, 0.11 acres, and 0.97 acres

Existing Zoning: General Commercial (GC)

Current Land Use: Vacant

Land Use Plan: Central Commercial

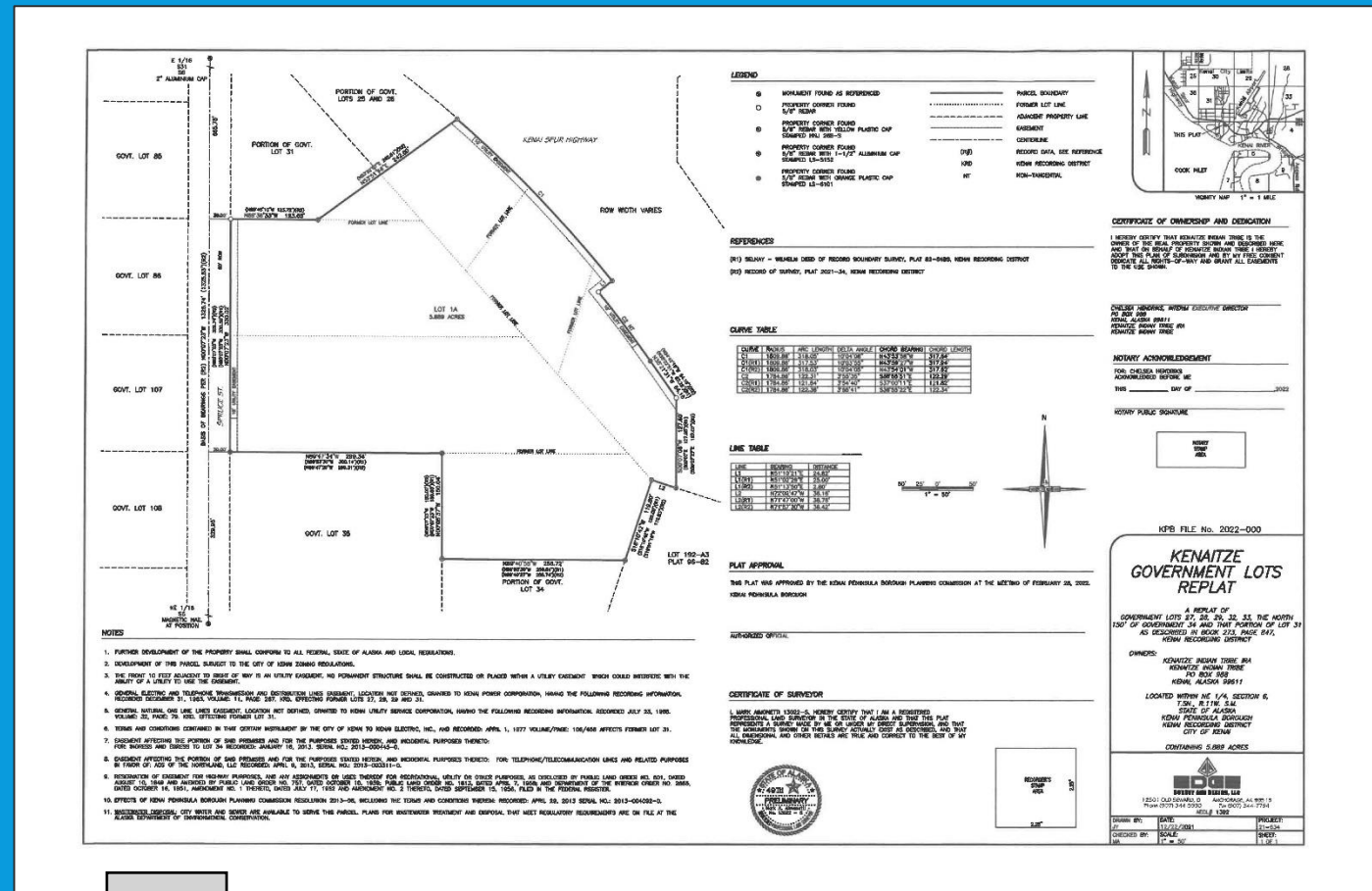


Kenaitze Government Lots Replat



PRELIMINARY PLAT

- Edge Survey and Design submitted a preliminary plat on behalf of the property owners, the Kenaitze Indian Tribe.
- The proposed Kenaitze Government Lots Replat will consolidate a few smaller parcels to create one more manageable parcel, with a shared zoning designation of General Commercial and one property owner.



STAFF ANALYSIS

- Access to the proposed Kenaitze Government Lots Replat is provided via S Spruce Street, which is a paved, City maintained road. City water and sewer lines are adjacent along S Spruce St.
- The preliminary plat meets requirements of KMC Subdivision design standards and KMC 14.10.080 Minimum improvements required under Chapter 14.10 Subdivision Regulations.

RECOMMENDATIONS



- City staff recommends approval of the preliminary plat of Kenaitze Government Lots Replat subject to the following conditions:
 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.

ATTACHMENTS

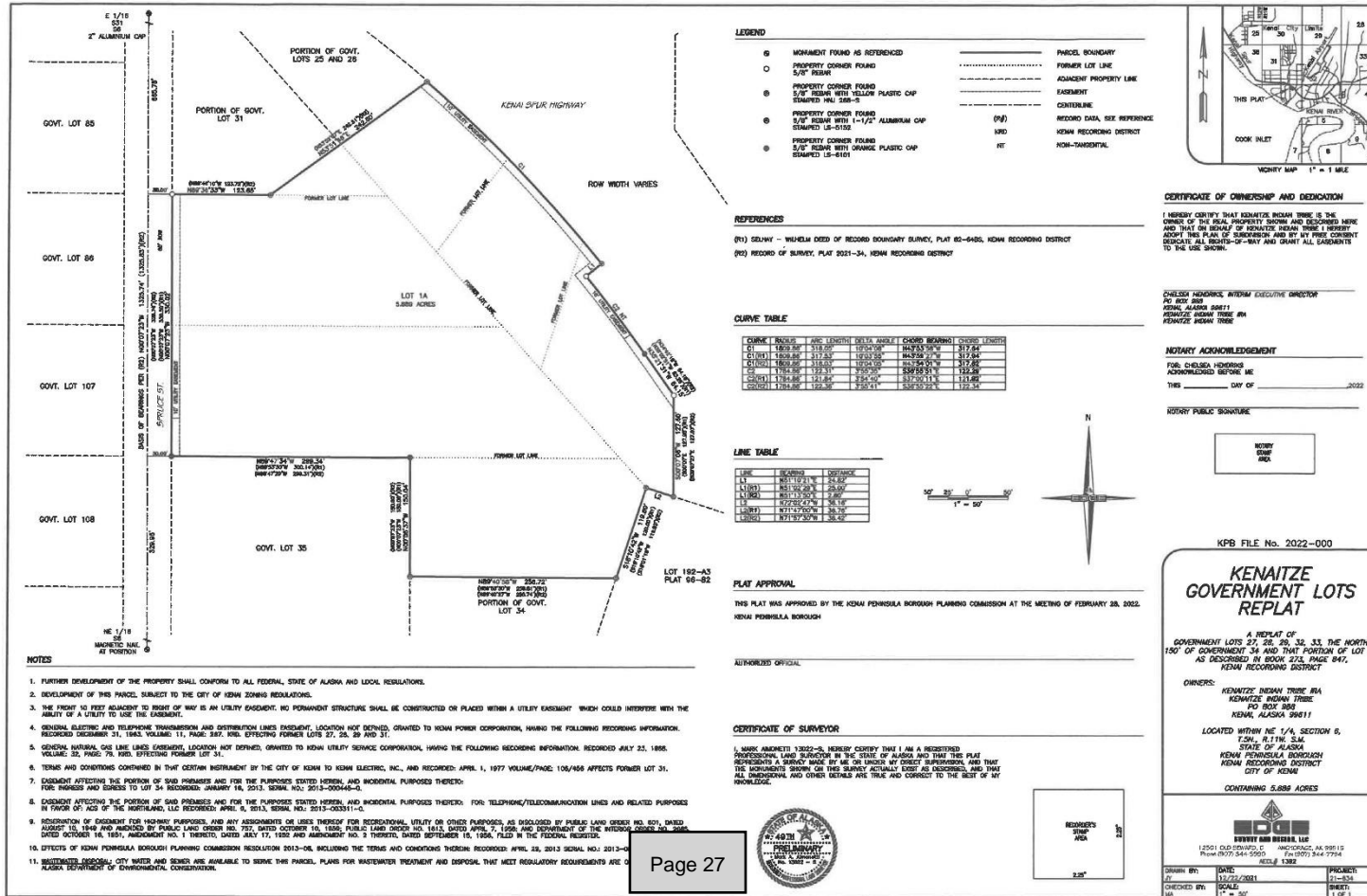
- A. Application
- B. Preliminary Plat
- C. Aerial Map

A. APPLICATION

DocuSign Envelope ID: 8F282584-BE43-4B76-9DA9-6D00E9DC666D

		Preliminary Plat Submittal Form		City of Kenai Planning and Zoning Department 210 Fidalgo Avenue Kenai, AK 99611 (907) 283-8200 planning@kenai.city www.kenai.city/planning		
APPLICANT (SURVEYOR)						
Name:	Edge Survey and Design					
Mailing Address:	PO Box 208	City:	Kenai	State:	AK	
Phone Number(s):	283-9047					
Email:	jason@edgesurvey.net					
PROPERTY OWNER						
Name:	Kenaitze Indian Tribe					
Mailing Address:	PO Box 988	City:	Kenai	State:	AK	
Phone Number(s):	335-7208 - Don Ohler					
Email:	dohler@kenaitze.org					
PROPERTY INFORMATION						
Kenai Peninsula Borough Parcel #:	04708609 and 04708610					
Current City Zoning:	General Commercial					
Use:	<input type="checkbox"/> Residential <input type="checkbox"/> Recreational <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Other:					
Water:	<input type="checkbox"/> On Site <input checked="" type="checkbox"/> City <input type="checkbox"/> Community					
Sewer:	<input type="checkbox"/> On Site <input checked="" type="checkbox"/> City <input type="checkbox"/> Community					
PLAT INFORMATION						
Preliminary Plat Name:	Kenaitze Government Lots Replat					
Revised Preliminary Plat Name:						
Vacation of Public Right-of-Way:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Street Name (if vacating ROW):						
Exceptions Required and Requested:						
None						
Comments:						
Platting goal is to combine several small parcels.						
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> RECEIVED CITY OF KENAI DATE 1-3-22 PLANNING DEPARTMENT </div>						
REQUIRED ATTACHMENTS						
<input checked="" type="checkbox"/> Certificate to Plat <input checked="" type="checkbox"/> (1) 24" x 36" Plat <input checked="" type="checkbox"/> (2) 11" x 17" Plats						
SIGNATURE						
Signature:					Date:	12/22/2021 14:40 AI
Print Name:	Chelsea Hendriks				Interim Executive Director, Kenaitze Indian Tribe	

B. PRELIMINARY PLAT



C. AERIAL MAP



Kenaitze Government Lots Replat





**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2022-03**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT TOYON SUBDIVISION 2021 REPLAT ATTACHED HERETO BE APPROVED

WHEREAS, the City of Kenai received the plat from Edge Survey and Design and,

WHEREAS, the plat meets Municipal Code requirements of the Townsite Historic (TSH); and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, access is provided via Alaska Avenue, which is a paved, City maintained road; and

WHEREAS, City water and sewer lines are located along Mission Avenue; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 Subdivision design standards, the plat conforms to the minimum street widths, easements are sufficiently provided for utilities, the proposed lot would be arranged to provide satisfactory and desirable building sites, and the preliminary plat meets standards for water and wastewater.
2. Pursuant to Kenai Municipal Code 14.24.010 Minimum lot area requirements, the proposed lots meets City standards for minimum lot sizes.
3. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the proposed lots meet City standards for minimum lot width, maximum lot coverage, maximum height, and setbacks.

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

Section 1. That the preliminary plat of Toyon Subdivision 2021 Replat be approved subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare that the two 20' public street easements to be vacated is not needed for a public purpose and approve the vacation of the 20' public street easements as shown on the preliminary plat.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
this 26th day of January, 2022.

JEFF TWAIT, CHAIRPERSON

ATTEST:

Michelle M. Saner, MMC, City Clerk



KENAI

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

STAFF REPORT

TO: Planning and Zoning Commission
FROM: Ryan Foster, Planning Director
DATE: January 21, 2022
SUBJECT: PZ2022-03 – Preliminary Plat – Toyon Subdivision 2021 Replat

Applicant: Kenaitze Indian Tribe
P. O. Box 988
Kenai, AK 99611

Submitted By: Edge Survey and Design
P.O. Box 208
Kasilof, AK 99610

Requested Action: Preliminary Subdivision Plat – Toyon Subdivision 2021 Replat

Legal Description: T 5N R 11W SEC 5 SEWARD MERIDIAN KN 0001592 TOYON
SUB LOT 2

T 5N R 11W SEC 5 SEWARD MERIDIAN KN 0001592 TOYON
SUB LOT 1

Property Address: 929 Mission Avenue and 1001 Mission Avenue

KPB Parcel No: 04708610 and 04708609

Lot Size: Approximately 2.57 acres and 0.94 acres

Existing Zoning: Townsite Historic

Current Land Use: RV Park and Apartments

Land Use Plan: Mixed Use

GENERAL INFORMATION

Edge Survey and Design submitted a preliminary plat on behalf of the property owners, the Kenaitze Indian Tribe. The plat affects the parcels at 929 Mission Avenue (KPB: 04708610) and 1001 Mission Avenue (KPB: 04708609).

The proposed Toyon Subdivision 2021 Replat will combine the two parcels into one and vacate two 20' public street easements, with a shared zoning designation of Townsite Historic and one property owner.

Application, Public Notice, Public Comment

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

The property owners completed the City of Kenai preliminary plat submittal form. The City of Kenai follows *Kenai Peninsula Borough Code 20.25.070* and *20.25.080* for preliminary plat submittal requirements. City staff published notice of the consideration of the plat as part of the agenda for the City of Kenai Planning and Zoning Commission in the *Peninsula Clarion*. No public comments have been received as of January 21, 2022.

ANALYSIS

Access to the proposed Toyon Subdivision 2021 Replat is provided via Alaska Avenue, which is a paved, City maintained road. City water and sewer lines are adjacent along Mission Avenue.

The preliminary plat meets requirements of *KMC Subdivision design standards* and *KMC 14.10.080 Minimum improvements required under Chapter 14.10 Subdivision Regulations*.

RECOMMENDATIONS

City staff recommends approval of the preliminary plat of Toyon Subdivision 2021 Replat subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare that the two 20' public street easements to be vacated is not needed for a public purpose and approve the vacation of the 20' public street easements as shown on the preliminary plat.

ATTACHMENTS

1. Application
2. Preliminary Plat



3. Aerial Map





Preliminary Plat Submittal Form

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

APPLICANT (SURVEYOR)

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

PROPERTY OWNER

Name:	Kenaitze Indian Tribe				
Mailing Address:	PO Box 988	City:	Kenai	State:	AK
Phone Number(s):	335-7208 - Don Ohler				
Email:	dohler@kenaitze.org				

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	04708609 and 04708610				
Current City Zoning:	Townsite Historic				
Use:	<input type="checkbox"/> Residential	<input type="checkbox"/> Recreational	<input checked="" type="checkbox"/> Commercial		
	<input type="checkbox"/> Other:				
Water:	<input type="checkbox"/> On Site	<input checked="" type="checkbox"/> City	<input type="checkbox"/> Community		
Sewer:	<input type="checkbox"/> On Site	<input checked="" type="checkbox"/> City	<input type="checkbox"/> Community		

PLAT INFORMATION

Preliminary Plat Name:	Toyon Subdivision 2021 Replat		
Revised Preliminary Plat Name:			
Vacation of Public Right-of-Way:	<input checked="" type="checkbox"/> Yes		<input type="checkbox"/> No
Street Name (if vacating ROW):	Public Street Easement		

Exceptions Required and Requested:

Comments:

Platting goal is to combine two parcels and vacate an public street easement.

RECEIVED

CITY OF KENAI
 DATE 1-3-22
 PLANNING DEPARTMENT

REQUIRED ATTACHMENTS

<input checked="" type="checkbox"/> Certificate to Plat	<input checked="" type="checkbox"/> (1) 24" x 36" Plat	<input checked="" type="checkbox"/> (2) 11" x 17" Plats
---------------------------------------------------------	--------------------------------------------------------	---------------------------------------------------------

SIGNATURE

Signature:	<small>027AF817A865485...</small>	Date:	12/22/2021 15:05 AI
Print Name:	Chelsea Hendriks	Title/Business:	Interim Executive Director Kenaitze Indian Tribe



**Kenaitze Indian Tribe
Resolution No. 2021-42**

Authorizing Chelsea Hendriks, Interim Executive Director of Tribal Administration, to sign all contracts, agreements, and official documents on behalf of the Kenaitze Indian Tribe in FY2021–2022

**KENAITZE
INDIAN
TRIBE**

www.kenaitze.org

Phone: 907-335-7200 • FAX: 855-335-8865

P.O. Box 988 • Kenai, AK 99611

WHEREAS, Kenaitze Indian Tribe is a federally recognized Tribal Government reorganized in 1971 under the statutes of the Indian Reorganization Act of 1934, as amended for Alaska in 1936, and the Tribal Council is the governing body of Kenaitze Indian Tribe; and,

WHEREAS, Kenaitze Indian Tribe has established long-term goals to enhance the health, social, and economic well-being, education, judicial, and administrative concerns of its people via programs that serve over 4,410 Alaska Native and American Indian (AN/AI) and other people who reside in the central and upper Kenai Peninsula, including approximately 1,717 enrolled Tribal Members; and,

WHEREAS, Kenaitze Indian Tribe has successfully administered P.L. 93-638 "Indian Self-Determination and Educational Assistance Act" (ISDEAA) programs independently for more than 17 years, as well as other federally funded projects via the Bureau of Indian Affairs, the Indian Health Service, and the U.S. Departments of Health and Human Services, Justice, Education, Labor, Housing and Urban Development, Interior, and Homeland Security, in addition to other grants and funding agreements awarded by the State of Alaska and private foundations, among other sources, and will continue such successful administration into the future; and,

NOW THEREFORE BE IT RESOLVED, that the Kenaitze Tribal Council hereby authorizes Chelsea Hendriks, Interim Executive Director of Tribal Administration, to sign all contracts, agreements, and official documents on behalf of the Kenaitze Indian Tribe in FY2021–2022. Additionally, all documents must be signed by Bernadine Atchison, Tribal Council Chair, or Diana L. Zirul, Tribal Council Treasurer. Signature authority may be delegated by Chelsea Hendriks to Larry Barnes, Kenaitze Indian Tribe's Finance Director.

CERTIFICATION

Adopted this 25th day of June, 2021, by a vote 6 yeas and 0 nays

0 abstentions, and 0 absent, 0 opposed.

**Bernadine Atchison, Tribal Council Chair
Kenaitze Indian Tribe**

**Virginia Wolf, Interim Tribal Council
Secretary
Kenaitze Indian Tribe**

Stewart Title of the Kenai Peninsula, Inc.

35096 Kenai Spur Hwy.
Soldotna, AK 99669

Tel: (907) 260-8031 Fax: (907) 260-8036

CERTIFICATE TO PLAT

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

File Number: 21005
Premium: \$250.00
Tax:

Gentlemen:

This is a certificate as of November 24, 2021 at 8:00 A.M. for a plat out of the following property:

Lots One (1) and Two (2), TOYON SUBDIVISION, according to Plat No. K-1592, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

Kenaitze Indian Tribe

an estate in fee simple, free from all liens, encumbrances, and objections except for as follows:

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
 2. **TAXES AND ASSESSMENTS**, if any due the taxing authority indicated:
Taxing Authority: City of Kenai
 3. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:
Taxing Authority: KENAI PENINSULA BOROUGH
 4. **EASEMENT** affecting the portion of said premises and for the purposes stated herein, and incidental purposes thereto:
For: public improvements and electrical transmission and distribution lines
In Favor Of: City of Kenai
Recorded: April 1, 1968
Volume/Page: 50/247
Affects: blanket easement
 5. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: April 1, 1968
Volume/Page: 50/247
- FURTHER**, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.
6. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. K-1592.
 7. **EFFECT** of the notes on said Plat No. K-1592.
 8. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: December 15, 1995
Volume/Page: 475/953

FURTHER, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.

9. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: August 11, 2000
Volume/Page: 587/437

FURTHER, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.

DISCLAIMER OF INTEREST, including the terms and conditions therein:
Recorded: September 16, 2004
Serial No.: 2004-009237-0

10. **DEED OF TRUST, ASSIGNMENT OF RENTS, SECURITY AGREEMENT AND FIXTURE FILING** including terms and provisions thereof, to secure an indebtedness of the amount herein stated and for any other amounts payable under the terms thereof:
Amount: \$880,000.00
Dated: December 1, 2004
Recorded: December 7, 2004
Serial No.: 2004-012359-0
Trustor: Jerry P. Dunn and Kathryn E. Dunn, husband and wife
Trustee: First American Title of Alaska
Beneficiary: Alaska Housing Finance Corporation

NOTE: Said Deed of Trust may have been paid, but no reconveyance of record has been recorded as of the date of this Certificate to Plat.
(Lot 2)

11. **DEED OF TRUST AND ASSIGNMENT OF RENTS AND LEASES** including terms and provisions thereof, to secure an indebtedness of the amount herein stated and for any other amounts payable under the terms thereof:
Amount: \$400,000.00
Dated: January 25, 2010
Recorded: January 26, 2010
Serial No.: 2010-000654-0
Trustor: Jerry P. Dunn
Trustee: Wells Fargo Financial National Bank
Beneficiary: Wells Fargo Bank

NOTE: Said Deed of Trust may have been paid, but no reconveyance of record has been recorded as of the date of this Certificate to Plat.
(Lot 2)

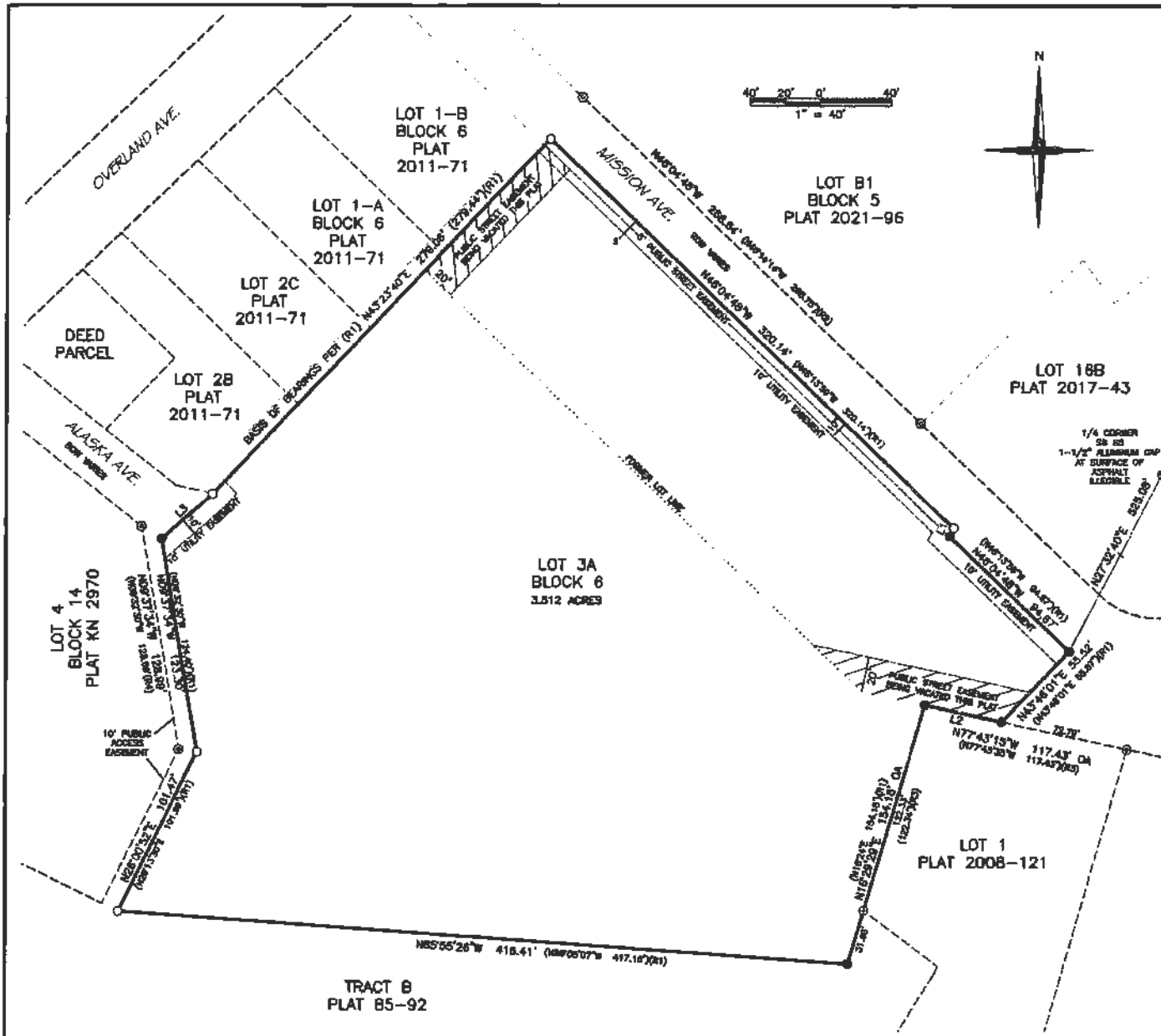
Stewart Title of the Kenai Peninsula, Inc.

By


Authorized Signator

Terri Cotterell
Authorized Signator

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



LEGEND

- ⊙ MONUMENT FOUND AS REFERENCED
- PROPERTY CORNER FOUND 5/8" REBAR
- ⊙ PROPERTY CORNER FOUND 5/8" REBAR WITH BLUE PLASTIC CAP STAMPED LS-11795
- ⊙ PROPERTY CORNER FOUND 5/8" REBAR WITH 1-1/2" ALUMINUM CAP
- ⊙ PROPERTY CORNER FOUND 5/8" REBAR WITH ORANGE PLASTIC CAP STAMPED LS-8101
- SET SECONDARY MONUMENT 5/8" X 30" REBAR WITH 2" ALUMINUM CAP STAMPED EDGE SURVEY LS-13022 2021
- (R1) RECORD DATA, SEE REFERENCE
- KRD KENAI RECORDING DISTRICT
- OA OVERALL

- PARCEL BOUNDARY
- - - FORMER LOT LINE
- - - ADJACENT PROPERTY LINE
- - - EASEMENT
- MONUMENT TIE
- ▨ PUBLIC STREET EASEMENT BEING VACATED

LINE TABLE

LINE	BEARINGS	DISTANCE
L1	S27°01'08"W	5.23'
L1(R1)	S28°20'W	5.16'
L2	S77°43'15"E	44.84'
L2(R1)	S77°43'15"E	44.02'
L3	S48°34'43"W	38.83'
L3(R1)	S48°34'43"W	37.25'

REFERENCES

- (R1) TOYON SUBDIVISION, PLAT K-1592, KENAI RECORDING DISTRICT
- (R2) TOWNSITE OF KENAI KENATITZE ADDITION SUBDIVISION, PLAT 2012-11, KENAI RECORDING DISTRICT
- (R3) CHOLISS VIEW, PLAT 2008-121, KENAI RECORDING DISTRICT
- (R4) TOWNSITE OF KENAI, PLAT K-2970, KENAI RECORDING DISTRICT

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF SEPTEMBER 13, 2021.
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF ACCEPTANCE AND DEDICATION BY CITY OF KENAI

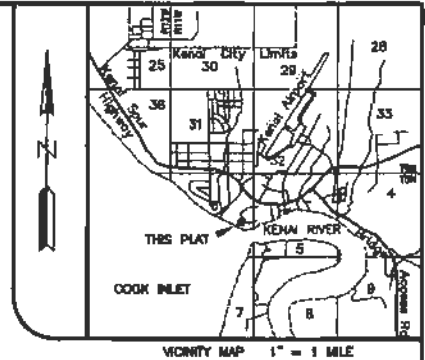
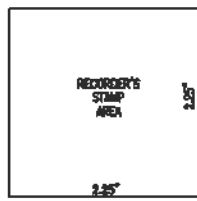
THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THE PLAT IDENTIFIED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

BY: PAUL OSTRANDER - CITY MANAGER
CITY OF KENAI
210 FIDALGO AVE.
KENAI, ALASKA 99811

DATE

CERTIFICATE OF SURVEYOR

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



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

CHELSEA MEMORIS, INTERIM EXECUTIVE DIRECTOR
PO BOX 988
KENAI, ALASKA 99811
KENATITZE INDIAN TRIBE IRA
KENATITZE INDIAN TRIBE

NOTARY ACKNOWLEDGEMENT

FOR: CHELSEA MEMORIS
ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 2022

NOTARY PUBLIC SIGNATURE



KPB FILE No. 2022-000

**TOYON SUBDIVISION
2021 REPLAT
AND PUBLIC STREET EASEMENT
VACATION**

A REPLAT OF
LOTS 1 AND 2 BLOCK 5
TOYON SUBDIVISION
PLAT K-1592

OWNERS:
KENATITZE INDIAN TRIBE IRA
KENATITZE INDIAN TRIBE
PO BOX 988
KENAI, ALASKA 99811

LOCATED WITHIN SE 1/4, SECTION 6,
T.5N., R.11W., S.4M.,
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT
CITY OF KENAI

CONTAINING 3.512 ACRES



12501 OLD BEAARD, D ANCHORAGE, AK 99515
Phone (907) 344-5990 Fax (907) 344-7794
NECL# 1392

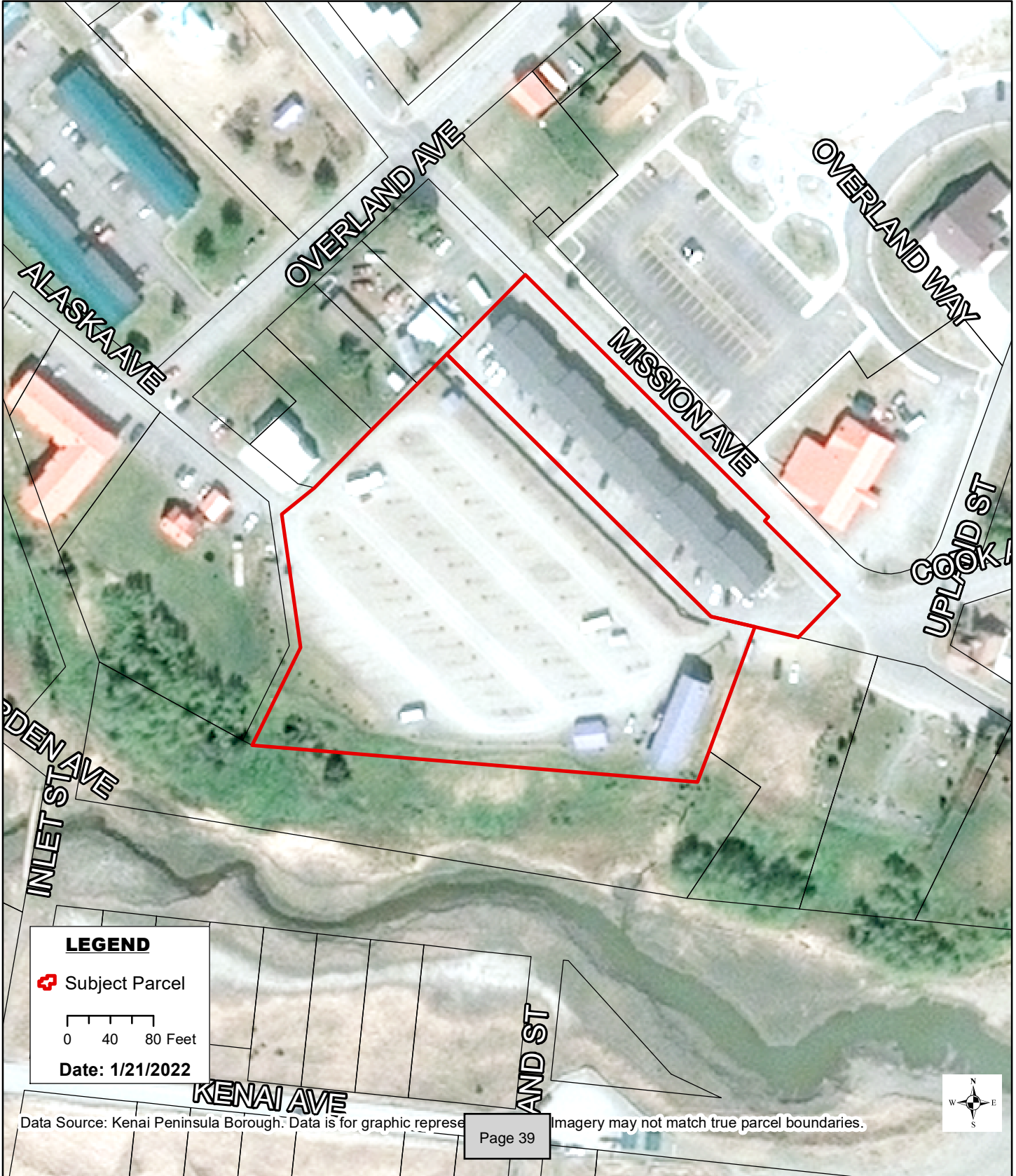
DRAWN BY: JY	DATE: 12/22/2021	PROJECT: 21-215
CHECKED BY: MA	SCALE: 1" = 40'	SHEET: 1 OF 1

NOTES

1. FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA AND LOCAL REGULATIONS.
2. DEVELOPMENT OF THIS PARCEL SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
3. THE FRONT 10 FEET ADJACENT TO RIGHT OF WAY IS AN UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH COULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
4. PUBLIC STREET EASEMENT VACATION WAS APPROVED BY KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF FEBRUARY 13, 2022.
5. GENERAL PUBLIC IMPROVEMENT, ELECTRIC TRANSMISSION AND DISTRIBUTION LINES EASEMENTS, LOCATION NOT DEFINED, GRANTED TO CITY OF KENAI, HAVING THE FOLLOWING RECORDING INFORMATION, RECORDED APRIL 1, 1988, VOLUME: 50, PAGE: 247, KRD.
6. DISCLAIMER OF INTEREST, INCLUDING THE TERMS AND CONDITIONS THEREIN; RECORDED: SEPTEMBER 16, 2004, SERIAL NO.: 2004-008237-0, KRD.
7. WASTEWATER DISPOSAL: CITY WATER AND SEWER ARE AVAILABLE TO SERVE THIS PARCEL. PLANS FOR WASTEWATER TREATMENT AND DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

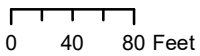


Toyon Subdivision 2021 Replat



LEGEND

 Subject Parcel



Date: 1/21/2022

Data Source: Kenai Peninsula Borough. Data is for graphic representation. Imagery may not match true parcel boundaries.



PLANNING & ZONING COMMISSION

Resolution PZ2022-03 – Preliminary Plat – Toyon Subdivision 2021 Replat

SUMMARY

Applicant: Kenaitze Indian Tribe
P. O. Box 988
Kenai, AK 99611

Property Address: 929 Mission Avenue and 1001 Mission Avenue

KPB Parcel No: 04708610 and 04708609

Lot Size: Approximately 2.57 acres and 0.94 acres

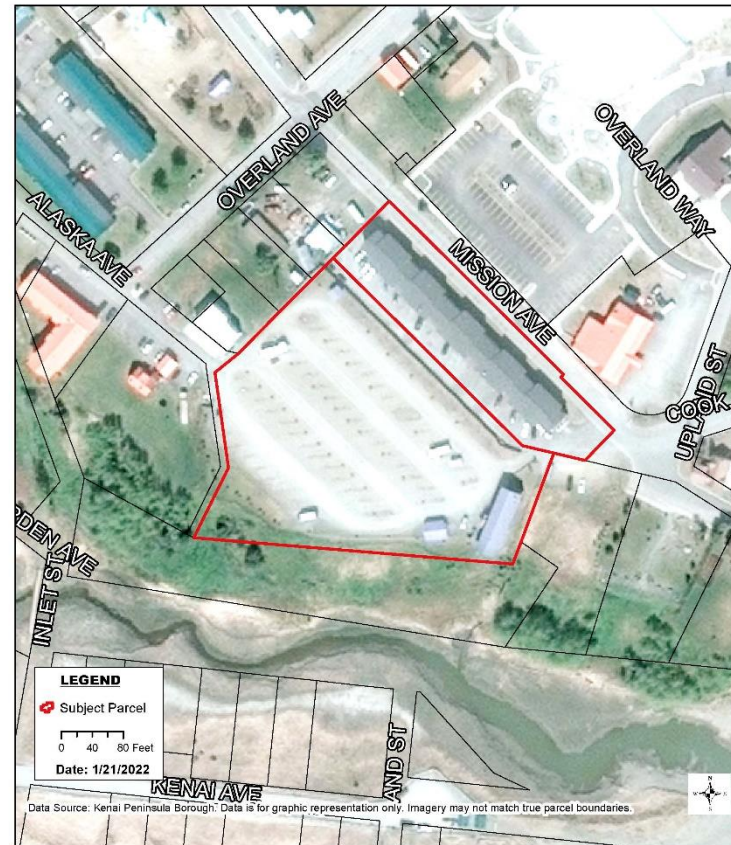
Existing Zoning: Townsite Historic

Current Land Use: RV Park and Apartments

Land Use Plan: Mixed Use

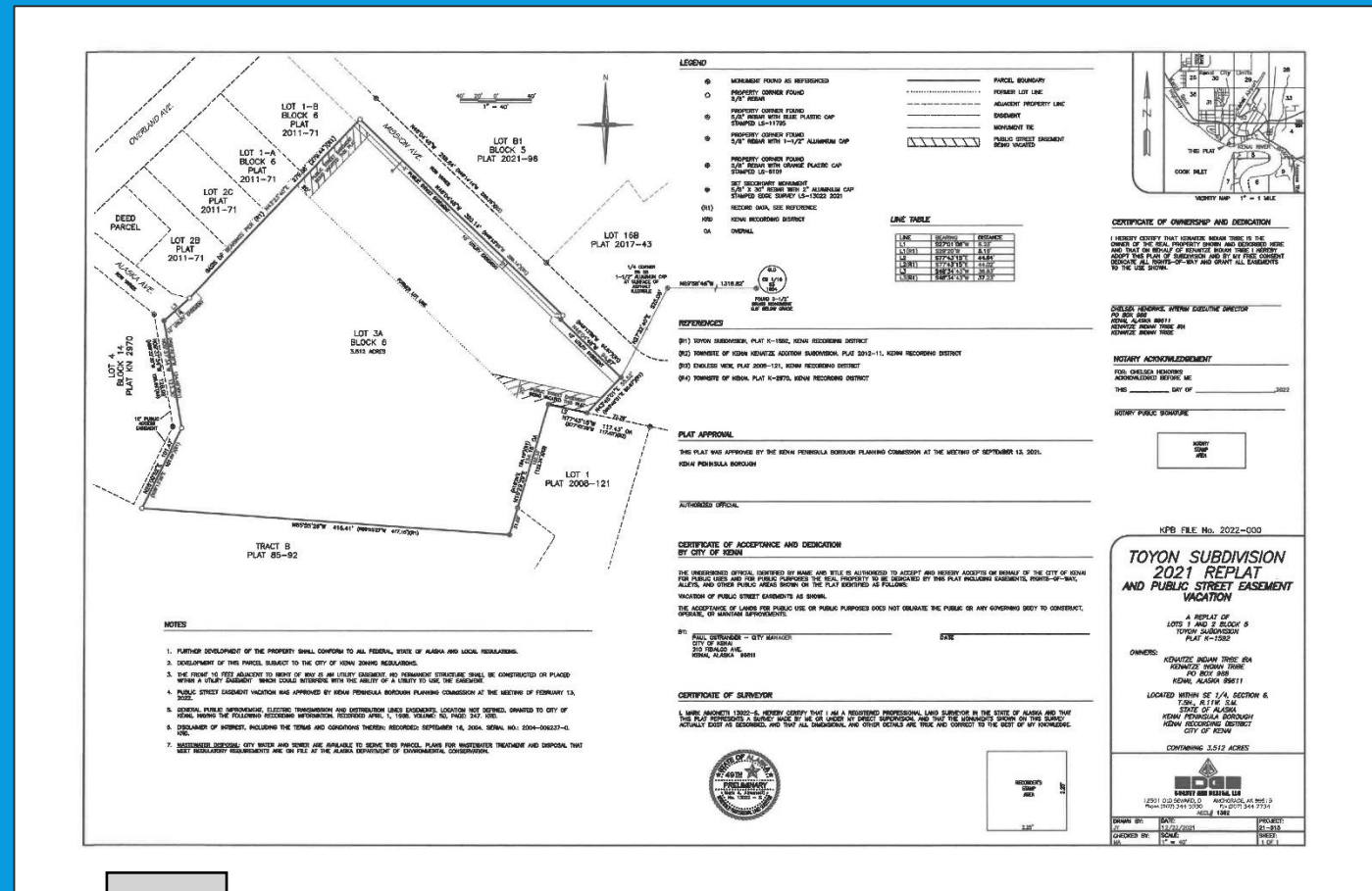


Toyon Subdivision 2021 Replat



PRELIMINARY PLAT

- Edge Survey and Design submitted a preliminary plat on behalf of the property owners, the Kenaitze Indian Tribe.
- The proposed Toyon Subdivision 2021 Replat will combine the two parcels into one and vacate two 20' public street easements, with a shared zoning designation of Townsite Historic and one property owner.



STAFF ANALYSIS

- Access to the proposed Toyon Subdivision 2021 Replat is provided via Alaska Avenue, which is a paved, City maintained road. City water and sewer lines are adjacent along Mission Avenue.
- The preliminary plat meets requirements of KMC Subdivision design standards and KMC 14.10.080 Minimum improvements required under Chapter 14.10 Subdivision Regulations.

RECOMMENDATIONS


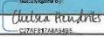
- City staff recommends approval of the preliminary plat of Toyon Subdivision 2021 Replat subject to the following conditions:
 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
 2. The Kenai City Council must declare that the two 20' public street easements to be vacated is not needed for a public purpose and approve the vacation of the 20' public street easements as shown on the preliminary plat.

ATTACHMENTS

- A. Application
- B. Preliminary Plat
- C. Aerial Map

A. APPLICATION

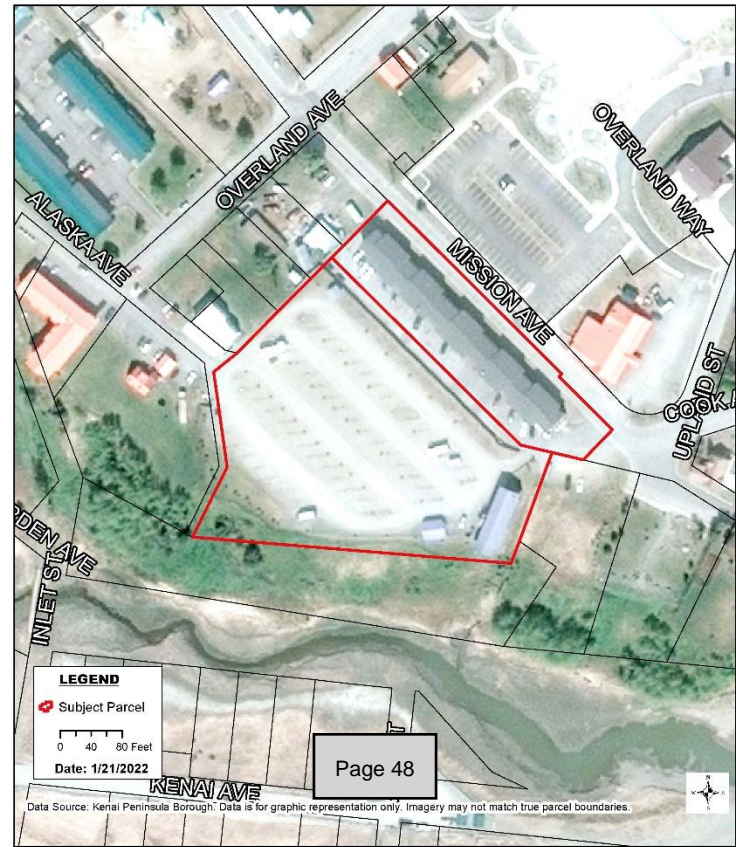
DocuSign Envelope ID: 7734FEBD-EB94-49CF-90A2-CCD9D5160203

		Preliminary Plat Submittal Form		City of Kenai Planning and Zoning Department 210 Fidalgo Avenue Kenai, AK 99611 (907) 263-8200 planning@kenai.city www.kenai.city/planning	
APPLICANT (SURVEYOR)					
Name:	Edge Survey and Design				
Mailing Address:	PO Box 208	City:	Kasilof	State:	AK
Phone Number(s):	283-9047				
Email:	jason@edgesurvey.net				
PROPERTY OWNER					
Name:	Kenaitze Indian Tribe				
Mailing Address:	PO Box 888	City:	Kenai	State:	AK
Phone Number(s):	335-7208 - Don Ohler				
Email:	dohler@kenaitze.org				
PROPERTY INFORMATION					
Kenai Peninsula Borough Parcel #:	04708609 and 04708610				
Current City Zoning:	Townsite Historic				
Use:	<input type="checkbox"/> Residential <input type="checkbox"/> Recreational <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Other:				
Water:	<input type="checkbox"/> On Site <input checked="" type="checkbox"/> City <input type="checkbox"/> Community				
Sewer:	<input type="checkbox"/> On Site <input checked="" type="checkbox"/> City <input type="checkbox"/> Community				
PLAT INFORMATION					
Preliminary Plat Name:	Toyon Subdivision 2021 Replat				
Revised Preliminary Plat Name:					
Vacation of Public Right-of-Way:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Street Name (if vacating ROW):	Public Street Easement				
Exceptions Required and Requested:					
Comments:				<div style="border: 1px solid black; padding: 5px; color: blue; font-weight: bold;">RECEIVED</div> <div style="color: blue; font-weight: bold;">CITY OF KENAI</div> <div style="color: blue; font-weight: bold;">DATE 1-3-22</div> <div style="color: blue; font-weight: bold;">PLANNING DEPARTMENT</div>	
Platting goal is to combine two parcels and vacate an public street easement.					
REQUIRED ATTACHMENTS					
<input checked="" type="checkbox"/> Certificate to Plat <input checked="" type="checkbox"/> (1) 24" x 36" Plat <input checked="" type="checkbox"/> (2) 11" x 17" Plats					
Signature:				Date:	12/22/2021 1:05 AM
Print Name:	Chelsea Hendriks			Interim Executive Director, Kenaitze Indian Tribe	

C. AERIAL MAP



Toyon Subdivision 2021 Replat





**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-39**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THE COUNCIL OF THE CITY OF KENAI APPROVE AND ADOPT THE CITY OF KENAI LAND MANAGEMENT PLAN

WHEREAS, in 2018, City Council approved a City-wide approach to land management through the development of the City's first Land Management Plan; and

WHEREAS, the City of Kenai Imagine Kenai 2030 Comprehensive Plan includes economic development and land use goals and objectives to develop a land inventory and land use strategies to implement a forward-looking approach to community growth and development; and,

WHEREAS, the City owns 369 subdivided parcels, including wetlands, tidelands, lands surrounding the Kenai Airport, and lands suitable for a variety of business, commercial, industrial, residential, recreational, and cultural purposes; and

WHEREAS, the Planning and Zoning Commission of the City of Kenai and Planning Staff has received numerous comments and input regarding the draft City of Kenai Land Management Plan; and,

WHEREAS, the Planning and Zoning Commission of the City of Kenai considered public comments and made changes to the draft City of Kenai Land Management Plan based on those comments; and,

WHEREAS, City Staff held a public meeting on October 11, 2021, and scheduled public meetings for Commissions on November 4, 2021 November 8, 2021, and November 9, 2021 to receive public comments and discuss the City of Kenai Land Management Plan; and,

WHEREAS, City Staff created an electronic comment form available on the City website to receive public comments on the City of Kenai Land Management Plan; and,

WHEREAS, the Planning and Zoning Commission held a Public Hearing on October 27, 2021 and recommended that the Council of the City of Kenai approve the City of Kenai Land Management Plan.

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

Section 1. The Draft of the City of Kenai Land Management Plan is hereby approved and adopted as the City of Kenai Land Management Plan.

Section 2. That a copy of Resolution PZ2021-39 be forwarded to the Kenai City Council.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
this 27th day of October, 2021.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, CITY CLERK

DRAFT



KENAI

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

MEMORANDUM

TO: Planning and Zoning Commission
FROM: Ryan Foster, Planning Director
DATE: October 22, 2021
SUBJECT: **Resolution PZ2021-39 – Recommending the Kenai City Council approve and adopt the City of Kenai Land Management Plan**

In 2018, City Council approved a City-wide approach to land management through the development of the City's first Land Management Plan. Since that time, Administration has worked diligently to draft a Land Management Plan to inventory, evaluate, and develop recommendations related to City-owned lands.

The City of Kenai Imagine Kenai 2030 Comprehensive Plan includes economic development and land use goals and objectives to develop a land inventory and land use strategies to implement a forward-looking approach to community growth and development. The goals of the Land Management Plan incorporate many of these objectives and include the following:

- Provide an inventory of City-owned lands with detailed information on each parcel.
- Identify properties required for a public purpose or to meet a future public need.
- Establish recommendations for individual parcels that are surplus to the needs of the City to assist in responsible development.
- Create a comprehensive reference document that establishes a format for developing land management policies and procedures.

One of the City's greatest assets is its land inventory. The City owns 369 subdivided parcels, including wetlands, tidelands, lands surrounding the Kenai Airport, and lands suitable for a variety of business, commercial, industrial, residential, recreational, and cultural purposes. The Land Management Plan is an important tool to spur economic growth and improve the quality of life for Kenai residents and is key to the long-term viability of the City.

On October 11, 2021 there was a joint work session with City Council and City Commission Members to kick-off the review, discussion, and comment on the draft City of Kenai Land Management Plan. In addition to additional meeting(s) with the Planning and Zoning Commission, staff have scheduled presentations with the Airport Commission, Parks and Recreation Commission, Beautification Committee, and Harbor Commission to solicit discussion and comments on the draft Land Management Plan.

Please review the attached materials.

Does the Commission recommend Council approve and adopt the City of Kenai Land Management Plan?

Attachments

October 11, 2021 Joint Work Session Presentation

Draft City of Kenai Land Management Plan





CITY OF KENAI LAND MANAGEMENT PLAN

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CITY OF KENAI

WHAT IS OUR "WHY"

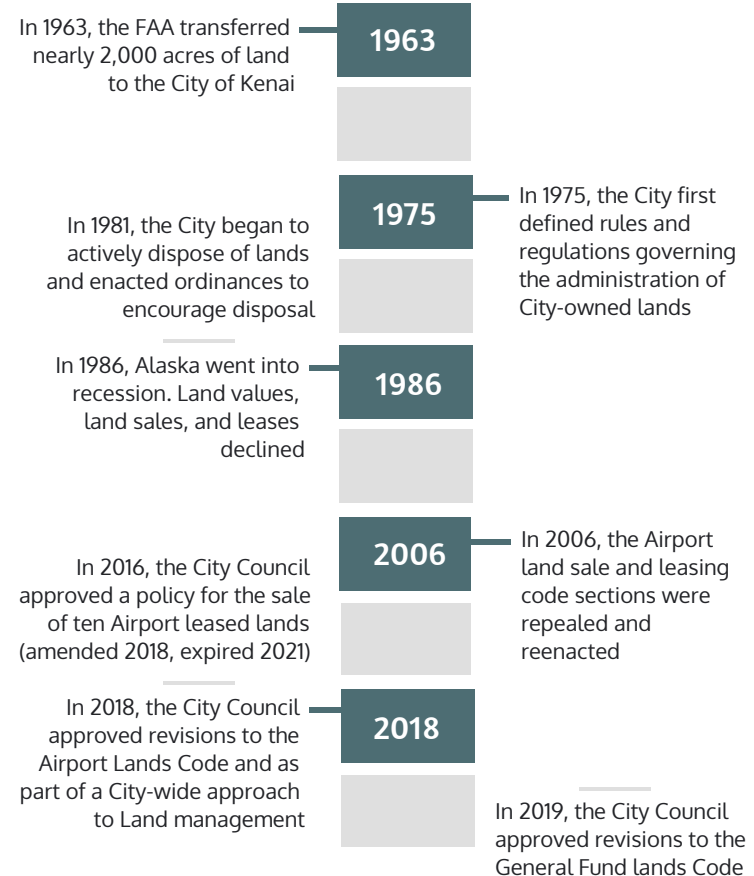
The purpose of the **Land Management Plan** is to evaluate and develop recommendations related to City-owned lands that **encourage responsible growth and development** to support a thriving business, residential, recreational and cultural community.



Background



In 2018, the Kenai City Council approved land code revisions as part of a **City-wide approach** to land management through development of the City's first Land Management Plan.



The City is unique in its ownership of a large and diverse amount of public land



5,440 Acres of Land

369 Subdivided parcels

The equivalent of 4,114 Football Fields
(with endzones)

Approximately 8.5 square
miles, roughly the size of
Soldotna.

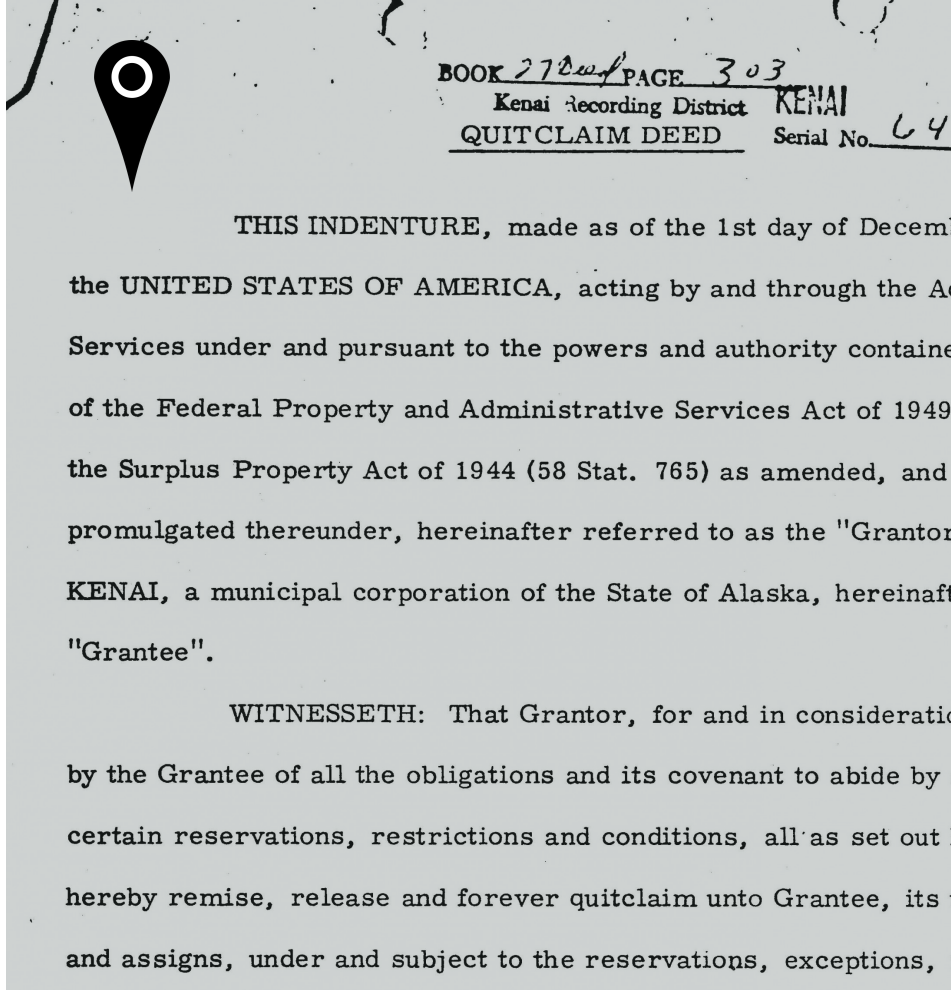


A SIGNIFIGANT UNDERTAKING

A Land Management Plan provides an active approach to management that requires an inventory of land holdings and a comprehensive evaluation and analysis of each parcel.

In 2018, the City hired a **Temporary Lands Technician** to research each parcel of City-owned land and enter the information into a new Lands Database.

Over 567 recorded documents were reviewed and scanned into the database as part of this project



New City Lands Inventory and Database



An examination of public records and mapping was performed for **each City-owned parcel** to review and record detailed information in the database, including:

- Property Description (e.g. physical characteristics, zoning, land use)
- Facilities (e.g. parks, trails, structures, utilities)
- Status (e.g. public use, under active lease, availability for lease or sale)
- Fund (e.g. Airport Fund or General Fund)
- How the land was obtained (e.g. State, FAA, Municipal Entitlement, tax foreclosure)
- Encumbrances (e.g. easements, restrictions)



Land Management Plan Objectives



- Provide an **inventory** of City-owned lands with detailed information on each parcel
- Identify properties required for a **public purpose** or to meet a future public need
- Establish **recommendations** for individual parcels that are surplus to the needs of the City to assist in responsible development.
- Create a **comprehensive reference document** that establishes a format for developing land management policies and procedures.



IMPROVED RESPONSE TO PUBLIC

The Land Management Plan can be used to actively manage City-owned lands in a wholistic way as well as provide better information to the public.

In the future, we hope to make the Plan available on the City's **interactive online mapping** tool, allowing the public to research City-owned lands from anywhere.



BEFORE

No Public Inventory of City-owned Lands

A member of the public must identify a parcel of interest

No Individual Parcel Information on File

City staff must research to determine if a parcel has conveyance or legislative restrictions

No Guidance or Planning Documents

Administration provides recommendation on case-by-case basis

VS.

AFTER

Public Listing of City-owned Lands

Available listing on City website and at City Hall

Individual Parcel Information Available

A member of the public can immediately know if a parcel has been designated for lease or sale

Land Management Plan

Provides guidance and direction to Administration on the management of City-owned lands



Land Statistics

Approximately 1,613 acres or 129 parcels of City-owned lands are designated as **Airport Fund**



Parcels of City-owned Land are designated as "Airport Fund"

35%

AIRPORT FUND
PARCELS CURRENTLY
UNDER LEASE

The City will generate **\$512,255** from 46 leases of land designated as Airport Fund in **FY22**, not including apron, airline, or terminal leases

Recommendations for **Airport Fund** Parcels Based on the Final Draft Land Management Plan:

- 19** PARCELS RECOMMENDED FOR RETENTION
- 47** PARCELS RECOMMENDED FOR LEASE OR SALE
- 49** PARCELS RECOMMENDED FOR LEASE-ONLY
- 14** PARCELS RECOMMENDED FOR MIXED: RETAIN/DISPOSE



Land Statistics

Approximately 3,826 acres or 239 parcels of City-owned lands are designated as **General Fund**.



Parcels of City-owned Land designated as "General Fund"

8.75%

GENERAL FUND PARCELS CURRENTLY **UNDER LEASE**

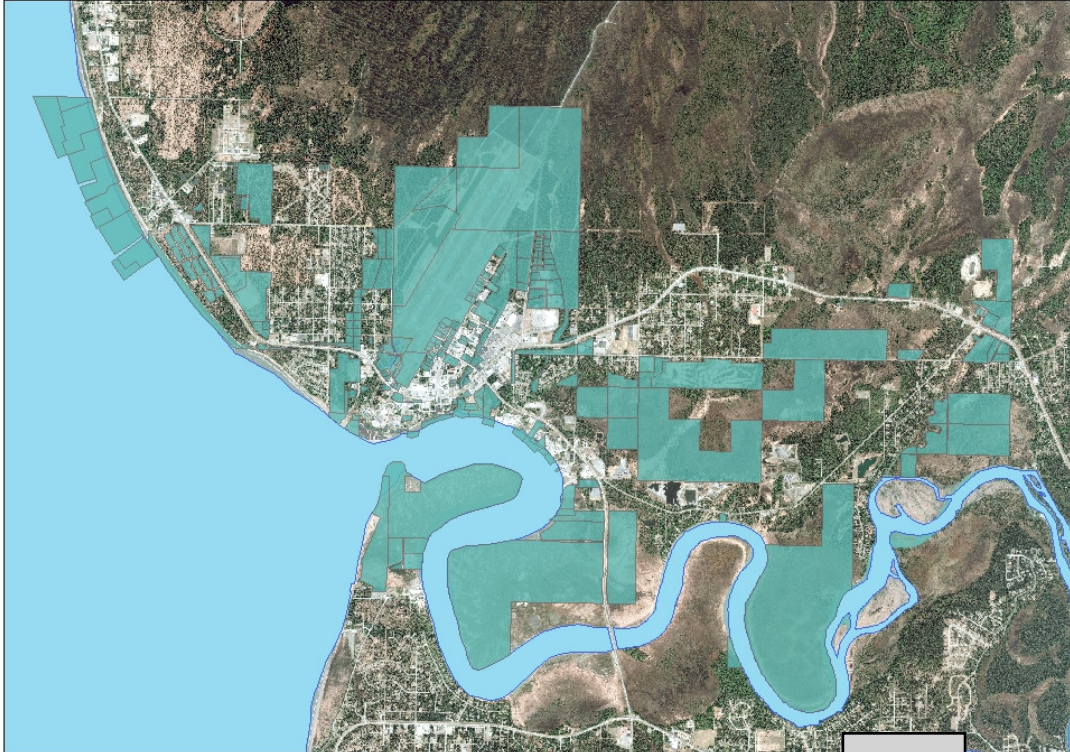
The City will generate **\$218,031** from 19 leases of land designated as General Fund in **FY22**, including tidelands, shorefishery, and no-cost leases

Recommendations for **General Fund** Parcels Based on the Final Draft Land Management Plan:

- 113** PARCELS RECOMMENDED FOR RETENTION
- 86** PARCELS RECOMMENDED FOR LEASE OR SALE
- 19** PARCELS RECOMMENDED FOR LEASE-ONLY
- 21** PARCELS RECOMMENDED FOR MIXED: RETAIN/DISPOSE



Land Management Plan Retention Recommendations



Page 63

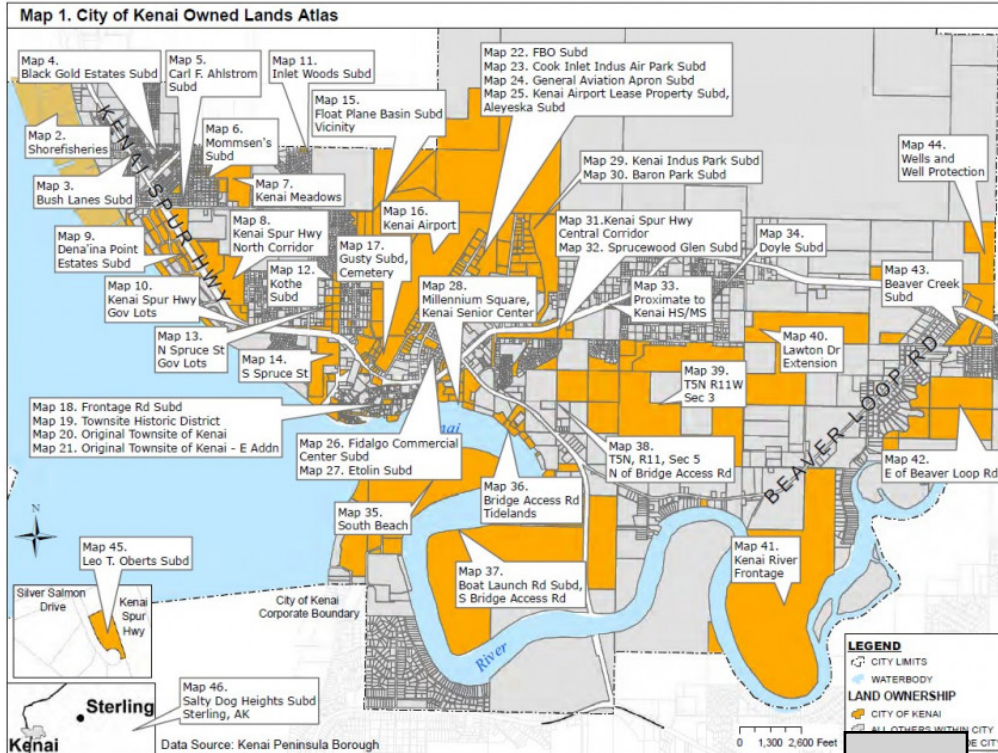
Many City-owned lands should be retained for a public purpose and many are suitable for a variety of business, commercial, industrial, residential, recreational and cultural purposes.

The Plan has **four recommendation categories:**

- Retain
- Dispose
- Dispose - Lease Only
- Mixed - Retain/Dispose



How the Land Management Plan is Structured



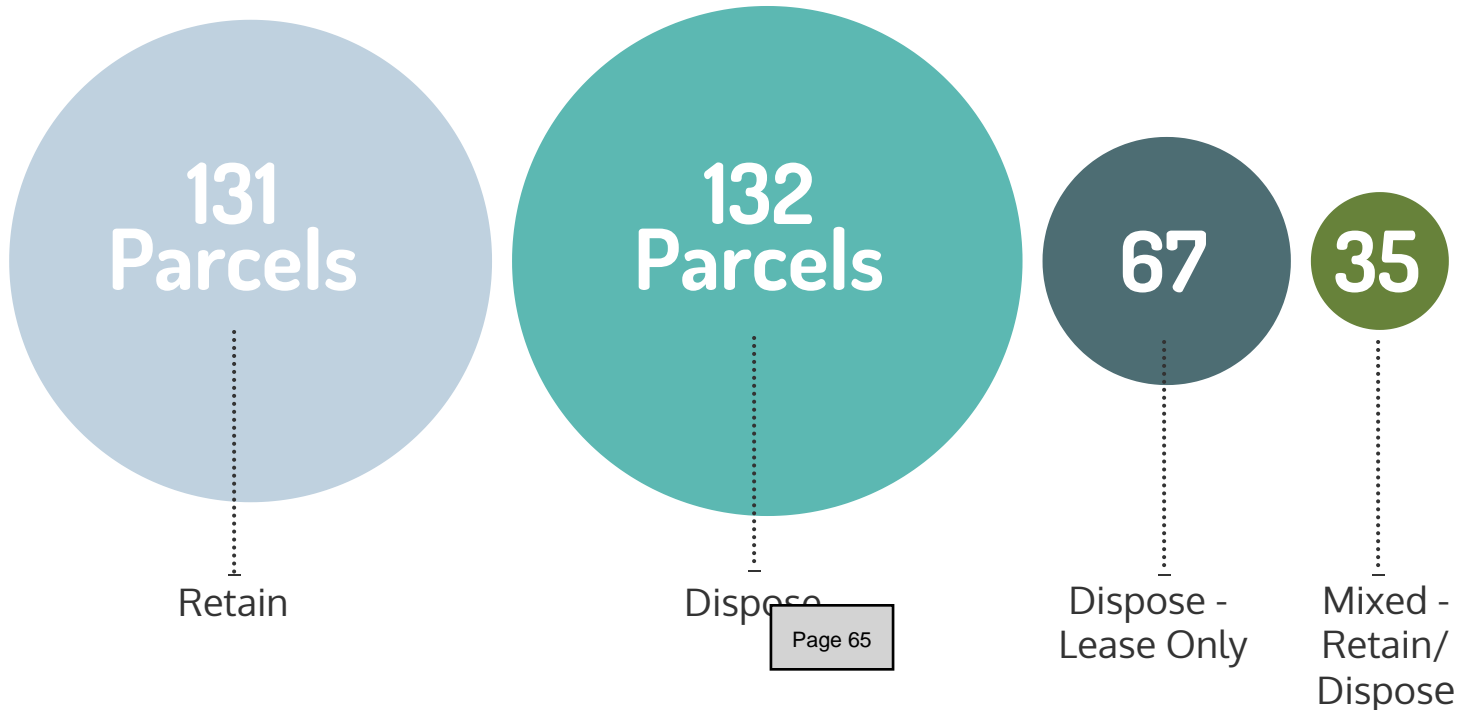
The plan breaks city-owned lands into **46 areas** with a map for each area

Each area includes an overview and tables with detailed information on recommendations for each parcel



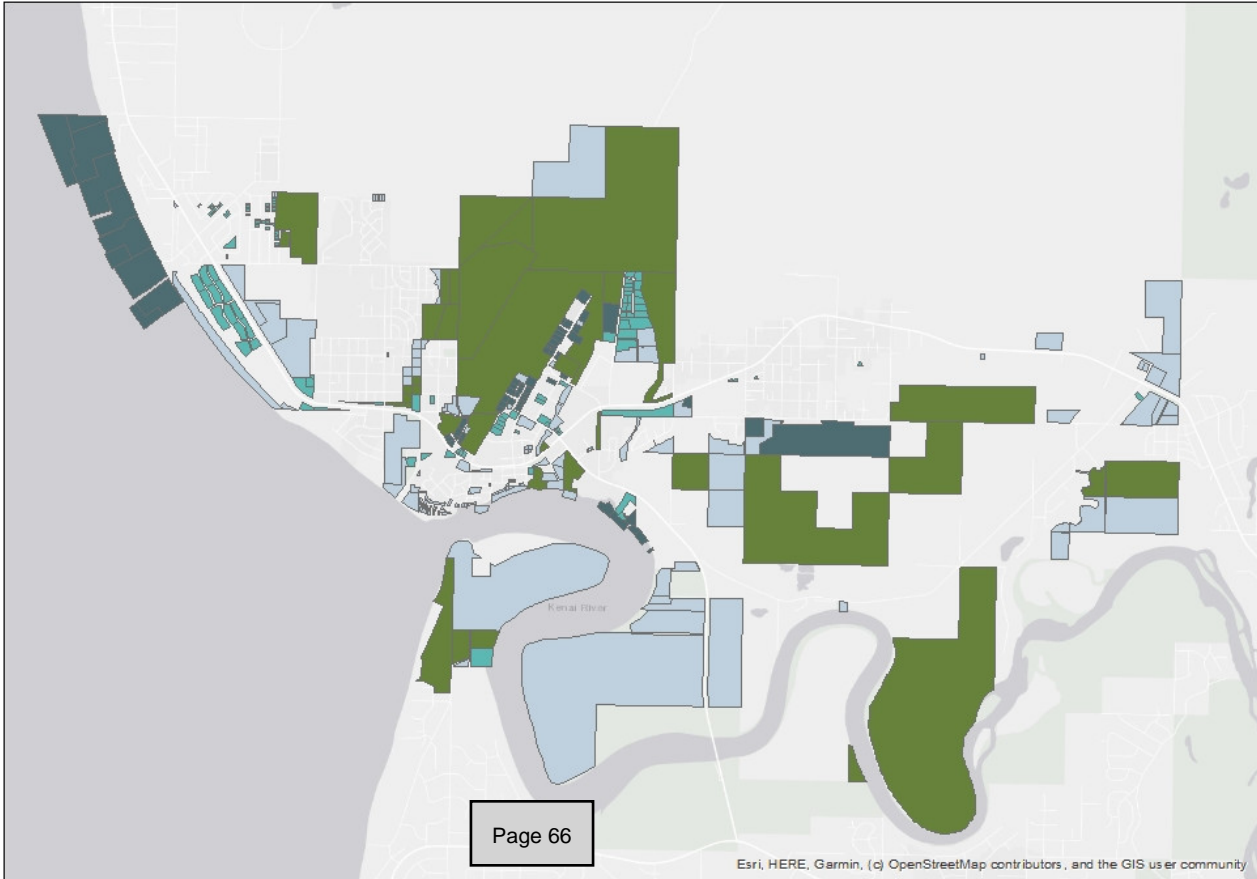
Land Management Plan Recommendation Categories

The Land Management Plan contains a recommendation for each parcel using the following categories:







Land Management Plan Recommendation Categories

- Retain
- Dispose
- Dispose - Lease Only
- Mixed - Retain/ Dispose






Land Management Plan Recommendation Categories

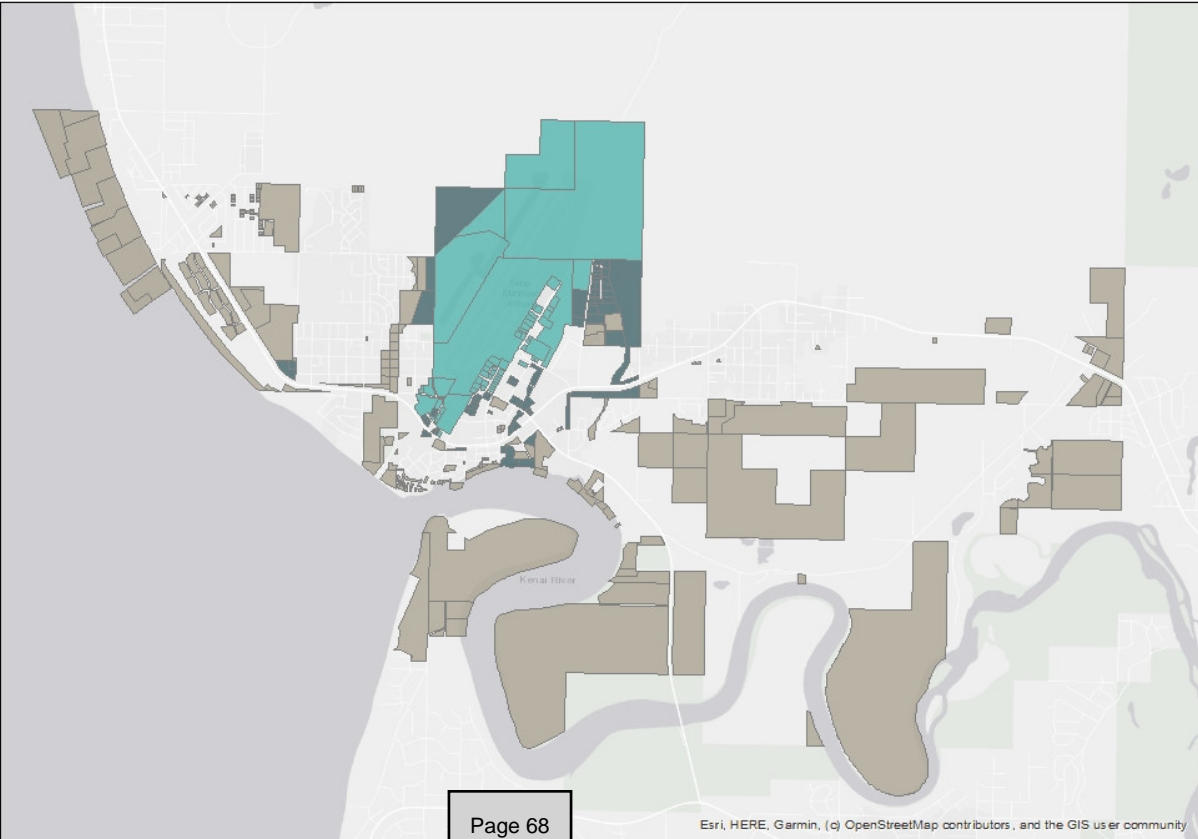


-  Retain
-  Dispose
-  Dispose - Lease Only
-  Mixed - Retain/Dispose






Land Management Plan Land Fund Categories

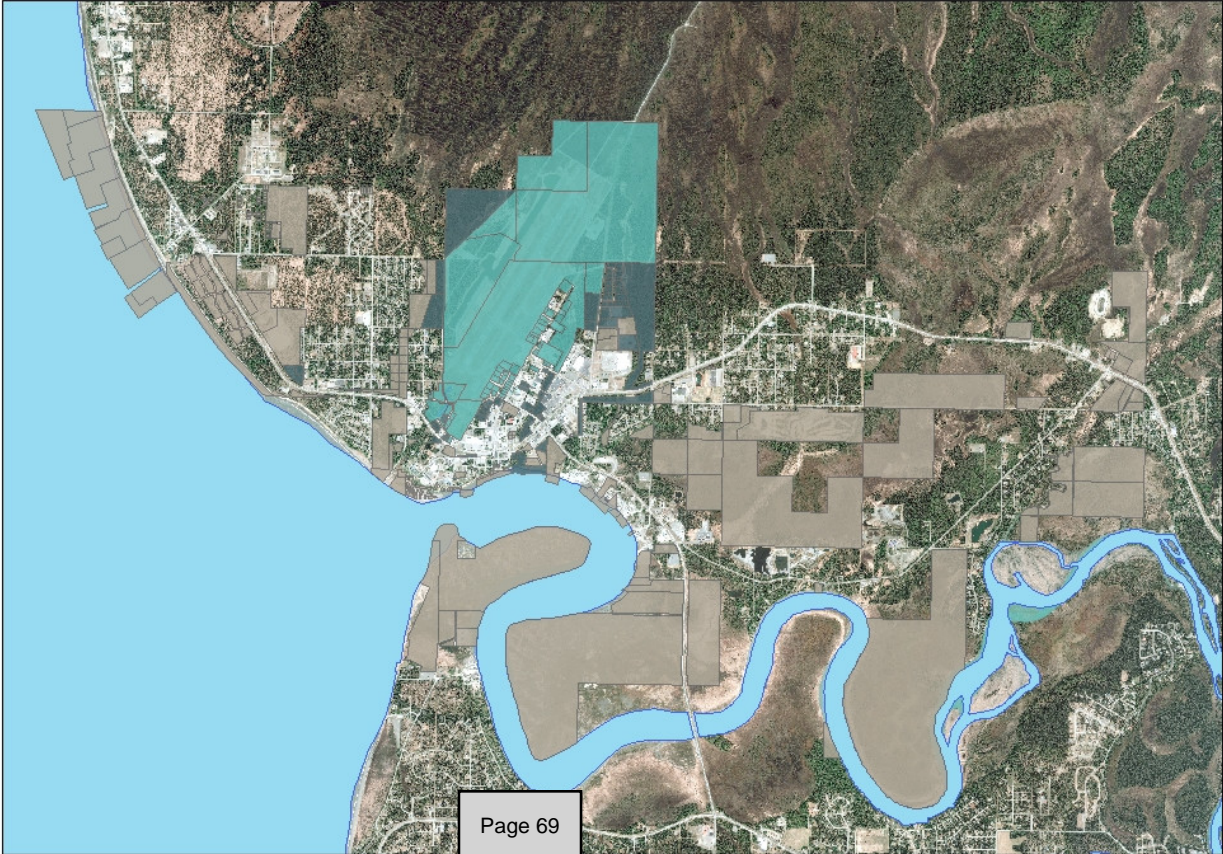
-  Airport Reserve Land
-  Airport Land Outside the Airport Reserve
-  General Fund Land



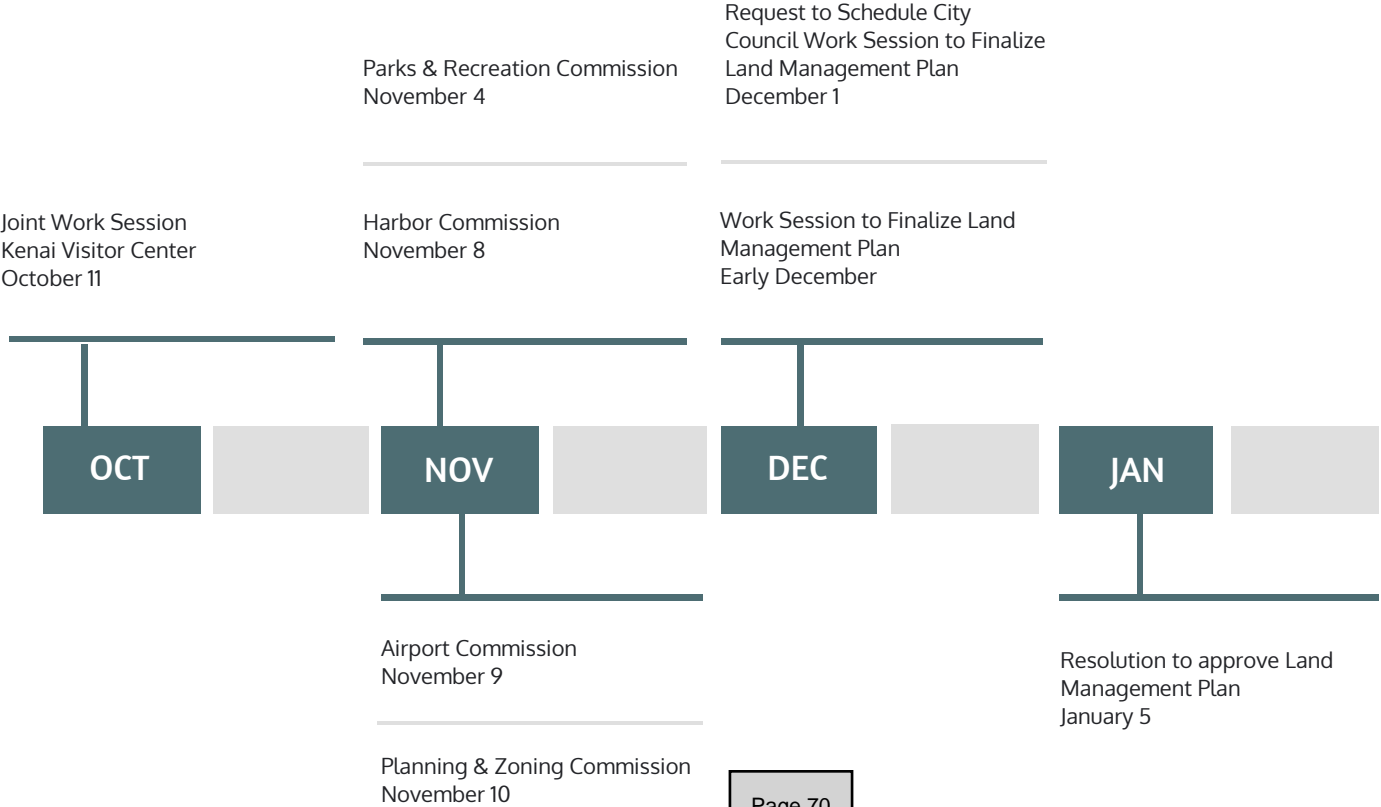
Land Management Plan Land Fund Categories



-  Airport Reserve Land
-  Airport Land Outside the Airport Reserve
-  General Fund Land

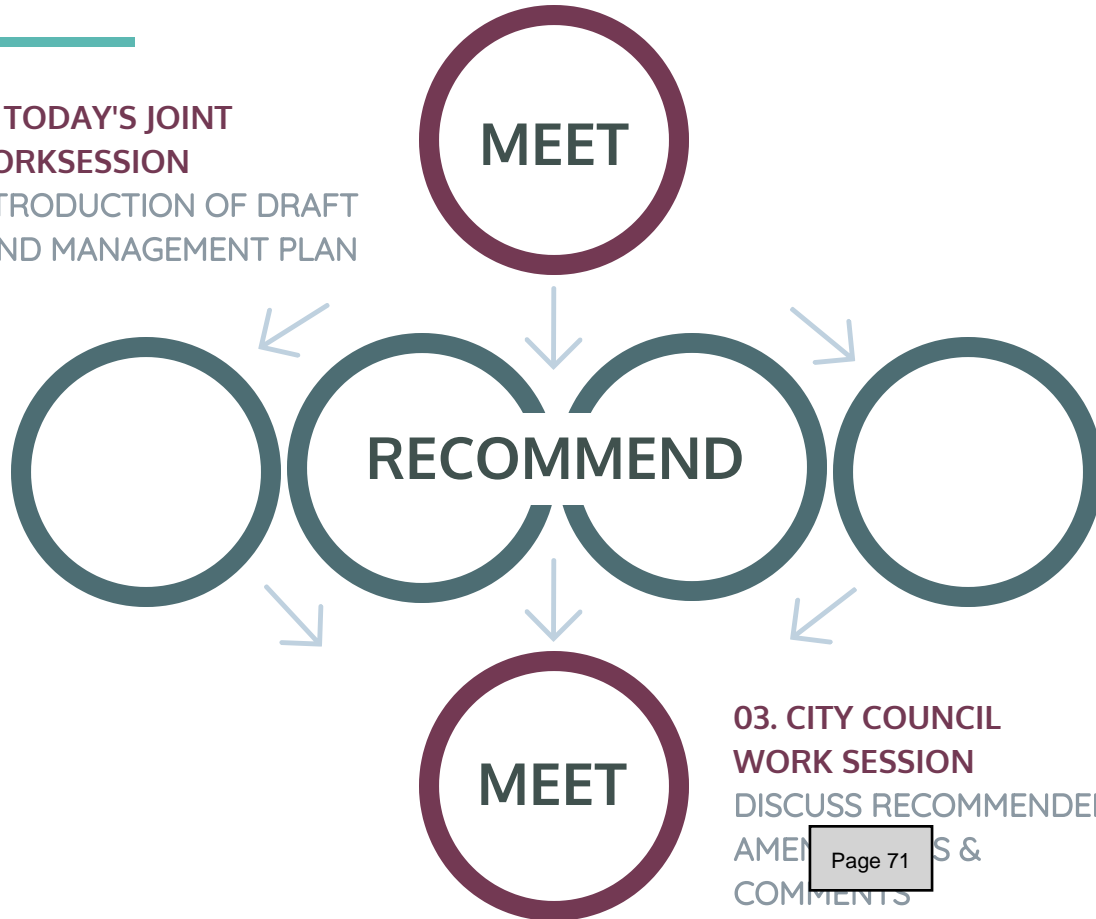


Land Management Plan Draft Timeline



Land Management Plan Process

**01. TODAY'S JOINT
WORKSESSION**
INTRODUCTION OF DRAFT
LAND MANAGEMENT PLAN



**02. COMMISSION
WORK SESSIONS /
PUBLIC COMMENTS**
RECOMMEND AMENDMENTS
e.g. additional information such as
personal knowledge of a parcel
appropriate to include, factual
inaccuracies, reasons to change a
recommendation

**03. CITY COUNCIL
WORK SESSION**
DISCUSS RECOMMENDED
AMENDMENTS &
COMMENTS



Land Management Plan Process Continued



AFTER COUNCIL WORK SESSION:

- Administration revises plan for approval
- Council determines if more work sessions are necessary
- Resolution approving plan scheduled by Council
- Hold public hearing on resolution

AFTER APPROVAL:

- Update lands database to reflect approved plan
- GIS needs assessment
- Implementation plan



Online Mapping Presentation



Questions and Comments





QR Code to City of Kenai Land Management Plan Webpage

<https://www.kenai.city/lands/page/land-management-plan>





KENAI

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

MEMORANDUM

TO: Mayor Gabriel, Council Members and City Commissions
FROM: Paul Ostrander, City Manager
DATE: December 6, 2021
SUBJECT: **Disposition of City Lands – Summary of KMC 22.05**

Kenai Municipal Code Chapter 22.05, The Disposition of City Lands, was repealed and reenacted by Ordinance 3072-2019 on October 2, 2019. This memorandum will provide an overview of this provision of code. Excerpts from code are identified in *italics*.

KMC Chapter 22.05 applies to City owned real property other than lands within the airport reserve – described in KMC Chapter 21.10, and the leasing of tidelands for shore fisheries.

Authority

KMC Chapter 22.05 establishes the authority for the City's land disposals:

The City may sell, convey, exchange, transfer, donate, dedicate, direct, assign to use, or otherwise dispose of City-owned real property, including property acquired, held for, or previously devoted to a public purpose, only in accordance with this chapter, and, with respect to properties acquired through foreclosure for taxes, in compliance with those terms and provisions of AS 29 which apply to home-rule municipalities. Disposal or sale of lands shall be made only when, in the judgment of the City Council, such lands are not or are no longer required for a public purpose.

Intent

KMC Chapter 22.05 establishes the intent of the chapter and goes further to establish that it is not the intent of the chapter to allow for speculation on City-owned lands:

It is the intent of this chapter to provide land policies and practices that encourage responsible growth and development to support a thriving business, residential, recreational and cultural community.

It is not the intent of this chapter to allow for speculation on City-owned lands. All leases, sales, and other disposals of City-owned land must meet the intent of this chapter.

Lease and / or Sale of City Lands

KMC Chapter 22.05 has provisions for the lease and sale of City owned real property. An individual or entity that wishes to acquire real property from the City can pursue a lease, a sale, or a lease with an option to purchase from the City.

Lease

To lease City owned lands an applicant must first submit a lease application:

All applications for lease of lands must be submitted to the City Manager or designee on an application form provided by the City. Applications will be dated on receipt and must include payment of the nonrefundable application fee as set forth in the City's schedule of fees approved by the City Council.

If a subdivision is required to lease the land, the costs of that subdivision are generally at the expense of the applicant:

Applications which propose a subdivision shall require the applicant to be responsible for all costs associated with the subdivision, including but not limited to any new appraisal, engineering services, surveying and consulting costs unless, in the sole discretion of the City Council, it is determined that the subdivision serves other City purposes.

To determine the annual lease rate of the property an appraisal must have been completed in the last 12 months:

Applications for lands which have not been appraised within one (1) year of the requested starting date of the lease require the applicant to be responsible for all costs associated with appraisal. The cost of the appraisal shall be credited or refunded to the lessee once development is completed as required by the lease, extension or renewal.

The length of the lease term is based on the amount of investment the applicant proposes to make with a minimum investment of \$7,500 equaling a maximum term of 5 years, and an investment value of \$307,500 or more equaling a maximum term of 45 years:

The length of term for an initial lease shall be based on the amount of investment the applicant proposes to make in the construction of new permanent improvements on the premises as provided in the application. The City Council may offer a shorter lease term, if the City Council makes specific findings that a shorter lease term is in the best interest of the City.

The maximum term of a lease shall be determined according to the following term table and cannot exceed forty-five (45) years:

The public is notified of all lease applications received by the City to provide an opportunity for competing applications:

Notice of complete applications for new leases, renewals or extensions shall be published in a newspaper of general circulation within the City and posted on the property. The notice must contain the name of the applicant, a brief description of the land, whether the applicant requests a lease with an option to purchase, and the date upon which any competing applications must be submitted (thirty (30) days from the date of publication).



If a competing application is submitted, the City Manager will recommend the application anticipated to best serve the interest of the City to the applicable commissions and the City Council:

If another application for a new lease, extension or a renewal is received for the same property within thirty (30) days from the notice of application publication date by a different applicant, City staff shall process the application and forward the application, the City Manager's recommendation and applicable commission recommendations to the City Council for approval of the application anticipated to best serve the interest of the City. The City Council may approve one (1) of the applications, reject all the applications or direct the City Manager to award a lease of the property by sealed bid.

If there are no competing applications, the City Council will determine if the lease is in the best interests of the City after considering the recommendations of the Planning and Zoning Commission, any other applicable commissions, and the City Manager:

The recommendations of the City Manager, Planning and Zoning Commission, and any other applicable commissions shall be provided to the City Council. The City Council shall determine whether the lease is consistent with the intent of this chapter and in the best interest of the City. The decision whether or not to lease land rests in the sole discretion of the City Council.

Development Incentives

The City Council may approve lease incentives to encourage commercial development:

A credit may be applied toward rent for a maximum of five (5) years. The credit may only include the value of site preparation work on the leased premises to include clearing and grubbing, unclassified excavation, classified fill and back fill, crushed aggregate base course, and utility extensions.

For the credit to be applied, the approved scope of work must be completed.

Sale of Land

KMC Chapter 22.05 authorizes the sale of City owned lands through both a non-competitive and competitive process:

There are four methods to sell City owned lands through a non-competitive process:

- (i) Conveyance to encourage new enterprises where it is found that encouragement of a new commercial or industrial enterprise would be in the best interest of the City; one (1) or more parcels of City land may be sold upon such terms as to price, conditions of conveyance, and with such contingencies as may be set forth in the ordinance.*
- (ii) Property sale to adjacent owners for the conveyance of a parcel of City property at fair market value to the owner of adjacent land whenever, in the judgment of the City Council, the parcel of land is of such small size, shape, or location that it could not be put to practical use by any other party.*
- (iii) Grant or devotion of real property to the United States, the State of Alaska, a local political subdivision of the State of Alaska, or any agency of any of these governments or a nonprofit corporation, for a consideration agreed upon between the City and*



grantee without a public sale if the grant, devotion or lease is in the best interest of the City.

- (iv) Conveyance of land to resolve a land use conflict.*

There are four methods to sell City owned lands through a competitive process:

- (i) Public outcry auction to the highest responsible bidder.*
- (ii) Sealed bid to the highest responsible bidder.*
- (iii) Over-the-counter sale after a public outcry auction or sealed bid process on a first-come basis, provided minimum development requirements are met within two (2) years of sale and the land is sold for fair market value. An appraisal to determine fair market value must be completed within a one (1) year period prior to the date of sale.*
- (iv) Leased land in which the lease was subject to competition through the lease application review process and which contains an option to purchase once the minimum development requirements have been met for the fair market value of the land excluding permanent improvements made by the lessee. An appraisal to determine fair market value must be completed within a one (1) year period prior to the sale.*

The application process, subdivision process (if necessary) and appraisal process for the sale of land is similar to the process for the lease of land:

All requests to purchase City land must be submitted to the City Manager or designee on approved forms provided by the City. Applications will be dated on receipt and payment of the nonrefundable application fee and must include applicable deposit as set forth in the City's schedule of fees adopted by the City Council. The City Council may decide to sell lands consistent with the intent of this chapter after a recommendation from the City Manager and any appropriate City commission. The City Council may always recommend a lease as opposed to a sale when in the best interest of the City and consistent with the intent of this chapter.

Applications which propose a subdivision shall require the applicant to be responsible for all costs associated with the subdivision, including but not limited to engineering services, surveying and consulting costs, unless in the sole discretion of the City Council it is determined the subdivision serves other City purposes. Sales of parcels must be of appropriate size to meet the needs of the proposed development or use to meet the intent of this chapter. The sale of excess acreage not needed for the intended development or use does not meet the intent of this chapter.

The City will retain the services of an independent real estate appraiser certified under Alaska State statutes to determine the fair market value for a determination of the minimum price on the land to be paid for from the deposit made by the applicant unless such an appraisal has been obtained within one (1) year prior to the date of sale. The cost of the appraisal will be credited toward the purchaser at closing.



Lease with an option to purchase

KMC Chapter 22.05 will allow an applicant to request to acquire City land using a combination of lease and sale. A lease with an option to purchase would allow an applicant to lease the real property for a period of time, during which the development of the property could be completed and the applicant would benefit from lease development incentives, followed by the sale of the property when the incentives have been exhausted.

Kenai Municipal Code Chapter 21.10

KMC Chapter 21.10, Leasing and Acquisition of Airport Reserve Lands, with few exceptions, mirrors KMC Chapter 21.05, although KMC Chapter 21.10 does not allow the sale of land. Airport Reserve Lands are available for lease only.





KENAI

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

MEMORANDUM

TO: Mayor Gabriel, Council Members and City Commissions
FROM: Ryan Foster, Planning Director
DATE: December 6, 2021
SUBJECT: **Zoning and Definition of “Retain” and “Dispose” in the Draft Land Management Plan**

Zoning in the City of Kenai

The City of Kenai is a home rule city with its own City Charter and Municipal Code. Kenai Municipal Code Title 14 Planning and Zoning codifies the planning and development processes within the City by implementing the Comprehensive Plan (long range policy document), establishing zoning districts, and specifying development standards for zoning districts regarding land use, form, layout, and density.

To determine the land uses and development standards of a parcel, the City’s Zoning Map and Land Use Table must be referenced. Each parcel in the City has a zoning designation (there are 17 total zoning districts) across categories such as residential, commercial, industrial, etc. The City of Kenai Interactive Zoning Map App can be found here:

<https://kenai.maps.arcgis.com/home/index.html>

After determining the zoning district of a property, reference the KMC 14.22.010 Land Use Table, which contains a list of land uses and all of the corresponding zoning districts in the City. A land use is either designated as P= Principal Permitted Use, C= Conditional Use, S= Secondary Use, N= Not Permitted for each zoning district. This provides the necessary information to determine the development options for a property based on the zoning and the desired land use. The Land Use Table can be found here:

<https://kenai.municipal.codes/KMC/14.22>

Definitions of “Retain” and “Dispose” in the Draft Land Management Plan

The Draft Land Management Plan contains recommendations for each City owned property. For clarification, below are the definitions of “retain” and “dispose” and where they can currently be found in Kenai Municipal Code in the same context:

- “Retain” means a parcel is needed for a public purpose, such as for:
 - Existing public buildings and facilities.
 - Future public buildings and facilities.
 - Public purposes such as wetlands, beach protection, and stormwater retention.

- For Airport Fund lands, “retain” means the parcel is needed for a public purpose where the use is aviation-related or consistent with the FAA self-sustaining requirement and does not adversely affect the airport’s capacity, security, safety, or operations.
- In this context, the term retained is currently found in Kenai Municipal Code:
 - 22.05.110 Determination as to need for public purpose
- “Dispose” means the parcel has not been retained for a public purpose and will be considered available for lease, sale, or lease with the option to purchase. All disposals are at the discretion of the Kenai City Council and must meet the intent of Kenai Municipal Code:
 - 22.05.010 Authority and intent
 - (c) It is the intent of this chapter to provide land policies and practices that encourage responsible growth and development to support a thriving business, residential, recreational and cultural community.
 - (d) It is not the intent of this chapter to allow for speculation on City-owned lands. All leases, sales, and other disposals of City-owned land must meet the intent of this chapter.
- In order for a property to be sold, it must first be determined that it is not needed for a public purpose. Most disposals will require development on the parcel. In this context, the term disposal is currently found in Kenai Municipal Code:
 - KMC 22.05.015 Lands available for lease, sale, or disposal
 - KMC 22.05.095 Methods of sale or disposal





KENAI

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MEMORANDUM

TO: Mayor Gabriel, Council Members and City Commissions
FROM: Paul Ostrander, City Manager
DATE: January 4, 2022
SUBJECT: **City of Kenai Land Management Plan Requested Information**

This memo provides additional information requested by the Planning and Zoning Commission at its December 22, 2021 Regular Meeting to clarify the intent of the City of Kenai Land Management Plan and the best way for Commissioners to make amendments, as well as provide an example of a motion to amend and sample Implementation Plan that Commissions may use as they review and consider recommending adoption of the Land Management Plan.

Intent of the Land Management Plan

The intent of the Land Management Plan is to catalog the inventory of City-owned lands, including identification of properties needed for a public purpose, and recommendations for lease or sale of individual parcels not needed for a public purpose. The Plan does *not* provide land policies or procedures or include an implementation plan. The City's land policies for lease and sale of City-owned land are provided in the Kenai Municipal Code, and the decision whether or not to lease or sell land rests in the sole discretion of the City Council. Any sale or lease of City-owned land would require further Council action. An implementation plan is a separate document outlining action items based on the adopted Land Management Plan. An implementation plan would require Council approval.

Motions to Amend

All commissioner-suggested amendments received in writing or requested during a scheduled meeting or work session will be compiled by the Planning Director and placed in the proper format for consideration at the meeting in which the commission resolution to adopt the Plan will be considered.

If an amendment has not been received in writing, or has not been requested during previous meetings or work sessions, motions to amend the draft Plan may also be made by commissioners at the meeting in which the commission resolution to adopt the Plan will be considered.

Amendments related to land ownership changes or clerical errors will not need to be made as motions to amend the Plan. Administration will prepare a memo with these updates and corrections when the Plan is finalized for consideration by City Council.

Example: Motion to Amend

The following is an example of a recommended amendment provided by a Commissioner that may be made as a motion to amend:

Map 8, Page 36, Parcel Numbers 04314103 and 04314104 should not be recommended for disposal. These parcels should be retained for a public purpose of future sports facilities.

The following amendment is respectfully requested:

Amend Section 1 so that it reads:

The draft of the City of Kenai Land Management Plan is hereby recommended for adoption with the following amendment:

1. The retention status of parcel numbers 04314103 and 04314104, which appear on Map 8 Kenai Spur Highway North Corridor be changed from Dispose to Retain.

Example: Role of Implementation Plan in Process

Attached is a table describing the role of the Kenai Municipal Code, Land Management Plan and a sample Implementation Plan in the management of City-owned lands.

Attachment



KENAI MUNICIPAL CODE

A Codification of the General Ordinances of the City of Kenai

Title 21 and Title 22 Govern City Airport Reserve Lands and City-Owned Lands

- Provides land lease and sale policies and practices that encourage responsible growth and development to support a thriving business, residential, recreational and cultural community.
- Provides process for competitive lease application, and both competitive and non-competitive sale of lands as well as rules governing subdivision, appraisal, annual lease rates and terms, public notice, and review by commissions

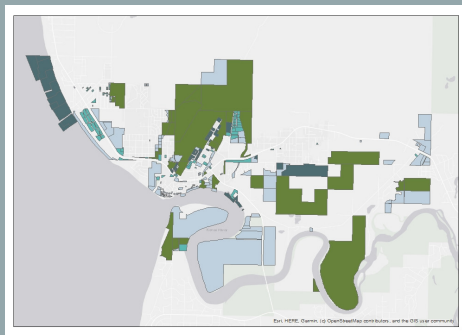


LAND MANAGEMENT PLAN

An inventory of City-owned lands and comprehensive reference document

Land Inventory and Retention Recommendations Adopted by a Resolution of the City Council

- Provides an inventory of City-owned lands with detailed information on each parcel
- Identifies properties recommended required or not needed for a public purpose
- Information available to the public



SAMPLE: IMPLEMENTATION PLAN

An outline of action items approved by Council based on the adopted Land Management Plan

For example:

Date	Actions	Staff Assigned
March 2022	Apply to Borough for removal of restrictive plat notes on City lands	Planning
March 2022	Request removal of patent restrictions from BLM	Planning
July 2023	Request FAA release of parcels not needed for a public purpose	Airport/ Planning

NOTE: the decision whether or not to lease or sell City-owned land rests in the sole discretion of the City Council



KENAI

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MEMORANDUM

TO: Planning & Zoning Commission
FROM: Ryan Foster, Planning Director
DATE: January 14, 2022
SUBJECT: Requested Amendment to Resolution PZ2021-39 – Recommending the Kenai City Council adopt the City of Kenai Land Management Plan

The Administration is requesting the following amendments to the Planning & Zoning Resolution No. 2021-39:

Amend the Title to read:

A Resolution of the Planning & Zoning Commission of the City of Kenai Recommending the Council of the City of Kenai [APPROVE AND] Adopt the City of Kenai Land Management Plan

Delete the sixth whereas in its entirety:

[WHEREAS, CITY STAFF HELD A PUBLIC MEETING ON OCTOBER 11, 2021, AND SCHEDULED PUBLIC MEETINGS FOR COMMISSIONS ON NOVEMBER 4, 2021 NOVEMBER 8, 2021, AND NOVEMBER 9, 2021 TO RECEIVE PUBLIC COMMENTS AND DISCUSS THE CITY OF KENAI LAND MANAGEMENT PLAN; AND,]

Delete the eighth whereas in its entirety:

[WHEREAS, THE PLANNING AND ZONING COMMISSION HELD A PUBLIC HEARING ON OCTOBER 27, 2021 AND RECOMMENDED THAT THE COUNCIL OF THE CITY OF KENAI APPROVE THE CITY OF KENAI LAND MANAGEMENT PLAN.]

Insert a new final whereas to read:

WHEREAS, after reviewing the plan as presented on November 10, 2021, the Planning & Zoning Commission has recommended amendments for consideration by City Council.

Section 1 to read:

The Draft of the City of Kenai Land Management Plan is hereby [APPROVED AND ADOPTED AS THE CITY OF KENAI LAND MANAGEMENT PLAN.] recommended for adoption with the following amendments:

Thank you for your consideration.

New Text, [DELETED TEXT]





Kenai City Council - Regular Meeting

January 19, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

www.kenai.city

Action Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. **Oath of Office for Student Representative, Silas Thibodeau**
5. Consent Agenda (*Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

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

B. SCHEDULED PUBLIC COMMENTS

(Public comment limited to ten (10) minutes per speaker)

C. UNSCHEDULED PUBLIC COMMENTS

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

D. PUBLIC HEARINGS

1. **ENACTED UNANIMOUSLY. Ordinance No. 3266-2022** - Accepting and Appropriating Funds in the Airport Fund, and Accepting Two Grants From the Federal Aviation Administration Under the American Rescue Plan Act of 2021 (H.R. 1319, Public Law 117-2). (Administration)
 - **Substitute Ordinance No. 3266-2022**
2. **POSTPONED UNTIL 2/16/2022. Resolution No. 2022-04** - Awarding a Three Year Contract for the Purchase of Microsoft Software. (Administration)
3. **ADOPTED UNANIMOUSLY. Resolution No. 2022-05** - Adopting Goals to Guide the Preparation of the Fiscal Year 2023 Annual Budget. (Administration)
4. **ADOPTED UNANIMOUSLY. Resolution No. 2022-06** - Executing a Professional Services Agreement and Issuance of a Purchase Order for Design Services for the Recreation Center Improvements Project. (Administration)

5. **ADOPTED UNANIMOUSLY. Resolution No. 2022-07** - Accepting Funding from the U.S. Department of Health and Human Services, Provider Relief Fund through the Public Health and Social Services Emergency Fund, Provided by The Coronavirus Aid, Relief, and Economic Security (CARES) Act. (Administration)

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of January 5, 2022. (City Clerk)
2. **APPROVED BY THE CONSENT AGENDA.** *Work Session of January 10, 2022. (City Clerk)

F. UNFINISHED BUSINESS

G. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Bills to be Ratified. (Administration)
2. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Purchase Orders Over \$15,000. (Administration)
3. **INTRODUCED AND PUBLIC HEARING SET FOR 2/2/2022.** *Ordinance No. 3267-2022 - Authorizing COVID Leave for City Employees that Test Positive for COVID-19, and Authorizing the Use of Funds from a Grant from the State of Alaska-Department of Health and Social Services – Division of Public Health – COVID Emergency Operations Center to Fund the Leave. (Administration)
4. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 2/2/2022.** *Ordinance No. 3268-2022 - Increasing Estimated Revenues and Appropriations in the Water and Sewer Special Revenue Fund and Authorizing a Purchase Order Increase to Alaska Waste For Sludge Disposal Services At The Waste Water Plant (Administration)
5. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 2/2/2022.** *Ordinance No. 3269-2022 - Amending Kenai Municipal Code Section 7.30:020, Land Sale Permanent Funds, to Identify the Circumstances and Limitation on the Use of Derivative Investments and to Add Two New Classes of Assets to the List of Authorized Investments and to Codify the Applicable Benchmark by Which these Asset Classes Will be Measured and Evaluated (Administration)
6. **APPROVED UNANIMOUSLY. Action/Approval** - Providing Direction to the City Attorney to file an Amicus Brief in *United Cook Inlet Drift Association, et al. v. NMFS et al.* (Administration)
7. **APPROVED UNANIMOUSLY. Action/Approval** - Providing Input to the Alaska Department of Environmental Conservation (ADEC) on Proposed Changes to Regulations on Oil Discharge Prevention and Contingency Plans (Mayor Gabriel)

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging
2. Airport Commission
3. Harbor Commission
4. Parks and Recreation Commission
5. Planning and Zoning Commission
6. Beautification Committee
7. Mini-Grant Steering Committee

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

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

K. ADDITIONAL PUBLIC COMMENT

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

L. EXECUTIVE SESSION

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATION ITEMS

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

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

Join Zoom Meeting

<https://us02web.zoom.us/j/82160351709>

Meeting ID: 821 6035 1709 **Passcode:** 848744

OR

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

Meeting ID: 821 6035 1709 **Passcode:** 848744