



Kenai City Council - Regular Meeting

August 18, 2021 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

****Telephonic/Virtual Information on Page 4****

www.kenai.city

Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. Consent Agenda (*Public comment limited to three (3) minutes) per speaker; thirty (30) minutes aggregated*)

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

B. SCHEDULED PUBLIC COMMENTS

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

1. **Tim Dillon, Executive Director, Kenai Peninsula Economic Development District - Quarterly Update.**

C. UNSCHEDULED PUBLIC COMMENTS

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

D. PUBLIC HEARINGS

- 1. Ordinance No. 3226-2021** - Increasing Fiscal Year 2021 Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)
- 2. Ordinance No. 3227-2021** - Accepting and Appropriating a Grant from the U.S. Department of Homeland Security Passed Through the State of Alaska Department of Military and Veterans' Affairs, Increasing Estimated Revenues and Appropriations in the General Fund - Fire Department, and Authorizing the Sole Source Purchase of Portable Radios and Accessories for the Fire Department. (Administration)
- 3. Ordinance No. 3228-2021** - Increasing Estimated Revenues and Appropriations in the Airport Fund, Terminal Repair and Maintenance Department for Expenditures in Excess of

Budgeted Amounts Related to Damage to Terminal Building Siding and Authorizing a Purchase Order to Blazy Construction, Inc. (Administration)

- 4. Ordinance No. 3229-2021** - Accepting a Grant from the Federal Aviation Administration and Increasing Estimated Revenues and Appropriations in the Airport Snow Removal Equipment Capital Project Fund. (Administration)
- 5. Ordinance No. 3230-2021** - Increasing Estimated Revenues and Appropriations in the General Fund - Fire Department for the Purchase of Extrication Equipment Needed to Provide Emergency Response to Motor Vehicle Accidents. (Administration)
- 6. Ordinance No. 3231-2021** - Increasing Estimated Revenues and Appropriations in the COVID-19 Cares Act Recovery Fund for a Federal Cares Act Grant Passed Through the State of Alaska Department of Public Safety for Overtime and Direct Expenditures of the Police, Fire, and Communications Departments of the City. (Administration)
- 7. Ordinance No. 3232-2021** - Increasing Estimated Revenues and Appropriations in the General Fund, Kenai Fine Arts Center Capital Project Fund and Amending the Lease for a Portion of Lot 3, Block 17, Original Townsite of Kenai for the Kenai Fine Arts Center to Provide Additional Funding for Improvements and Modifications Amendment to the Lease for the Kenai Fine Arts Center. (Administration)
- 8. Resolution No. 2021-54** - Adopting Joint Resolution No. 2021-002 of the Assembly of the Kenai Peninsula Borough and Councils of the Cities of the Kenai Peninsula Borough, Supporting a Request for Federal Aid Submitted by the Kenai Peninsula Borough to Alaska's U.S. Congressional Delegation for the Purpose of Spruce Bark Beetle Mitigation. (Administration)
- 9. Resolution No. 2021-55** - Approving the Development Incentives per Kenai Municipal Code 21.10.100 for a Lease of Airport Reserve Lands Between the City of Kenai and Schilling Rentals, LLC on General Aviation Apron Sub No. 1 Amended Lot 2 Blk 3. (Administration)

E. MINUTES

- 1.** *Work Session of August 4, 2021. (City Clerk)
- 2.** *Regular Meeting of August 4, 2021. (City Clerk)

F. UNFINISHED BUSINESS

G. NEW BUSINESS

- 1. *Action/Approval** - Bills to be Ratified. (Administration)
- 2. *Ordinance No. 3234-2021** - Increasing Estimated Revenues and Appropriations in the Airport Improvements Capital Project Fund, Amending the City's Professional Services Agreement with HDL Engineering Consultants, Accepting Grant Funding from the Federal Aviation Administration, and Issuing a Purchase Order for Construction of the 2021 Airfield Drainage Rehabilitation Project at the Kenai Municipal Airport. (Administration)

- [3.](#) ***Ordinance No. 3235-2021** - Accepting and Appropriating a Grant from the State of Alaska for the Purchase of Library Books. (Administration)
- [4.](#) ***Ordinance No. 3236-2021** - Amending the Official Zoning Map by Rezoning T 5N R 11W Sec 6 Seward Meridian KN North 150 Ft of Govt Lot 34 from Suburban Residential to General Commercial. (Administration)
- [5.](#) ***Ordinance No. 3237-2021** - Increasing Estimated Revenues and Appropriations in the General Fund – Land Administration Department to Provide Funding for a Kenai Waterfront Revitalization Feasibility Study. (Administration)
- [6.](#) **Action/Approval** - Authorizing a Special Use Permit to Boys and Girls Club of the Kenai Peninsula for Office Space at the Beacon Building. (Administration)
- [7.](#) **Action/Approval** - Letter of Support for a Kenaitze Indian Tribe Grant Request for a Pilot Fixed-Route Transportation Program. (Administration)
- [8.](#) **Action/Approval** - Potential Partnership with the City of Soldotna to Provide 9-1-1 Dispatch Services. (Administration)

H. COMMISSION / COMMITTEE REPORTS

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

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

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

K. ADDITIONAL PUBLIC COMMENT

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

L. EXECUTIVE SESSION

1. Review and Discussion of the Terms of Employment Agreement for the City Clerk which, Pursuant to AS 44.62.310(c)(2) May be a Subject that Tends to Prejudice the Reputation and Character of the City Clerk.
2. **Action/Approval** - Amending an Employment Agreement between the City of Kenai and City Clerk, Jamie Heinz. (City Clerk)

M. PENDING ITEMS

1. **Ordinance No. 3224-2021** - Repealing and Reenacting Kenai Municipal Code Title 6 - Elections, to Provide Clarity, Housekeeping, and Process Improvements. (Vice Mayor Molloy and City Clerk)
[Clerk's Note: At the August 4 Council Meeting, this item was postponed to the September 18 Council Meeting for a second public hearing. A motion to enact is on the floor.]

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/84517385498>

Meeting ID: 845 1738 5498 **Passcode:** 819757

OR

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

Meeting ID: 845 1738 5498 **Passcode:** 819757



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3226-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING FISCAL YEAR 2021 ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND – POLICE DEPARTMENT AND ACCEPTING A GRANT FROM THE ALASKA HIGH INTENSITY DRUG TRAFFICKING AREA FOR DRUG INVESTIGATION OVERTIME EXPENDITURES.

WHEREAS, the Kenai Police Department assists the regional drug task force on initiatives with funding availability through the Alaska High Intensity Drug Traffic Area (AK HIDTA), which is funded through a Federal Government Appropriation; and,

WHEREAS, funding through AK HIDTA is available to reimburse certain overtime expenditures for the Kenai Police Officers that assist the regional drug task force or directly participate in the task force on those HIDTA initiatives; and,

WHEREAS, the overtime expense that was eligible for reimbursement from March through June, 2021 was \$4,039.29; and,

WHEREAS, overtime for these additional expenditures for drug investigation was not budgeted and the Department is requesting appropriation into the FY21 overtime budget equal to the amount of the AK HIDTA funding.

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

Section 1. That the City Manager is authorized to accept these funds from the AK HIDTA in the amount of \$4,039.29 and to expend those funds to fulfill the purpose and intent of this ordinance.

Section 2. That FY 2021 estimated revenues and appropriations be increased as follows:

General Fund:	
Increase Estimated Revenues –	
Federal Grants - Police	<u>\$4,039.29</u>
Increase Appropriations –	
Police - Overtime	<u>\$4,039.29</u>

Section 3. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 18th day of August, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Approved by Finance: 

Introduced: August 4, 2021
Enacted: August 18, 2021
Effective: August 18, 2021



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: David Ross – Police Chief

DATE: July 13, 2021

SUBJECT: **Ordinance No. 3226-2021, Accepting HIDTA Grant Funds**

The Kenai Police Department participates in the regional drug task force. Between March and June of 2021 certain overtime worked in conjunction with the regional drug task force was eligible for reimbursement through the Alaska High Intensity Drug Trafficking Area (AK HIDTA), which receives its funding through Federal appropriation. The Police Department requested reimbursement for \$4039.29 in overtime expenditures.

I am respectfully requesting consideration of the ordinance accepting and appropriating the grant funds into the FY21 budget for the purpose they were intended.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3227-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING A GRANT FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY PASSED THROUGH THE STATE OF ALASKA DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND - FIRE DEPARTMENT, AND AUTHORIZING THE SOLE SOURCE PURCHASE OF PORTABLE RADIOS AND ACCESSORIES FOR THE FIRE DEPARTMENT.

WHEREAS, the City was notified of additional funds available from the 2018 State Homeland Security Program grant and the Fire Department applied for 13 portable radios and accessories to complete the replacement of public safety portable radios; and,

WHEREAS, the City was notified by the Alaska Division of Homeland Security and Emergency Management of an award of \$61,330.15, enough to purchase 11 portable radios; and,

WHEREAS, an additional \$9,669.74 is needed to replace the remaining 2 portable radios and complete this project bringing the total project cost to \$70,999.89; and,

WHEREAS, previous grants to replace police and fire portables have been sole sourced to Motorola for purchasing and it is in the best interest of safety and operations to purchase identical radios; and,

WHEREAS, sole-source approval was requested and approved by the granting agency to purchase Motorola radios for this project; and,

WHEREAS, it is in the best interest of the City to accept the grant funds and approve a sole-source purchase for 13 portable radios to complete the portable radio replacement project.

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

Section 1. That the City Manager is authorized to accept a grant from the U.S. Department of Homeland Security passed through the State of Alaska Department of Military and Veterans Affairs in the amount of \$61,330.15 and to expend those funds in compliance with the grant's requirements and this Ordinance.

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

General Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	\$ 9,669.74
Federal Grants - Fire	<u>61,330.15</u>

\$70,999.89

Increase Appropriations – Fire Department
Machinery and Equipment

\$70,999.89

Section 3. That the City Manager is authorized to issue a sole-source purchase order in the amount of \$70,999.89 to ProComm Alaska for the purchase of portable radios and accessories.

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 18th day of August, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Approved by Finance: 

Introduced: August 4, 2021
Enacted: August 18, 2021
Effective: August 18, 2021



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Tony Prior, Fire Chief

DATE: July 22, 2021

SUBJECT: Ordinance 3227-2021 Accepting Reallocated 2018 SHSP Funds

The City was contacted by the State of Alaska Department of Military and Veterans Affairs to advise us of reallocated funds from the 2018 State Homeland Security Program Grant that were available to reapply for. Police and Fire have successfully worked through multiple grants to replace most of the aging portable radios as the first phase of replacing all portable and mobile radios. Kenai Police Department was able to completely replace all of their portables and the Fire Department has replaced 6 of their 19 to date. We applied for funding to replace the remaining 13 portable radios needed to complete phase one for the Fire Department and were awarded \$61,330.15. The total needed to complete the replacement of the 13 radios is \$70,999.89. We are respectfully requesting the additional \$9,669.74 be approved to complete this phase of our radio replacements. These radios will be replacing radios that are no longer supported by the manufacturer.

This will also require a sole-source approval to Motorola Solutions to purchase the same brand of radio that we have purchased to date for both Police and Fire. We have requested and have been approved from the granting agency to sole-source purchase this equipment and are requesting the same from City Council. Maintenance, operations, programming, parts and warranty are key to our communications/radio program within Public Safety.

Thank you for your consideration of this Ordinance.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3228-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT FUND, TERMINAL REPAIR AND MAINTENANCE DEPARTMENT FOR EXPENDITURES IN EXCESS OF BUDGETED AMOUNTS RELATED TO DAMAGE TO TERMINAL BUILDING SIDING AND AUTHORIZING A PURCHASE ORDER TO BLAZY CONSTRUCTION INC.

WHEREAS, Blazy Construction Inc. submitted a proposal of \$23,105 to repair damaged siding that was hit with a loader, owned by the airport and operated by airport personnel, near the restaurant location at the Kenai Airport; and,

WHEREAS, the City of Kenai general liability insurance deductible exceeds the cost of repair, and,

WHEREAS, this expense was not budgeted, requiring supplemental funding of \$ 23,105.

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

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

Airport Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$23,105</u>
Increase Appropriations –	
Terminal	
Repair & Maintenance	<u>\$23,105</u>

Section 2. Issuance of a purchase order in the amount of \$23,105 to Blazy Construction Inc. is authorized.

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

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

Ordinance No. 3228-2021
Page 2 of 2

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 18th day of August, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Approved by Finance:



Introduced: August 4, 2021
Enacted: August 18, 2021
Effective: August 18, 2021



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Eland Conway, Airport Manager

DATE: July 22, 2021

SUBJECT: **Ordinance 3228 - 2021 - Airport Funds Appropriation**

As a result of an incident during the 2020-2021 winter season, it is necessary to repair damaged siding at the Kenai Airport Terminal building. Blazy Construction Inc. submitted a proposal of \$23,105 to repair damaged siding that was hit with an airport owned and operated loader.

Based on the complexity of the repair, materials cost, and experience of the general contractor for the terminal rehabilitation project—Blazy Construction Inc., it is in the best interest of the Kenai Municipal Airport and the City of Kenai to complete this repair as a sole source.

Supplemental funding is necessary to fund the unexpected and unbudgeted costs associated with this repair.

Thank you for your consideration.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3229-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION AND INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT SNOW REMOVAL EQUIPMENT CAPITAL PROJECT FUND.

WHEREAS, the City received a grant from the Federal Aviation Administration for the replacement of a runway snow blower and broom; and,

WHEREAS, to expedite the purchase, \$800,000 was previously appropriated from the Airport Special Revenue Fund by Ordinance 3201-2021; and,

WHEREAS, upon receipt and acceptance of this grant, the previously appropriated \$800,000, less the grant's required local share estimated to be \$47,706, will be returned to the Airport Special Revenue; and,

WHEREAS, acceptance and appropriation of this grant is in the best interest of the City and its residents.

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

Section 1. That the City Manager is authorized to accept and expend a grant in the amount of \$715,586 from the Federal Aviation Administration for the purchase of a replacement snow blower/broom for winter maintenance of the airfield in compliance with grant conditions and this ordinance.

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

Airport Snow Removal Equipment Capital Project Fund:

Increase Estimated Revenues –	
Federal Grants	<u>\$715,586</u>
Increase Appropriations –	
Equipment	<u>\$715,586</u>

Section 3. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances.

Ordinance No. 3229-2021
Page 2 of 2

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 18th day of August, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Approved by Finance: 

Introduced: August 4, 2021
Enacted: August 18, 2021
Effective: August 18, 2021

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin, Public Works Director
DATE: July 27, 2021
SUBJECT: Ordinance No. 3229-2021

The purpose of this memo is to request Council’s approval to accept grant funding from the Federal Aviation Administration (FAA) for the replacement purchase of a new airfield snow blower and broom. As council may recall, Ordinance 3201-2021 was approved to allow the Administration to expedite the purchase due to the long lead times anticipated with the delivery. This Ordinance will finalize the grant offer that was originally discussed with our FAA counterparts in support of the purchase.

Resolution 2021-32 previously authorized the purchase utilizing the State of Alaska Cooperative Fleet Purchasing agreement, LaRue shown in the photo below is the approximate unit being purchased. This piece of equipment is integral to Airport Operations. Council’s approval to accept these grant funds will replenish the Airport Special Revenue Fund in support of future operations. Acceptance of this grant is in the best interest of the City.

Council’s support is respectfully requested.



New Unit



Old Unit



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3230-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND - FIRE DEPARTMENT FOR THE PURCHASE OF EXTRICATION EQUIPMENT NEEDED TO PROVIDE EMERGENCY RESPONSE TO MOTOR VEHICLE ACCIDENTS.

WHEREAS, the Fire Department recently took its Hurst Jaws of Life Cutter and Spreader out of service due to hose failures; and,

WHEREAS, this equipment is critical to performing extrication of entrapped people involved in vehicle accidents; and,

WHEREAS, the purchase of this equipment allows the Fire Department to maintain life saving capability with new battery-operated units providing additional safety benefit for firefighters using them, as well as interoperability with mutual aid departments; and,

WHEREAS, due to unexpected equipment failure and the immediate need to replace this critical life-saving equipment, a supplemental appropriation is appropriately requested along with sole-source approval to purchase equipment from the only authorized vendor in the State, LN Curtis and Sons.

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

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

General Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$25,709</u>
Increase Appropriations – Fire Department	
Machinery and Equipment	<u>\$25,709</u>

Section 2. That the City Manager is authorized to issue a sole-source purchase order in the amount of \$25,709 to LN Curtis and Sons to purchase extrication equipment.

Section 3. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances.

Ordinance No. 3230-2021
Page 2 of 2

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 18th day of August, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Approved by Finance: 

Introduced: August 4, 2021
Enacted: August 18, 2021
Effective: August 18, 2021



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Tony Prior, Fire Chief

DATE: July 27th 2021

SUBJECT: Ordinance 3230-2021 Purchase of Extrication Equipment

We have used Hurst Jaws of Life for our extrication equipment for well over 40 years now, saving many lives with them. We have trusted and relied on them to perform in any condition and they have proven to be invaluable in our emergency response to vehicle accidents. Our current set was purchased prior to 2009 which is 2 years past the manufacturers recommended service life of 10 years. On the 17th of July we had a hose failure on one of the units which resulted in both hose reels supplying our cutter and spreader to be taken out of service. We made an emergency call to our local vendor to get replacement units here as quickly as possible to maintain our level of service, which they were graciously able to accommodate us with.

We have tried in the past to look for regional grants to replace these aging units along with Nikiski Fire Department and Central Emergency Services but have been unsuccessful. Interoperability with this equipment in the event of a major car accident/aircraft crash is important to our operations as it would require responses from our Auto Aid/Mutual Aid departments. Due to our unsuccessful grant efforts, our neighboring departments have begun replacing their extrication equipment with newer Hurst battery-operated units in their budget process and have trained their personnel in the operations of them. The new Hurst eDraulic units no longer have pumps and hoses supplying them which makes on scene operations safer, minimizing tripping hazards or potential for pump failure or hose rupture/failure. Using the same equipment allows personnel from our neighboring departments to arrive on scene and assist us with operations wherever they are needed, using equipment that is familiar to them.

A supplemental appropriation of \$25,709.00 is requested to purchase a Hurst eDraulic Cutter and Spreader to replace our 2 units that were recently taken out of service. We respectfully request your consideration of this Ordinance.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3231-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING FISCAL YEAR 2021 ESTIMATED REVENUES AND APPROPRIATIONS IN THE COVID-19 CARES ACT RECOVERY FUND FOR A FEDERAL CARES ACT GRANT PASSED THROUGH THE STATE OF ALASKA DEPARTMENT OF PUBLIC SAFETY FOR OVERTIME AND DIRECT EXPENDITURES OF THE POLICE, FIRE, AND COMMUNICATIONS DEPARTMENTS OF THE CITY.

WHEREAS, the State of Alaska Department of Public Safety (DPS) was awarded a federal grant to assist with the enormous strain that the COVID-19 health pandemic is having on Alaskan communities and under that grant DPS has made Coronavirus Emergency Supplemental Funds (CESF) grants available to local public safety agencies; and,

WHEREAS, the City of Kenai applied for grant funds under the CESF program to cover FY2021 Police, Fire, and Dispatcher overtime related to COVID-19, in addition to other expenses by those emergency services departments of the City that were directly related to COVID-19; and,

WHEREAS, the City’s emergency services departments expended overtime related to COVID-19 quarantines, primarily driven by shift adjustments that minimized staff exposure to each other, and also due to some staff being quarantined or unable to return to work for shift due to COVID-19.

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

Section 1. That the City Manager is authorized to accept a grant in the amount of \$23,500 from the United State Treasury passed through the State of Alaska Department of Public Safety.

Section 2. That the estimated revenues and appropriations in FY2021 be increased as follows:

COVID-19 Cares Act Recovery Fund:	
Increase Estimated Revenues –	
Federal Grants	<u>\$23,500</u>
Increase Appropriations –	
First Responder & Incident Management Team Payroll –	
Overtime	\$18,818
PERS	4,140
Medicare	273
Workers’ Compensation	<u>269</u>
	<u>\$23,500</u>

Section 3. That the City Manager is authorized to execute a grant agreement with the State of Alaska Department of Public Safety FY2020 Coronavirus Emergency Supplemental Funding Program and to expend the funds for its intended purpose.

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


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

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BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Approved by Finance: 

Introduced: August 4, 2021
Enacted: August 18, 2021
Effective: August 18, 2021



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: David Ross – Police Chief

DATE: July 26, 2021

SUBJECT: **Ordinance No. 3231-2021 CARES ACT Grant for Emergency Services**

The State of Alaska Department of Public Safety (DPS) was awarded a federal grant to assist with the enormous strain that the COVID-19 health pandemic is having on Alaskan communities. Under that grant, DPS has made Coronavirus Emergency Supplemental Funds (CESF) grants available to local public safety agencies.

The City of Kenai applied for those grant funds to cover the cost of COVID-19 related overtime and other expenses. The primary driver of the overtime expenses was shift adjustments that minimized staff exposure to each other, but also due to some staff being quarantined or unable to return to work for shift due to COVID-19.

The City was awarded \$23,500 in cost reimbursement for overtime related to the Police, Fire, and Dispatch Departments. This covers costs incurred during the time period of May 18, 2020 to February 24, 2021.

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



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3232-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND AND KENAI FINE ARTS CENTER CAPITAL PROJECT FUNDS AND AMENDING THE LEASE FOR A PORTION OF LOT 3, BLOCK 17, ORIGINAL TOWNSITE OF KENAI FOR THE KENAI FINE ARTS CENTER TO PROVIDE ADDITIONAL FUNDING FOR IMPROVEMENTS AND MODIFICATIONS.

WHEREAS, on May 23, 1995, the City entered into a lease with the Kenai Arts & Humanities Council for City-owned lands identified as A portion of Lot 3, Block 17, Original Townsite of Kenai and the building known as the Fine Arts Center (the Lease); and,

WHEREAS, since May 23, 1995, the rights under the Lease have been assigned to the Peninsula Arts Guild and the Lease has been amended over the years to require the Lessee to submit to the City Council, for approval, any proposed construction plans for the property; and,

WHEREAS, the premises under the Lease are leased at less than fair market value at a rate of \$1 per year to provide a City-owned building to house the Fine Arts Center for the benefit of the local community on an "as is, where is" basis and requires the Lessee, at its own cost and expense to keep the leased premises, all improvements in good condition and repair during the term of the lease; and,

WHEREAS, the Peninsula Art Guild completed numerous improvements to the facility at its sole expense, and Council approved two extensions to the term of the Lease to allow the Guild to justify future building maintenance and repair expenditures, satisfy multi-year grant funding requirements, and pursue future funding opportunities, and the Lease currently expires on December 31, 2035; and,

WHEREAS, on August 16, 2017, the City Council passed Resolution 2017-58, authorizing a donation in the amount of \$4,000 to the Peninsula Art Guild, Inc. for completion of preliminary design to renovate and remodel the Kenai Fine Arts Center for the purpose of soliciting grants for construction; and,

WHEREAS, on August 5, 2020, the Council enacted Ordinance 3146-2020, appropriating \$120,000 for the Kenai Fine Arts Center Improvement Capital Project Fund, restricted to the following:

- 1) If the engineer's estimate for the project exceeds \$150,000, the appropriation should be brought back to the City Council for re-consideration.
- 2) The \$120,000 appropriation must be committed or encumbered by November 10, 2021.
- 3) The \$120,000 may only be used for construction at the Kenai Fine Arts Center.

WHEREAS, the Peninsula Arts Guild has provided information showing that \$XX funds have been donated and XX volunteer hours have been contributed toward improvements to the Kenai Fine Arts Center, and the Guild is pursuing grant funding for additional necessary improvements to the Center; and,

WHEREAS, on July 5, 2021, the Peninsula Arts Guild requested an additional \$24,862.55 in funding to complete the remaining scope of work for the improvements to the Kenai Fine Arts Center; and,

WHEREAS, an amendment to the Lease clarifying the maintenance and capital improvement responsibilities of the Peninsula Arts Guild as Lessee of the premises is necessary to clarify who is responsible for the funding of any projects in the future; and,

WHEREAS, appropriation of additional funds and an amendment to the Lease to the Peninsula Arts Guild are in the best interest of the City and its residents.

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

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

General Fund:

Increase Estimated Revenues –
Appropriation of Fund Balance \$24,862.55

Increase Appropriations –
Transfer to Other Funds \$24,862.55

Kenai Fine Arts Center Improvement Capital Project Fund:

Increase Estimated Revenues –
Transfer from General Fund \$24,862.55

Increase Appropriations –
Construction \$24,862.55

Section 2. That section 18 of the Lease is amended as follows:

CARE OF PREMISES:

Lessee, at its own cost and expense shall keep the leased premises, all improvements which at any time during the term of this Lease may be situated thereon, and any and all appurtenances thereunto belonging, in good condition and repair during the entire term of this lease. The City is under no obligation to expend funds to improve or maintain the building. Lessee is permitted to improve and alter improvements on the lease property in accordance with a scope of work approved by the City Manager and prepared by a qualified engineer licensed to work in Alaska if required by the City Manager prior to the work being performed. Any changes to the scope of work must be provided to the City and accepted prior to work being performed. Lessee is responsible for all necessary licenses and/or permits required for making any alterations.

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 18th day of August, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Approved by Finance: 

Introduced: August 4, 2021
Enacted: August 18, 2021
Effective: August 18, 2021

FOURTH AMENDMENT TO LEASE

THIS Second Amendment to Lease is made as of the ____ day of _____, 2021, by and between the CITY OF KENAI (City), a municipal corporation whose address is 210 Fidalgo Avenue, Kenai, Alaska 99611, and PENINSULA ART GUILD, INC. (Lessee), whose address is P.O. Box 703, Kenai, Alaska 99611-0703.

WITNESSETH

WHEREAS, on May 23, 1995, the City entered into a lease with the Kenai Arts & Humanities Council for City-owned lands identified as A portion of Lot 3, Block 17, Original Townsite of Kenai and the building known as the Fine Arts Center, which lease was recorded at Book 464 Pages 768-776 on June 13, 1995, in the Kenai Recording District, Third Judicial District, State of Alaska (the Lease); and,

WHEREAS, since May 23, 1995, the rights under the Lease have been assigned to the Peninsula Arts Guild; and,

WHEREAS, an Amendment to Lease recorded at Book 486 Pages 465-466 on June 13, 1996 extended the term of the Lease to June 30, 2015 and required the Lessee to submit to the City Council, for approval, any proposed construction plans for the property; and,

WHEREAS, a Second Amendment to Lease recorded on December 26, 2013, under Document Number 2013-012032-0, extended the term of the Lease until December 31, 2020 and to amend the purpose to provide a building to house the Fine Arts Center for the benefit of the local community; and,

WHEREAS, a Third Amendment to Lease recorded on January 30, 2017, under Document Number 2017-000659-0, extended the term of the Lease until December 31, 2035 to justify future building maintenance and repair expenditures, satisfy multi-year grant funding requirements, and pursue future funding opportunities; and,

WHEREAS, the parties have agreed to amend the Lease to to clarify who is responsible for the funding of any projects in the future

NOW THEREFORE, the parties agree as follows:

- 1. Section 18 of the Lease is amended as follows:

CARE OF PREMISES:

Lessee, at its own cost and expense shall keep the leased premises, all improvements which at any time during the term of this Lease may be situated thereon, and any and all appurtenances thereunto belonging, in good condition and repair during the entire term of this lease. The City is under no obligation to expend funds to improve or maintain the building. Lessee is permitted to improve and alter the lease property in accordance with a scope of work prepared by a qualified engineer licensed to work in Alaska and accepted by the City Manager prior to the work being performed. Any changes to the scope of work must be provided to the City and accepted prior to work being performed. Lessee is responsible for all necessary licenses and/or permits required for making any alterations.

- 2. Except as expressly modified or stated herein, all other terms and conditions of the Lease (as amended) remain in full force and effect.

CITY OF KENAI

By: _____
Paul Ostrander
Its: City Manager

PENINSULA ART GUILD

By: _____
Name: _____
Its: _____

Approved as to form:

Scott Bloom
City Attorney

State of Alaska)
) ss
Third Judicial District)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021,
by Paul Ostrander, City Manager for the City of Kenai.

Notary Public of Alaska
My Commission Expires: _____

State of Alaska)
) ss
Third Judicial District)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021,
by _____(Name), _____(Title), on behalf of
PENINSULA ART GUILD, INC, a Alaska Corporation, on behalf of the Corporation.

Notary Public of Alaska
My Commission Expires: _____

RETURN TO:

CITY OF KENAI
210 Fidalgo Avenue
Kenai, AK 99611-7794



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Paul Ostrander, City Manager

DATE: July 27, 2021

SUBJECT: **Ordinance 3232-2021 – Peninsula Art Guild Appropriation and Lease Amendment**

At the August 5, 2020 meeting Council enacted Ordinance 3146-2020, appropriating \$120,000 for the Kenai Fine Arts Center Improvement Capital Project Fund to remodel the Kenai Fine Arts Center. At the July 7, 2021 Council Meeting, Marion Nelson of the Peninsula Arts Guild asked for additional funds of \$24,862.55 to pay for items that were not in their original contract with Polar North Construction to complete their remodeling efforts at the Kenai Fine Arts Center.

Administration was tasked by Council with identifying a funding source to fulfill the request. This ordinance would appropriate the full amount from the General Fund, fund balance to complete the remodeling of the Center. The General Fund is the most appropriate source for this appropriation and the City will still be in conformance with our Fund Balance Policy.

This ordinance also amends the lease to clarify that the Lessee is responsible for the funding of any projects in the future. From the inception of the lease on the property in 1995 until 2017, Section 18 of the lease was interpreted by the City to mean that the Lessee was responsible for all costs associated with alteration or improvement of the premises.

The current Section 18 “Care of Premises” reads: “Lessee, at its own cost and expense shall keep the leased premises, all improvements which at any time during the term of this Lease may be situated thereon, and any and all appurtenances thereunto belonging, in good condition and repair during the entire term of this lease.”

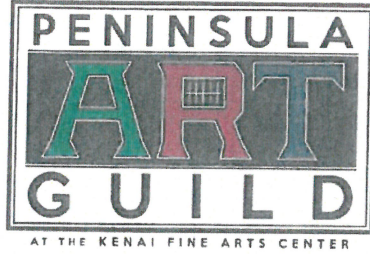
The following list of actions taken by the City between 1995 and January of 2021 provides a historical context of how this lease has been managed.

- 5/23/1995 25-year lease entered into between Kenai Arts & Humanities Council for Lot 3 Block 17, Original Townsite of Kenai and the building known as the Kenai Fine Arts Center. All rights under the lease were later assigned to the Peninsula Art Guild.
- 2003 Lessee requested City funding for boiler replacement at the facility. Request was denied by City Manager Snow citing Section 18 of the lease.

- 2009 Lessee requested City funding for roof repairs to prevent condensation. The request was denied, once again citing Section 18 of the lease.
- 2013 Peninsula Art Guild completed numerous improvements to the facility, at their sole expense, and requested a 5-year extension to the lease in order to solicit grants for additional facility improvements.
- 2016 Peninsula Art Guild requested a lease extension until 12/31/2035 in order to pursue possible grants for repair and renovation of the facility. Extension was executed.
- 2017 Resolution 2017-58 provided \$4,000 to the Peninsula Art Guild to assist in preliminary design costs for the purpose of identifying the scope of renovation and remodel and to provide cost estimates for the purpose of soliciting grants for construction.
- 2020 Ordinance 3146-2020 was amended by Council Member Navarre to include \$100,000, later amended to \$120,000, for upgrading the facility's bathroom, increasing the functionality of the back portion of the building, installation of new lighting and new windows. The maker of the amendment stated, "This amendment would commit \$100,000 in City funds to the project with the intent of the Kenai Fine Arts Center being responsible for the remainder of costs."
- The Ordinance was subsequently amended to require encumbrance of the funds by 11/10/21, use of funds was limited to construction at the Kenai Fine Arts Center, and required if estimated costs were to exceed \$150,000, the appropriation should be brought back to the City Council for re-consideration.
- 1/20/21 A Council discussion item providing a remodel update was held. The original cost estimate exceeded \$150,000. Council was provided a reduced scope of work to keep the project within the \$120,000 appropriation and no additional funding was requested.

Modifying Section 18 to clarify that the Lessee is responsible for all costs associated with the building will provide assurance that the Lease will be managed consistently going forward. This preserves what appears to be the original intent of Section 18 and will likely put the Peninsula Arts Guild, or future lessees in a more favorable position to receive grants for improvements to the facility.





Handwritten signature

RECEIVED

JUL 23 2021

City of Kenai
Scott Curtin
Public Works Director
907 283-8240
210 Fidalgo Ave.
Kenai Alaska, 99611

Kenai City Clerk's Office

Dear Scott,

Please see invoice # 2103-1 for the renovation work in the Kenai Fine Art Center, by Polar North Construction, totaling \$120,000. City Council vote to award on 8/5 2020.

We appreciate the City of Kenai's support of the goals and programs of the Kenai Fine Art Center. We also appreciate the excellent work by Polar North Construction.

Sincerely,

Handwritten signature of Marion K Nelson

Marion K Nelson, President
Lestie Morton, Vice President
Abbey Ulen, Secretary
Karen Fogarty, Treasurer
Rachel Grossl
Mick Wykis
Susan Baraniecki



Polar North Construction, LLC
PO Box 3926
Soldotna, AK 99669
Cell (907) 398-0473
Email: alex@pncalaska.com
stephanie@pncalaska.com

Contract Invoice

Invoice#: 2103-1

Date: 07/12/2021

License: 38007

Billed To: Kenai Fine Art Center
816 Cook Avenue
Kenai, AK 99611

Project: Kenai Fine Art Center
816 Cook Avenue
Kenai, AK 99611

Due Date: 08/11/2021

Terms: 30DY

Order#

Descrip	Amount
100% Complete	120,000.00

A service charge of 18.00% per annum will be charged on all amounts overdue on regular statement dates.

Thank you for your prompt payment!

Non-Taxable Amount:	0.00
Taxable Amount:	120,000.00
Sales Tax:	0.00
Amount Due	120,000.00



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

DATE: August 13, 2021

SUBJECT: **Ordinance 3232-2021 – Amendment to Peninsula Art Guild Appropriation and Lease Amendment**

Ordinance 3232-2021 included two blanks for information to be provided by the Peninsula Art Guild related to the actual funds donated and volunteer hours contributed toward improvements to the Kenai Fine Arts Center.

This information was provided on August 13, and Administration recommends the following Amendment:

Amend Ordinance 3232-2021 by replacing the first blank ["XX"] in the seventh WHEREAS with the number \$17,798.10 and the word "in" and the second blank ["XX"] with the number 350

The amended WHEREAS would read:

WHEREAS, the Peninsula Arts Guild has provided information showing that \$17,798.10 in funds have been donated and 350 volunteer hours have been contributed toward improvements to the Kenai Fine Arts Center, and the Guild is pursuing grant funding for additional necessary improvements to the Center; and,

Thank you for your consideration.



August 12, 2021

To Kenai City Council Members and Administration
210 Fidalgo Avenue, Kenai, AK 99611

To: City Manager Paul Ostrander, Mayor Brian Gabriel and City Council members, Scott Curtin,

Please see the list of the various donations of time and materials for the remodeling of the back area of the Art Center, aka the "Workshop Room" and HA bathroom.

Donated Services & Materials

- Architectural - \$10,000.
- General contractor - \$1200
- Electrician - \$1500
- Carpenter -\$600 (more to come)
- Storage area rebuild. Carpenter Time & materials - \$1000
- Paint & painting supplies - \$1065.
- Cement floor grinding -\$100

Community volunteers.

Donated time from Art Center Volunteers:

- Moving to U-Haul by a volunteers - 120 hours @ \$12 hr. value. \$1440
- Prep of Workshop Room: painting walls, floor & more - 200 hours -@ \$12 hr. value \$2400
- Painting & building cold storage area - 30 hours. -\$1000

Polar North Construction has been wonderful to work with in every way. Since they cannot work in the building right now, the Art Center board voted to finish the storage/supply room next to the jail. We are also paying a contractor to install cove base in that storage room and the Workshop Room, finish one cement block wall and install the heat covers etc.

Price not known at this time. Estimate- \$800- \$1000.

Partial donation of carpenter time.

Paid for off-site storage-

- U-Haul storage \$233.10 (May have to rent an additional mo -\$116.55)
- Van Rental:

Remediation Evaluations- Paid by Art Center

- Anchorage engineers - . \$2100.

I am happy to answer your questions regarding this project.

Marion Nelson
President, BOD Kenai Fine Arts Center (Kenai Art Center)
907 398 8669



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2021-54

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ADOPTING JOINT RESOLUTION NO. 2021-002 OF THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH AND COUNCILS OF THE CITIES OF THE KENAI PENINSULA BOROUGH, SUPPORTING A REQUEST FOR FEDERAL AID SUBMITTED BY THE KENAI PENINSULA BOROUGH TO ALASKA'S U.S. CONGRESSIONAL DELEGATION FOR THE PURPOSE OF SPRUCE BARK BEETLE MITIGATION.

WHEREAS the risk of wildland fires has increased substantially due to the expanding range of the spruce bark beetle infestation; and,

WHEREAS, Southcentral Alaska is experiencing a forest crisis in the form of a resurgence of the 1990s spruce beetle outbreak where over one million acres were impacted on the Kenai Peninsula before the infestation was addressed; and,

WHEREAS, an aerial detection survey conducted in 2019 mapped 150,000 acres of spruce beetle damages revealing the initial beetle outbreak that the Kenai Peninsula is currently experiencing; and,

WHEREAS, in the City of Kenai and surrounding areas, the outbreak spread is visibly apparent with tens of thousands of dead and dying spruce trees, impacting all lands, whether private or public; and,

WHEREAS, the Borough has submitted a request for federal aid in the amount of \$35 million to Alaska's U.S. Congressional Delegation for spruce bark beetle mitigation; and,

WHEREAS, the Borough, the Cities, and all residents and landowners within the Kenai Peninsula Borough share a common goal to mitigate the devastating impacts of this resurgent spruce bark beetle outbreak and find that it serves public interest to work together toward completing hazard mitigation projects across all lands; and,

WHEREAS, the severity and magnitude of the outbreak is beyond the capacity of the Borough and the Cities and will require federal assistance to address this critical forest crisis on private and public property in the Kenai Peninsula Borough.

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

Section 1. That the Kenai City Council adopts and hereby authorizes the Mayor of the City of Kenai to sign Joint Resolution 2021-002.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 18th day of August, 2021.

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

**KENAI PENINSULA BOROUGH
CITY OF HOMER
KACHEMAK CITY
CITY OF KENAI
CITY OF SELDOVIA
CITY OF SEWARD
CITY OF SOLDOTNA**

JOINT RESOLUTION NO. 2021-002

A JOINT RESOLUTION OF THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH AND COUNCILS OF THE CITIES OF HOMER, KACHEMAK, KENAI, SELDOVIA, SEWARD AND SOLDOTNA RESPECTIVELY, SUPPORTING A REQUEST FOR FEDERAL AID SUBMITTED BY THE KENAI PENINSULA BOROUGH TO ALASKA’S U.S. CONGRESSIONAL DELEGATION FOR THE PURPOSE OF SPRUCE BARK BEETLE MITIGATION

WHEREAS, Southcentral Alaska is experiencing a forest crisis in the form of a resurgence of the 1990s spruce beetle outbreak where over one million acres were impacted on the Kenai Peninsula before the infestation was addressed; and

WHEREAS, an aerial detection survey conducted in 2019 mapped 150,000 acres of spruce beetle damages revealing the initial beetle outbreak that the Kenai Peninsula is currently experiencing; and

WHEREAS, the outbreak spread is visibly apparent and impacts all lands, whether private or public; and

WHEREAS, the Borough has submitted a request for federal aid in the amount of \$35 million to Alaska’s U.S. Congressional Delegation for spruce bark beetle mitigation; and

WHEREAS, the Borough, the Cities, and all residents and landowners within the Kenai Peninsula Borough share a common goal to mitigate the devastating impacts of this resurgent spruce bark beetle outbreak and find that it serves public interest to work together toward completing hazard mitigation projects across all lands; and

WHEREAS, federal assistance in addressing this critical forest crisis is necessary to mitigate the hazardous impacts on private and public property in the Kenai Peninsula Borough;

NOW, THEREFORE, BE IT RESOLVED BY THE KENAI PENINSULA BOROUGH ASSEMBLY AND THE COUNCILS OF THE CITY OF HOMER, KACHEMAK CITY, CITY OF KENAI, CITY OF SELDOVIA, CITY OF SEWARD AND CITY OF SOLDOTNA:

SECTION 1. That the borough administration and administrations for the Cities of Homer, Kenai, Seldovia, Seward, and Soldotna, respectively, support the request submitted by the Kenai Peninsula Borough for the purpose of spruce bark beetle mitigation in the amount of \$35,000,000.00 and the respective administrations are authorized to execute letters of support or other necessary documentation in

support of the borough’s request for federal assistance to address the spruce bark beetle forest crisis.

SECTION 2. That this resolution takes effect immediately upon adoption of the Kenai Peninsula Borough Assembly and the City Councils of the City of Homer, Kachemak City, City of Kenai, City of Seldovia, City of Seward and the City of Soldotna.

APPROVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS _____ DAY OF _____, 2021.

Brent Hibbert, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

APPROVED BY THE COUNCIL OF THE CITY OF HOMER THIS _____ DAY OF _____, 2021.

Ken Castner, Mayor

ATTEST:

Melissa Jacobsen, MMC, City Clerk

APPROVED BY THE COUNCIL OF KACHEMAK CITY THIS _____ DAY OF _____, 2021.

William Overway, Mayor

ATTEST:

Wendy Wayne, City Clerk

APPROVED BY THE COUNCIL OF THE CITY OF KENAI THIS _____ DAY OF _____, 2021.

Brian Gabriel Sr., Mayor

ATTEST:

Jamie Heinz, MMC, City Clerk

APPROVED BY THE COUNCIL OF THE CITY OF SELDOVIA THIS _____ DAY OF _____, 2021.

Jeremiah Campbell, Mayor

ATTEST:

Heidi Geagel, City Clerk

APPROVED BY THE COUNCIL OF THE CITY OF SEWARD THIS _____ DAY OF _____, 2021.

Christy Terry, Mayor

ATTEST:

Brenda Ballou, MMC, City Clerk

APPROVED BY THE COUNCIL OF THE CITY OF SOLDOTNA THIS _____ DAY OF _____, 2021.

Paul Whitney, Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Paul Ostrander, City Manager

DATE: August 9, 2021

SUBJECT: **Resolution 2021-54 – Adopting Joint Resolution 2021-002 For Spruce Bark Beetle Mitigation**

The Kenai Peninsula Borough submitted a request for \$35,000,000 to Alaska's Congressional Delegation for the purpose of spruce bark beetle mitigation. This Resolution will adopt and authorize Mayor Gabriel to sign Joint Resolution 2021-002 which supports the request.

Joint Resolution 2021-002 additionally authorizes the City of Kenai administration to execute letters of support or other necessary documentation in support of the Borough's request for Federal assistance to address the spruce bark beetle forest crisis.



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2021-55

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA APPROVING THE DEVELOPMENT INCENTIVES PER KENAI MUNICIPAL CODE 21.10.100 FOR A LEASE OF AIRPORT RESERVE LANDS BETWEEN THE CITY OF KENAI AND SCHILLING RENTALS, LLC ON GENERAL AVIATION APRON SUB NO. 1 AMENDED LOT 2, BLK 3.

WHEREAS, on September 20, 2019, Schilling Rentals, LLC entered into an assignment of lease for General Aviation Apron SUB No. 1 Amended Lot 2, Blk 3 with Soar International Ministries, Inc.; and,

WHEREAS, Schilling Rentals submitted an application for temporary development incentives that meets requirements of Kenai Municipal Code 21.10.100, Temporary Development Incentives on July 1, 2021; and,

WHEREAS, Larson Engineering and Design has provided an estimated value of \$150,000 for the following eligible work activities: unclassified excavation and classified excavation; and,

WHEREAS, Kenai Municipal Code 21.10.100 requires Council approval of temporary development incentives; and,

WHEREAS, the project will enhance public safety and quality of life while providing economic development on property leased from the City within the Kenai Municipal Airport Reserve.

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

Section 1. That the temporary development incentives with an estimated value of \$150,000 for the following eligible work activities: unclassified excavation and classified excavation is approved. Subject to compliance with Kenai Municipal Code, a credit may be applied towards rent for a maximum of 5 years.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 18th day of August, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk



MEMORANDUM

TO: Planning and Zoning Commission

THROUGH: Paul Ostrander, City Manager

FROM: Ryan Foster, Planning Director

DATE: August 6, 2021

SUBJECT: **Resolution No. 2021-55 – APPROVING DEVELOPMENT INCENTIVES FOR A LEASE TO SCHILLING RENTALS ON GENERAL AVIATION APRON SUB NO. 1 AMENDED LOT 2, BLOCK 3.**

On September 20, 2019, Schilling Rentals, LLC entered into an assignment of lease for General Aviation Apron Sub No. 1 Amended Lot 2, Blk 3 with Soar International Ministries, Inc. This lease terminates on June 30, 2022. An application for a lease renewal has been submitted by Schilling Rentals, LLC with a request for a 45-year lease. Kenai Municipal Code 21.10.100 requires Council approval of temporary development incentives. This resolution will approve development incentives for this lease. A Development Incentive Application was received on July 1, 2021 for the following eligible work activities: unclassified excavation and classified excavation. The applicant has provided an estimate of the value of the work in the amount of \$150,000.00, prepared by a qualified engineer licensed to work in Alaska. A certification from a qualified engineer that the accepted scope of work has been completed must be provided to the City and accepted at the completion of the site preparation work in order for the credit to be applied towards rent for a maximum of 5 years. The current annual rent for the lease is \$8,400.00.

Thank you for your consideration.

Attachment A: City of Kenai Lease Development Incentive Application from Schilling Rentals, LLC.

Attachment B: Civil Excavation cost estimate letter.

Attachment C: Aerial Map of 110 FBO Road.



**City of Kenai
Lease Development Incentive
Application**

Application Date: **5/11/21**

Applicant Information

Name of Applicant:	Schilling Rentals						
Mailing Address:	PO Box 3426	City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	Home Phone:		Work/ Message Phone: 907 283 7556				
E-mail: (Optional)	duane@uptownmotel.com						

Lease Information

Eligible development

To qualify for a lease credit toward rent for a **maximum of five years**, an applicant for a new lease, extension, or renewal must complete commercial development on the property within two years to receive the credit, which is based on the value of site preparation work on the leased premises. Examples of eligible work include: clearing and grubbing, unclassified excavation, classified fill and back fill, and utility extensions.

Required documentation

1. An estimate of the value of the work, including a scope of work, prepared by a qualified engineer licensed to work in Alaska must be provided to the City and accepted **prior to work being performed**. Any changes to the estimate must be provided to the City and accepted prior to work being performed to be eligible for the credit.

2. A certification from a qualified engineer that the accepted scope of work has been completed must be provided to the City and accepted at the completion of the work for the credit to be applied.

Application is for:

- Existing Lease Property
- New Land Lease Application

Description of property:

GENERAL AVIATION APRON SUB NO 1 AMENDED LOT 2 BLK

Description of work to be completed:

- Clearing and grubbing
- Unclassified Excavation
- Classified Excavation
- Utility Extensions
- Other:

Estimated value of work: **~\$230,000.00**


Estimated start date: **May 2021**

Estimated completion date: **January 2022**

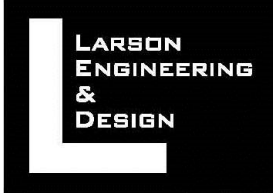
Attachment(s):

- Scope of work
- Other:

By signing and dating below, the applicant agrees to fulfill the above requirements and understands that if these requirements are not met, the applicant will not be eligible for a development credit toward rent.

Signature:		Date:	5/11/21
Print Name:	Michael Schilling	Title:	Managing Member

For City Use Only:	Date Application Received: _____
<input type="checkbox"/> General Fund	Date Scope of Work Approved: _____
<input type="checkbox"/> Airport Fund	Amount of Credit Applied: _____
<input type="checkbox"/> Airport Reserve Land	
<input type="checkbox"/> Outside Airport Reserve	



215 FIDALGO AVENUE, SUITE 203
99611 CIVIL - STRUCTURAL- ENVIRONMENTAL
CONSULTING

KENAI, AK
PHONE: (907) 283-1565
FAX: (907) 283-1566

July 1, 2021

Rob Marsters

Re: 110 FBO Rd. – Site Excavation

Mr. Marsters,

Larson Engineering & Design, P.C. is currently working on the Civil planning for the 110 FBO Rd. property located within the Kenai Airport.

The existing site has frost susceptible soil intermixed within the existing backfill throughout the building footprint and adjacent perimeter. I recommended removing all frost susceptible soils and backfilling with non-frost susceptible gravels compacted to 95% of maximum dry density.

The estimated quantity of poor soils, located outside of the existing building footprint, is 4,000 cubic yards. I estimate the total cost for the excavation and backfill of the site to be approximately \$150,000.00, or ~\$38/cy.

Compaction tests shall be accomplished during backfill operations in order to get a representative sample of compaction effort.

I will provide periodic inspection of the excavation and backfill efforts, as the project progresses.

If you have any questions, please contact me at 907-394-2235.

Sincerely,

Signature: _____

A handwritten signature in blue ink that reads 'Blake W. Larson'.


Blake W. Larson, P.E.



110 FBO Road
General Aviation Apron Sub No. 1 Amended Lot 2, Block 3
Parcel 04324024



LEGEND

 Subject Parcel

0 25 50 Feet

Date: 8/6/2021

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



**KENAI CITY COUNCIL WORK SESSION
WATERFRONT DEVELOPMENT & ECONOMIC INCENTIVES
AUGUST 4, 2021 – 5:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
MAYOR GABRIEL, PRESIDING**

NOTES

Council present: B. Gabriel, H. Knackstedt, B. Molloy, T. Winger J. Glendening, G. Pettey, V. Askin

Others present: City Manager P. Ostrander, Finance Director T. Eubank, City Attorney S. Bloom, City Clerk J. Heinz, Deputy City Clerk M. Thibodeau, Planning Director R. Foster, Director E. Conway, Police Chief D. Ross

A. Call to Order

Mayor Gabriel called the work session to order at 5:00 p.m.

B. Introduction and Presentation – Paul Ostrander, City Manager

City Manager Ostrander provided an introduction on the Waterfront Development and Economic Incentives noting that the Comprehensive Plan included the Waterfront was a goal for development. He spoke of having a feasibility study done which would engage the community and determine what their vision is; was hopeful to introduce this concept tonight and get approval to bring forth an ordinance to fund the Feasibility Study at the next meeting. He added that the feasibility study would include property from the City Dock, down river to Millennium square.

C. Public Comment

Chidem Cherrier spoke in favor of waterfront development noting that she owned the old Port of Kenai property and has had many ideas through the years, one being a boardwalk from the City Dock to her property with a lodge and restaurant. She added that a recent client said they'd love to see a farmer's market and live music; another customer said they'd love to see a park and restaurant on the water. Chidem noted she has visions of a little fisherman's wharf including a vibrant water front adding that she would like to see Kenai Chamber of Commerce and Visitor's Center, Kenai Peninsula Economic Development District, and the City work together. She thanked those working on this initiative.

Fred Braun spoke in favor of waterfront development noting there was no other place on the road system like this property and adding that he hears often from chamber members that traffic goes from Anchorage to Homer and ask how we can get visitors to Kenai. Fred also noted that the ideas mentioned were great ideas and it would be a win/win for the community and city.

Gwen Woodard spoke in favor of waterfront development and suggested incorporating our cultural history and the Kenaitze Tribe; thought it would be fun to see Kenaitze words used around town.

Will Jahrig spoke in favor of waterfront development noting he lived adjacent to the waterfront, that the property meant a lot to them, and tipped his hat to those working on the initiative and adding that he recently purchased 8.5 acres nearby. He suggested looking at developing small sections of property with high end usage adding that proper construction was important as Mother Nature had a way of destroying things if not constructed well. Mr. Jahrig noted it was great to see the City exploring the idea and expressed appreciation for that attitude adding that it will take time, thought, and input to maneuver through development and zoning. He agreed that native heritage was important as was the history of the Port of Kenai. Finally, he encouraged following through on stabilizing the bluff.

Randy Lukasik presented a proposal to issue casual use permits for anchoring on the south shore of the river, on City owned property, noting that during dipnet season wildlife troopers would not allow boats to anchor citing they were in navigable waters; he suggested it could be a revenue stream for the City.

Mike Dunn noted the number of people that participated in the dipnet fishery and suggested anchoring in the river was dangerous.

Ron Hyde spoke in favor of waterfront development noting the infrastructure he owned across the river; the Cannery Lodge. He suggested more this section of the Kenai River can be a destination and, once it's complete, businesses will prosper. He envisioned shuttles across the river and dinner cruises to make this section of Kenai a destination.

Brittany Brown spoke in favor of waterfront development noting that many communities were still struggling but that Kenai did well coming out of the public health emergency; businesses in Kenai were having to find bigger spaces, go online, and do more. She added that being able to look at a development opportunity coming out of the public health emergency was exciting for the community and would be a way to capitalize on the dipnet fishery.

D. Council Comments

Council Member Glendening noted that he liked everything he heard and wanted to engage the Planning and Zoning and Harbor Commissions in the project.

Council Member Winger noted she thought it was a great start and agreed the city needed something to increase traffic; noted this was a good opportunity to work together and put together a good solid plan.

Council Member Askin echoed comments from previous Council Members and added that she liked the idea of bringing in Kenaitze history.

Council Member Pettey noted that "making the right turn to Kenai," was epic, and would like to see this orchestrated.

Council Member Knackstedt expressed appreciation for everything he heard this evening noting the area had been busy before and this was a new opportunity for this area; encouraged those in the room to spread the word.

Vice Mayor Molloy thanked those that attended and provided input; thanked the City Manager and the Assistant to the City Manager for their work.

Mayor Gabriel thanked those that attended the meeting and added that he was looking forward to improving the view.

E. Adjournment

The work session adjourned at 6:06 p.m.

Notes were prepared by:

Jamie Heinz, MMC
City Clerk

DRAFT

**KENAI CITY COUNCIL – REGULAR MEETING
AUGUST 4, 2021 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
MAYOR BRIAN GABRIEL, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on August 4, 2021, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:12 p.m.

1. Pledge of Allegiance

Mayor Gabriel led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Brian Gabriel, Mayor
Henry Knackstedt
Jim Glendinging
Victoria Askin

Robert Molloy
Tea Winger
Glenese Pettey

A quorum was present.

Also in attendance were:

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

3. Agenda Approval

MOTION:

Mayor Gabriel noted the following additions to the packet:

Add to item D.1 **Ordinance No. 3221-2021**
 • Plat Map

Add to item D.2 **Ordinance No. 3222-2021**
 • Plat Map

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

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

4. Consent Agenda

MOTION:

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

Council Member Glendening requested that item G.2., Approval of Purchase Orders over \$15,000, be removed from the consent agenda.

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

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

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

All items listed with an asterisk () are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a 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 - None

C. UNSCHEDULED PUBLIC COMMENTS - None

D. PUBLIC HEARINGS

- 1. Ordinance No. 3221-2021** - Determining that Real Property Described as Lot 4A, Block 3, Cook Inlet Industrial Air Park 2014 Replat, According to Plan No. 2014-21, City-Owned Airport Land Located Outside the Airport Reserve, is Not Needed for a Public Purpose and Authorizing the Sale of the Property to Schilling Rentals, an Alaska Partnership. (Administration)

MOTION:

Vice Mayor Molloy **MOVED** to enact Ordinance No. 3221-2021 and Council Member Pettey **SECONDED** the motion.

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

MOTION TO AMEND:

Vice Mayor Molloy **MOVED** to amend Ordinance No. 3221-2021 by adding the eighth whereas clause; "WHEREAS, the Planning and Zoning Commission recommended Council approve that the subject property is not needed for a public purpose and authorizing its sale at their meeting on July 14, 2021; and". Council Member Askin **SECONDED** the motion.

MOTION TO AMEND THE AMENDMENT:

Council Member Knackstedt **MOVED** to amend the amendment by replacing the word authorizing with the word authorize and Council Member Winger **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend the amendment.

VOTE TO AMEND THE AMENDMENT: There being no objection; **SO ORDERED.**

UNANIMOUS CONSENT was requested on the motion to amend.

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

Satisfaction with selling this property, which had been leased for many years, to private industry was noted; support was expressed for the sale of the property.

VOTE ON MAIN MOTION AS AMENDED:

YEA: Gabriel, Pettey, Knackstedt, Glendening, Molloy, Winger, Askin
NAY:

MOTION PASSED UNANIMOUSLY.

2. **Ordinance No. 3222-2021** - Determining that Real Property Described as Lot 1A, Block 1, Dshka Subdivision, According to Plat No. K-1577, City-Owned Airport Land Located Outside the Airport Reserve, is Not Needed for a Public Purpose and Authorizing the Sale of the Property to Schilling Rentals (2016), LLC. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3222-2021 and Council Member Askin **SECONDED** the motion.

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

MOTION TO AMEND:

Council Member Knackstedt **MOVED** to amend Ordinance No. 3222-2021 by adding the eighth whereas clause; "WHEREAS, the Planning and Zoning Commission recommended Council approve that the subject property is not needed for a public purpose and authorizing its sale at their meeting on July 14, 2021; and". Council Member Askin **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

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

VOTE ON MAIN MOTION AS AMENDED:

YEA: Gabriel, Pettey, Knackstedt, Glendening, Molloy, Winger, Askin
NAY:

MOTION PASSED UNANIMOUSLY.

3. **Ordinance No. 3223-2021** - Increasing Fiscal Year 2021 Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting a Grant from the US Department of Transportation Passed through the State of Alaska Department of Transportation and Public Facilities for Traffic Enforcement Overtime Expenditures. (Administration)

MOTION:

Council Member Askin **MOVED** to enact Ordinance No. 3223-2021 and Council Member Winger **SECONDED** the motion.

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

VOTE:

YEA: Gabriel, Pettey, Knackstedt, Glendening, Molloy, Winger, Askin
 NAY:

MOTION PASSED UNANIMOUSLY.

4. **Ordinance No. 3224-2021** - Repealing and Reenacting Kenai Municipal Code Title 6 - Elections, to Provide Clarity, Housekeeping, and Process Improvements. (Vice Mayor Molloy and City Clerk)

MOTION:

Vice Mayor Molloy **MOVED** to enact Ordinance No. 3224-2021 and Council Member Knackstedt **SECONDED** the motion.

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

Vice Mayor Molloy thanked the Clerk for her work on the ordinance; noted it was appropriate for a work session and a second public hearing to be held to provide for more discussion regarding the code rewrite. He also noted that the code rewrite sought to align with KPB procedures due to the transition to borough equipment, put past practice into code, include spelled out provisions instead of incorporating by reference, and a few changes being put forth such as allowances for poll watchers and the ability to cure.

Appreciation was expressed for the opportunity for a work session and a second public hearing.

MOTION TO AMEND:

Vice Mayor Molloy **MOVED** to amend Ordinance No. 3224-2021 by inserting the word authorized in the blank in fourth whereas clause. Council Member Knackstedt **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

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

The attorney was asked to provide a sectional analysis table on the ordinance.

MOTION:

Council Member Pettey **MOVED** to schedule a work session for September 1, 2021 beginning at 4:00pm and Vice Mayor Molloy **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

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

MOTION TO POSTPONE:

Vice Mayor Molloy **MOVED** to postpone to the September 15 meeting and hold a second public hearing at that meeting. Council Member Winger **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

VOTE ON MOTION TO POSTPONE: There being no objection; **SO ORDERED.**

5. **Resolution No. 2021-53** - Authorizing the City Manager to Execute a Memorandum of Agreement with the State of Alaska Department of Transportation and Public Facilities for Design, Construction and Maintenance of the Kenai Bridge Access Road Pathway Project. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2021-53 and Council Member Pettey **SECONDED** the motion.

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

Enthusiasm was expressed regarding the completion of the project; hopeful that the Kenai River Marathon will again be able to certify as a qualifier marathon for the Boston Marathon.

The City Manager added that, in a more recent version of the agreement, an opportunity for the City to review design documents at certain points during the design was included.

Clarification was provided that the agreement included an indemnification clause which provided for 6 years which protected the City if there was negligence on the part of State.

UNANIMOUS CONSENT was requested.

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

E. MINUTES

1. *Regular Meeting of July 7, 2021. (City Clerk)

Approved by the consent agenda.

F. UNFINISHED BUSINESS

G. NEW BUSINESS

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

Approved by the consent agenda.

2. **Action/Approval** - Purchase Orders Over \$15,000. (Administration)

Clarification was provided that the purchase order to Divining Point was authorized by Council in the budget and the scope of work still being developed. It was anticipated the work would be extending work, similar to what had been done in the past, to areas beyond the West Coast. Clarification was also provided that a presentation was planned for Council in September and a finalized scope of work would be brought forth as soon as it was completed.

MOTION:

Vice Mayor Molloy **MOVED** to approve purchase orders over \$15,000. Council Member Knackstedt **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

3. ***Action/Approval** - Non-Objection to Marijuana License Renewals for Red Run Cannabis Company, LLC, Red Run Cannabis Cultivators, LLC, and Cook Inlet Cannabis Company. (City Clerk)

Approved by the consent agenda.

4. ***Action/Approval** - Special Use Permit to Kenai Chamber of Commerce & Visitor Center for Moosemeat John Cabin. (Administration)

Approved by the consent agenda.

5. ***Ordinance No. 3226-2021** - Increasing Fiscal Year 2021 Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)

Introduced by the consent agenda and Public Hearing set for August 18, 2021.

6. ***Ordinance No. 3227-2021** - Accepting and Appropriating a Grant from the U.S. Department of Homeland Security Passed Through the State of Alaska Department of Military and Veterans' Affairs, Increasing Estimated Revenues and Appropriations in the General Fund - Fire Department, and Authorizing the Sole Source Purchase of Portable Radios and Accessories for the Fire Department. (Administration)

Introduced by the consent agenda and Public Hearing set for August 18, 2021.

7. ***Ordinance No. 3228-2021** - Increasing Estimated Revenues and Appropriations in the Airport Fund, Terminal Repair and Maintenance Department for Expenditures in Excess of Budgeted Amounts Related to Damage to Terminal Building Siding and Authorizing a Purchase Order to Blazy Construction, Inc. (Administration)

Introduced by the consent agenda and Public Hearing set for August 18, 2021.

8. ***Ordinance No. 3229-2021** - Accepting a Grant from the Federal Aviation Administration and Increasing Estimated Revenues and Appropriations in the Airport Snow Removal Equipment Capital Project Fund. (Administration)

Introduced by the consent agenda and Public Hearing set for August 18, 2021.

9. ***Ordinance No. 3230-2021** - Increasing Estimated Revenues and Appropriations in the General Fund - Fire Department for the Purchase of Extrication Equipment Needed to Provide Emergency Response to Motor Vehicle Accidents. (Administration)

Introduced by the consent agenda and Public Hearing set for August 18, 2021.

10. ***Ordinance No. 3231-2021** - Increasing Estimated Revenues and Appropriations in the COVID-19 Cares Act Recovery Fund for a Federal Cares Act Grant Passed Through the State of Alaska Department of Public Safety for Overtime and Direct Expenditures of the Police, Fire, and Communications Departments of the City. (Administration)

Introduced by the consent agenda and Public Hearing set for August 18, 2021.

11. ***Ordinance No. 3232-2021** - Increasing Estimated Revenues and Appropriations in the General Fund, Kenai Fine Arts Center Capital Project Fund and Amending the Lease for a Portion of Lot 3, Block 17, Original Townsite of Kenai for the Kenai Fine Arts Center to Provide Additional Funding for Improvements and Modifications Amendment to the Lease for the Kenai Fine Arts Center. (Administration)

Introduced by the consent agenda and Public Hearing set for August 18, 2021.

12. **Action/Approval** - Assignment and Assumption of Lease Agreement from Hilcorp Alaska, LLC to Kenai Beluga Pipeline, LLC. (Administration)

MOTION:

Vice Mayor Molloy **MOVED** to approve the Assignment and Assumption of Lease Agreement from Hilcorp Alaska, LLC to Kenai Beluga Pipeline, LLC. Council Member Knackstedt **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging – Council Member Pettey reported on the meeting of July 8, 2021. Next meeting August 12, 2021.
2. Airport Commission – No report. Next meeting September 9, 2021.
3. Harbor Commission – No report. Next meeting September 13, 2021.
4. Parks and Recreation Commission – Council Member Winger noted that the Parks and Recreation Commission and the Beautification Committee has scheduled their garden tour for Tuesday, August 10, 2021. Next meeting September 2, 2021.
5. Planning and Zoning Commission – Council Member Glendening reported on the meetings of July 14, 2021 and July 28, 2021. Next meeting August 11, 2021.
6. Beautification Committee – No report. Next meeting September 14, 2021.
7. Mini-Grant Steering Committee – No report.

I. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Thanked everyone who attended the work session on waterfront revitalization; noting he looked forward to that process;
- The Kenai Peninsula Hockey Association squirt hockey team won the state tournament;
- COVID cases were increasing and encouraged mitigation techniques such as washing hands often and being on guard as far as personal hygiene.

J. ADMINISTRATION REPORTS

1. City Manager – City Manager Ostrander reported on the following:
 - The personal use fishery went smoothly noting there was good participation this year; dipnet report will be published in same general timeframe as usual;
 - Hired a grant writer and is looking forward to that work beginning;
 - Noted that despite COVID numbers being up considerably he had no plans to change operations in city facilities; five employees were out COVID positive which was higher than any other time to date;
 - Reminded Council of the ribbon cutting ceremony at the Airport was scheduled for Friday, August 6th at noon;
 - The infrastructure bill in congress provided a significant amount of money on coastal projects and the Bluff Erosion Project would likely be funded which meant that archive data was being collected and other data was being sifted through to determine what additional information needed to be obtained; added that our efforts needed to double regarding how to schedule and structure the local match.
 - The Kenai Peninsula Borough was drafting joint resolution to put forth to the Cities for support for their grant for Spruce Bark Beetle mitigation.
2. City Attorney – No report.

3. City Clerk – City Clerk Heinz reported on the following:
 - Candidate filing period opened; no applicants to date.

K. ADDITIONAL PUBLIC COMMENT

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

Council Member Askin had no comments.

Council Member Winger shared an invite she had received to welcome Lydia Jacobs back home in Seward; She thanked those that attended the work session; noted school was back in session beginning August 17th; and encouraged everyone to be bear aware.

Council Member Glendening noted reports of dramatic incidents during the personal use fishery and encouraged increased patrols and inviting the US Coast Guard to also patrol; asked if Administration could visit with management of Walmart due to the empty shelves in the store; and noted the dog park initiative was going well and asked council members to donate to the park.

Council Member Pettey expressed gratitude for the successful personal use fishery recognizing the trooper and Good Samaritan who rescued a boy who had been swept away by the river current; thanked administration and public participation in the work session regarding waterfront revitalization; and loved the concept of making the right turn to Kenai for its stellar view.

Vice Mayor Molloy noted he was regrettably unable to attend the ribbon cutting ceremony at the airport but noted it was fantastic that the project was completed and that it looked good; noted a proclamation given to the squirt hockey team by Representative Gillham while he was acting Mayor adding that Coach McGlasson missed Mayor Gabriel because Mayor Gabriel was Coach McGlasson's coach in the past; passed on appreciation for the multi-purpose facility remaining open during the pandemic; noted the work session was limited to waterfront revitalization and looks forward to other economic development incentives administration was working on; explained propositions he was working on but ultimately decided to not put forth; and noted upcoming work on Conditional Use Permit criteria ordinance.

Council Member Knackstedt noted a lot of cool things were happening; looking forward to the ribbon cutting ceremony at the airport adding that the old airport terminal still existed, it was the AMVETS; noted another big airport project coming up was the runway repaving; looking forward to the potential waterfront revitalization; and thought the news was great regarding the Bluff Erosion Project.

L. EXECUTIVE SESSION

1. Review and Discussion of the Terms of Employment Agreement for the City Clerk which, Pursuant to AS 44.62.310(c)(2) May be a Subject that Tends to Prejudice the Reputation and Character of the City Clerk.

MOTION:

Vice Mayor Molloy **MOVED** to enter into executive session to review and discuss the Terms of Employment Agreement for the City Clerk which, pursuant to AS 44.62.310(c)(2) may be a subject that tends to prejudice the reputation and character of the City, requested the attendance of City Clerk, Jamie Heinz, as needed. Council Member Knackstedt **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

Council reconvened in open session and it was noted for the record that Council met in executive session and reviewed and discussed the City Clerk's Terms of Employment Agreement with the City Clerk.

M. PENDING ITEMS – None.

N. ADJOURNMENT

O. INFORMATION ITEMS

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

There being no further business before the Council, the meeting was adjourned at 8:49 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of August 4, 2021.

Jamie Heinz, MMC
City Clerk

**PAYMENTS OVER \$15,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: AUGUST 18, 2021**

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	98,739.11
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	102,686.59

INVESTMENTS

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

CITY OF KENAI

ORDINANCE NO. 3234-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT IMPROVEMENTS CAPITAL PROJECT FUND, AMENDING THE CITY'S PROFESSIONAL SERVICES AGREEMENT WITH HDL ENGINEERING CONSULTANTS, ACCEPTING GRANT FUNDING FROM THE FEDERAL AVIATION ADMINISTRATION, AND ISSUING A PURCHASE ORDER FOR CONSTRUCTION OF THE 2021 AIRFIELD DRAINAGE REHABILITATION PROJECT AT THE KENAI MUNICIPAL AIRPORT.

WHEREAS, HDL Engineering Consultants has completed the initial design phase for the Airfield Drainage Project, also known as Task 5 under our current agreement, and final bid documents were provided to the City on July 26, 2021 and formally released for bids on July 28, 2021 with bids due on August 19, 2021; and,

WHEREAS, this project is addressing approximately 500 lineal feet of failing storm water infrastructure within the safety area of the runway at the Kenai Municipal Airport; and,

WHEREAS, the amendment to the professional services agreement will provide for Construction Administrative services in the amount of \$19,720; and,

WHEREAS, the Grant to be received from the Federal Aviation Administration is anticipated to be in the amount of \$506,500, with \$474,844 as the federal share and \$31,656 as the City share; and,

WHEREAS, the City has already contributed \$300,000 to start the project, the majority of which will be returned to the Airport Special Revenue Fund where it can allocated to other projects in the future; and,

WHEREAS, the grant amounts above include all costs associated with Design, Construction, City Administration and permit fees; and,

WHEREAS, the following bids were received on August 19, 2021 and _____ was found to be the lowest responsive responsible bidder;

Company	Bid Amount

; and,

WHEREAS, Award to _____ is in the best interest of the City.

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

Section 1. The City Manager is authorized to execute a professional services agreement amendment in the amount of \$19,720 to HDL Engineering Consultants and increase their existing Purchase Order 121702 by the same amount.

Section 2. The City Manager is authorized to accept a grant from the Federal Aviation Administration in support of this project and to expend the funds in adherence to the grant conditions and this ordinance.

Section 3. The City Manager is authorized to execute a construction contract in the amount of \$XXX,XXX with _____, the lowest qualified bidder, and issue a purchase order in the amount of \$_____ for construction including contingency of \$XX,XXX.

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

Airport Improvement Capital Project Fund:

Increase Estimated Revenues –
FAA Grant \$474,844

Increase Appropriations:
KMA Airfield Drainage Improvements Project –
Construction \$474,844

Section 5. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 1st day of September, 2021.


BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Ordinance No. 3234-2021

Page 3 of 3

Approved by Finance: 

Introduced: August 18, 2021

Enacted: September 1, 2021

Effective: September 1, 2021



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin
DATE: August 12, 2021
SUBJECT: Ordinance No. 3234-2021

The purpose of this memo is to request Council's approval to accept grant funding from the Federal Aviation Administration (FAA) for the 2021 KMA Airfield Drainage Improvements project. As council may recall last fall, Airport Operations Staff started to notice settlement within the safety field areas of the runway. HDL Engineering was tasked with identifying the source and extent of the issues. A CCTV Camera inspection was conducted in December 2020 which identified the areas of the failing pipeline to be included within this project.

Staff and consultants working through our FAA partners developed the project with finalized bid ready construction documents becoming available on July 26, 2021. The project was formally released for bids on July 28, 2021 and bids are due on August 19, 2021. Council should anticipate amendments to the Ordinance at the September 1, 2021 council meeting to fill in the blanks based on the actual bids received.

As the construction season is nearing the end, the department is intending on completing this work prior to winter setting in, which is why the Ordinance is being introduced prior to bid opening. Successful completion of this work will save KMA staff the time and maintenance with having to continually fill in sink holes within this area in order to maintain a safe airfield.

This project is of a limited scope resolving high priority storm water pipeline failures roughly in the amount of five hundred lineal feet. More of this type of work is expected to be completed within a future runway rehabilitation project. The new piping is expected to last for decades.

Council's support is respectfully requested.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3235-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING A GRANT FROM THE STATE OF ALASKA FOR THE PURCHASE OF LIBRARY BOOKS.

WHEREAS, the City of Kenai received a grant from the State of Alaska, Department of Education and Early Development for the purchase of library books; and,

WHEREAS, it is in the best interest of the City of Kenai to appropriate these grant funds for the purpose intended.

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

Section 1. That the City Manager is authorized to accept a grant from the State of Alaska, Department of Education and Early Development in the amount of \$7,000 for the purchase of library books and to execute grant agreements and to expend the grant funds to fulfill the purpose and intent of this Ordinance.

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

General Fund:

Increase Estimated Revenues – Library—State Grants	<u>\$7,000</u>
Increase Appropriations – Library--Books	<u>\$7,000</u>

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 1st day of September, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Approved by Finance: 

Introduced: August 18, 2021
Enacted: September 1, 2021
Effective: September 1, 2021



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Katja Wolfe, Library Director

DATE: August 5, 2021

SUBJECT: **Ordinance 3235-2021 Accepting and Appropriating a Grant from the State of Alaska**

The Library has been awarded the annual Public Library Assistance Grant by the State of Alaska, Department of Education and Early Development. As per the grant award, the amount of \$7,000 is to be used for the purchase of books and should be deposited in account 001-440-4666.

The Library Director completes an application each year in order to receive these funds. Certain minimum standards must be met in order to receive this grant. These include reporting requirements on expenditures and collection statistics, the number of hours that the library is open to the public, minimum educational requirements for the Library Director and continuing education requirements.

Your consideration is appreciated.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3236-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AMENDING THE OFFICIAL ZONING MAP BY REZONING T 5N R 11W SEC 6 SEWARD MERIDIAN KN NORTH 150 FT OF GOVT LOT 34 FROM SUBURBAN RESIDENTIAL TO GENERAL COMMERCIAL.

WHEREAS, T 5N R 11W SEC 6 SEWARD MERIDIAN KN NORTH 150 FT OF GOVT LOT 34 is currently zoned Suburban Residential; and,

WHEREAS, the City of Kenai received a rezone application from the majority property owner in accordance with Kenai Municipal Code 14.20.270, Amendment Procedures; and,

WHEREAS, the RS Zone is intended to provide for medium density residential development in areas which will be provided with common utility systems; and,

WHEREAS, the CG Zone is intended to provide for areas where a broad range of retail, wholesale, and service establishments is desirable and uses are regulated to concentrate commercial development to the greatest extent possible; and,

WHEREAS, the rezone request enlarges an adjacent zoning district boundary; and,

WHEREAS, access to the area to be rezoned is provided via an easement from the adjacent Kenaitze Indian Tribe owned parcel at 11823 Kenai Spur Highway; and,

WHEREAS, other parcels in the CG Zone border are adjacent to the subject parcel, creating a contiguous CG Zone border; and,

WHEREAS, the CG Zone is consistent with commercial development in the vicinity and will not impact residential housing or the quality of neighborhoods within the City; and,

WHEREAS, the rezone is consistent with Goal 2 – Economic Development: Provide economic development to support the fiscal health of Kenai of the 2016 Imagine Kenai 2030 City of Kenai Comprehensive Plan; and,

WHEREAS, the rezone is consistent with Goal 3 – Land Use: Develop land use strategies to implement a forward-looking approach to community growth and development of the 2016 Imagine Kenai 2030 City of Kenai Comprehensive Plan; and,

WHEREAS, the City of Kenai Planning and Zoning Commission voted unanimously to recommend the property be rezoned to General Commercial during a public hearing held at their meeting on July 28, 2021.

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

Section 1. That pursuant to KMC 14.20.030 Establishment of Zones and Official Zoning Map, the official City of Kenai Zoning Map is hereby amended by rezoning T 5N R 11W SEC 6 SEWARD MERIDIAN KN NORTH 150 FT OF GOVT LOT 34 at KPB#04702011 from Suburban Residential (RS) to General Commercial (CG).

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 1st day of September, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Introduced: August 18, 2021
Enacted: September 1, 2021
Effective: October 1, 2021



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Ryan Foster, Planning Director

DATE: August 10, 2021

SUBJECT: **Ordinance 3236-2021 – Rezone Parcel KPB# 04702011 from Suburban Residential to General Commercial**

A completed application was submitted to the City requesting that parcel KPB# 04702011 T 5N R 11W SEC 6 Seward Meridian KN North 150 FT OF GOVT Lot 34, located adjacent to 11823 Kenai Spur Highway, be rezoned from Suburban Residential (RS) to General Commercial (CG). Kenai Municipal Code (KMC) 14.20.270, Amendment procedures, describes initiation of zoning code and official map amendments. Zoning code amendments may be initiated by a submission of a petition by a majority of the property owners in the area for consideration only if the area to be rezoned contains a minimum of one acre unless the amendment enlarges an adjacent district boundary. The Kenaitze Indian Tribe is the owner of adjacent parcels zoned General Commercial, KPB# 04702199 consisting of 4.82 acres and KPB# 04702017 consisting of 0.11 acres, for a total of approximately 4.93 acres adjacent to the subject property. The requested rezone meets the criteria for an amendment.

The subject parcel is located between the Kenai Spur Highway and Spruce Street, with no direct road access from the property. Access is provided via an easement from the adjacent Kenaitze Indian Tribe owned parcel at 11823 Kenai Spur Highway. The subject parcel is vacant and surrounded by vacant land to the north (zoned General Commercial), south (zoned Suburban Residential), and east (zoned Townsite Historic). To the west is Our Lady of Angels Parish of Archdiocese of Anchorage, which is zoned Suburban Residential (RS).

The RS Zone is intended to provide for medium density residential development in areas which will be provided with common utility systems. The CG Zone is intended to provide for areas where a broad range of retail, wholesale, and service establishments is desirable. Uses are regulated to concentrate commercial development to the greatest extent possible and new residential uses and other noncommercial uses are not permitted in this zone as principal uses.

The CG Zone is more consistent with the location/layout of the parcel. The applicant has indicated plans for building two greenhouses for private use, which requires a conditional use permit in the RS Zone, but does not require a conditional use permit in a CG Zone. A neighborhood is not adjacent to the subject parcel and a rezone would not impact residential housing or the quality of

neighborhoods within the City. Spruce Street is a paved and city-maintained street. City sewer and water is located in the Spruce Street right-of-way.

The 2016 Imagine Kenai 2030 City of Kenai Comprehensive Plan supports this rezoning in several ways:

- Goal 2 – Economic Development: Provide economic development to support the fiscal health of Kenai.
 - ED-6: Prior to zoning property to commercial, consider if use has access to collector or arterial road, access to city services, and that potential conflicts with adjacent non-commercial use have been minimized through site design, landscaping, or other appropriate measures. *The subject parcel shares access to both Spruce Street and the Kenai Spur Highway with 11823 Kenai Spur Highway to the north. City services such as sewer, water, and paved roads are in the vicinity of the subject parcel. Non-commercial uses should not be negatively impacted by the rezoning. The only non-commercial use adjacent to the subject parcel is the Our Lady of Angels Parish of Archdiocese of Anchorage, which is fronted on Spruce Street, and the subject parcel is behind them.*
- Goal 3 – Land Use: Develop land use strategies to implement a forward-looking approach to community growth and development.
 - LU-1: Establish siting and design standards so that development is in harmony and scale with surrounding uses. *A rezoning to CG would align the parcel with the much larger parcel to the north that is zoned CG. The Kenaitze Indian Tribe owns both of these parcels.*
 - LU-2: Promote the infill of existing, improved subdivision lots. *The parcel is currently vacant and underutilized. Two greenhouses are proposed for the property.*
 - LU-11: Where feasible, consolidate access to and between land uses via frontage roads or by shared driveways onto main streets/highways. *The subject parcel shares access to Spruce Street with the parcel to the north.*

The Kenai Planning and Zoning Commission considered this request during their meeting on July 28, 2021 and unanimously recommended City Council approve of the rezone request for T 5N R 11W SEC 6 Seward Meridian KN North 150 FT OF GOVT Lot 34 located adjacent to 11823 Kenai Spur Highway from the Suburban Residential Zone to the General Commercial Zone. The Planning and Zoning Commission recommended the property owner contact the City of Kenai Planning and Zoning Department to assign an address to the parcel. Thank you for your consideration.

Attachment A: Rezoning Application

Attachment B: Planning and Zoning Commission Resolution PZ2021-27

Attachment C: Parcel Map





Rezoning Application

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

PETITIONER

Name: Kenaitze Indian Tribe
 Mailing Address: 150 Willow Street City: Kenai State: Ak Zip Code: 99611
 Phone Number(s): (907) 335-7500 *907-529-7692 cell*
 Email: dohler@kenaitze.org

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (s): 04702011
 Physical Address: 11823 Kenai Spur Highway
 Legal Description: T 5 N R 11W SEC 6 Seward Meridian KN North 150 Ft of GOVT Lot 34

ZONING INFORMATION

Present Zone: Suburban Residential
 Proposed Zone: General Commercial

Intended Use and/or Reason for Rezoning (attach additional sheets if necessary):

To erect one existing and one new greenhouse for private use

AMENDMENT PROCEDURE REQUIREMENTS

The area proposed to be rezoned contains a minimum of 1 acre (excluding street or alley rights-of-way), unless the amendment enlarges an adjacent zoning district boundary. See attached NO YES

This proposed amendment to the zoning ordinance is not substantially the same as any other unapproved proposed amendment submitted within the previous 9 months. YES

I understand a public hearing is required as outlined in the Kenai Zoning Code, a fee is required as posted in the City's Fee Schedule, and that this application will be reviewed following Kenai City Code 14.20.270, available at kenai.municipal.codes/KMC/14.20.270. YES

I have included a map of the proposed rezone area and applicable signatures. YES

The proposed Zoning Code and Official Zoning Map Amendments is initiated by (check one):

- Kenai City Council
- Kenai Planning & Zoning Commission
- Petition of majority of the property owners in the area to be rezoned
- Petition bearing the signatures of 50 registered voters within the City of Kenai
- Petition as provided by the Home Rule Charter of the City of Kenai

PETITIONER'S SIGNATURE

Signature: *Dawn Nelson*
 Printed Name: Dawn Nelson, Executive Director Date: 6.8.2021

For City Use Only

Date Application Fee Received: *6/25/21*
 PZ Resolution Number: *P22021-*

City of Kenai
11823 Kenai Spur Highway Property
Rezoning Application
Additional Narrative
06-08-2021

The 11823 Kenai Spur Highway property spanning between Kenai Spur Highway and Spruce Avenue is owned by the Kenaitze Indian Tribe and consists of three parcels of property. The Parcel No.'s are as follows: 04702017, 04702199, and 04702011. Parcel No.'s 04702017 and 04702199 are zoned General Commercial, and Parcel No. 04702011 is zoned as Suburban Residential.

Parcel No. 04702011 is a land-lock parcel with no designated road access, with property ownership by Our Lady of Angels on the West and South side and Diocese of Sitka & Alaska Orthodox Church on the West side. It is unknown at this time the zoning of these three properties.

The parcel in question is shy of the 1 acre requirement for rezoning equating to .92. However, Parcel No.'s 04702017 and 04702199 are zoned General Commercial and Kenaitze Indian Tribe request to have the adjoining parcel 04702011 zoned the same as parcels 04702017 and 04702199.



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-27**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THE COUNCIL OF THE CITY OF KENAI APPROVE THE REZONE REQUEST T 5N R 11W SEC 6 SEWARD MERIDIAN KN NORTH 150 FT OF GOVT LOT 34 FROM SUBURBAN RESIDENTIAL TO GENERAL COMMERCIAL

WHEREAS, the City of Kenai received a rezone application from the majority property owner in accordance with Kenai Municipal Code 14.20.270, Amendment procedures; and,

WHEREAS, the RS Zone is intended to provide for medium density residential development in areas which will be provided with common utility systems; and,

WHEREAS, the CG Zone is intended to provide for areas where a broad range of retail, wholesale, and service establishments is desirable and uses are regulated to concentrate commercial development to the greatest extent possible; and,

WHEREAS, the rezone request enlarges an adjacent zoning district boundary; and,

WHEREAS, access to the area to be rezoned is provided via an easement from the adjacent Kenaitze Indian Tribe owned parcel at 11823 Kenai Spur Highway; and,

WHEREAS, other parcels in the CG Zone border are adjacent to the subject parcel, creating a contiguous CG Zone border; and,

WHEREAS, the CG Zone is consistent with commercial development in the vicinity and will not impact residential housing or the quality of neighborhoods within the City; and,

WHEREAS, the rezone is consistent with Goal 2 – Economic Development: Provide economic development to support the fiscal health of Kenai of the 2016 Imagine Kenai 2030 City of Kenai Comprehensive Plan.

WHEREAS, the rezone is consistent with Goal 3 – Land Use: Develop land use strategies to implement a forward-looking approach to community growth and development of the 2016 Imagine Kenai 2030 City of Kenai Comprehensive Plan.

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

Section 1. That the Kenai City Council approve of the rezone request of T 5N R 11W SEC 6 SEWARD MERIDIAN KN NORTH 150 FT OF GOVT LOT 34 from Suburban Residential to General Commercial.

Resolution No. PZ2021-27
Page 2 of 2

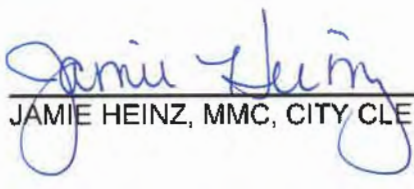
Section 2. That a copy of Resolution PZ2021-27 be forwarded to the Kenai City Council.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
this 28th day of July, 2021.



JEFF TWAATT, CHAIRPERSON

ATTEST:



JAMIE HEINZ, MMC, CITY CLERK





ORDINANCE 3236-2021 REZONING
T 5N R 11W SEC 6 Seward Meridian KN North
150 FT OF GOVT Lot 34
KPB #04702011



LEGEND

Subject Parcel

0 40 80 Feet

Date: 8/10/2021

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





Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3237-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND – LAND ADMINISTRATION DEPARTMENT TO PROVIDE FUNDING FOR A KENAI WATERFRONT REVITALIZATION FEASIBILITY STUDY.

WHEREAS, the City of Kenai 2030 Comprehensive Plan states that the City should develop land use strategies to implement a forward-looking approach to community growth and development; and,

WHEREAS, the Comprehensive Plan specifically identifies the waterfront adjacent to Bridge Access Road beginning at Millennium Square to the City Dock as an area where revitalization strategies should be explored; and,

WHEREAS, the City Council held a work session on August 4, 2021 to gauge the interest of the community in the revitalization of this area and to discuss the need for a feasibility report that will refine the vision of the community, determine if redevelopment of this area fits into the community’s goals and objectives, determine what types of development is most appropriate, and identify how the City can best support revitalization of the area; and,

WHEREAS, the estimated cost of the feasibility report, based on the preliminary scope of work and the cost of similar studies in other communities in Alaska is \$75,000; and,

WHEREAS, due to the unique nature of this work and the possibility that additional items may be identified that should be added to the scope of the contract, this ordinance appropriates \$20,000 in contingency; and,

WHEREAS, the Airport Commission reviewed the Kenai Waterfront Revitalization and Economic Incentives materials provided at the August 4, 2021 Work Session at its meeting on August 26, 2021 and recommended _____; and,

WHEREAS, the Harbor Commission reviewed the Kenai Waterfront Revitalization and Economic Incentives materials provided at the August 4, 2021 Work Session at its meeting on August 23, 2021 and recommended _____; and,

WHEREAS, the Planning and Zoning Commission reviewed the Kenai Waterfront Revitalization and Economic Incentives materials provided at the August 4, 2021 Work Session at its meeting on August 25, 2021 and recommended _____; and,

WHEREAS, the recommendation in the City of Kenai Comprehensive Plan to review revitalization strategies in this area, the public support demonstrated during the Council August 4, 2021 work session, and the transformative opportunity for economic development and community enhancement through the redevelopment of this area demonstrates that funding a feasibility study for this area is in the best interest of the residents of the City.

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

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

General Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$95,000</u>
 Increase Appropriations –	
Land Administration – Professional Services	<u>\$95,000</u>

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 1st day of September, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Approved by Finance: 

Introduced: August 18, 2021
Enacted: September 1, 2021
Effective: September 1, 2021



MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Paul Ostrander, City Manager

DATE: August 10, 2021

SUBJECT: **Ordinance 3237-2021 – Appropriation to Fund a Kenai Waterfront Revitalization Feasibility Study**

At the August 4, 2021 Council work session, administration presented the framework of a process to pursue revitalization strategies on the Kenai waterfront and received testimony from the public and feedback and direction from Council. The effort to determine how the City can facilitate the redevelopment of our waterfront will be a multi-year effort with the first step being the completion of a feasibility study.

Ordinance 3237-2021 will appropriate \$95,000 from the City's General Fund to pay for the Study. This includes \$20,000 in contingency due to the unique nature of the Study and the possibility that the scope of work may change as the project unfolds.

The draft scope of work for the feasibility study is under development and will be provided for the September 1, 2021 Council meeting. Generally, the scope will be focused on the following:

- Evaluate market conditions and identify opportunities for potential revitalization of the area
- Review and recommend any necessary changes to existing plans, zoning, and/or regulations
- Engage community and develop vision, core concepts, and priorities
- Assess infrastructure needs to support redevelopment
- Identify economic investments and incentives that encourage development
- Prepare examples of conceptual plans for potential site redevelopment alternatives
- Prepare financial analysis to evaluate the feasibility of redevelopment concepts

It is evident from public testimony that there is significant interest in development of this area to achieve its full potential. Because of the transformative opportunity that development of this area has for the City, a Study that will identify how the City can best support revitalization of the area is an important first step.

Thank you for your consideration.



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Eland Conway, Airport Manager

DATE: August 10, 2021

SUBJECT: **Action/Approval – Special Use Permit to Boys & Girls Club**

The Boys & Girls Club of the Kenai Peninsula, a non-profit organization, is requesting use of the second floor of the Alaska Regional Fire Training Facility to operate an afterschool program. The facility's second floor has approximately 3,800 square feet of vacant classroom and office space available.

A Special Use Permit allows temporary use for a term not to exceed one year and includes language that allows either party to cancel for any reason with 30 days' written notice.

The City has received a Special Use Application along with payment.

City Council approval for a one-dollar-per-month (\$1) Special Use Permit will allow the Boys & Girls Club of the Kenai Peninsula to provide support for the academic needs of the youth in the Kenai area.

Thank you for your consideration.

SPECIAL USE PERMIT – 2021

The CITY OF KENAI (City) grants to Boys and Girls Club of the Kenai Peninsula, an incorporated 501(c)(3) non-profit youth development organization (Permittee), a Special Use Permit to operate an afterschool program in the City's Alaska Regional Fire Training Facility subject to the requirements and the conditions set forth below.

1. **Premises.** Permittee shall have the non-exclusive right to use approximately 3,800 square feet of vacant classroom and office space on the second floor of the Alaska Regional Fire Training Facility.
2. **Term.** The term of this Permit shall be for not more than 1 year as needed commencing on September 1, 2021.
3. **Permit Fees.** Permittee shall pay the following fees for the privileges extended to Permittee under this Permit:

- A. **Permit:** Permittee shall pay a monthly fee of \$1.00 plus applicable sales tax.

Payment shall be directed to City of Kenai, ATTN: Finance Department, 210 Fidalgo Avenue, Kenai, AK 99611 and a courtesy notice of payment provided to Airport Administration at 305 North Willow Street, Suite 200, Kenai, AK 99611. All permit fees are payable in advance of each month unless otherwise provided. In the event of delinquency, interest at the rate of 10% per annum, and penalty of 10% shall also be due (KMC 1.75.010). Interest shall accrue from the date due until the date paid in full. Failure to timely make payments is grounds for termination of this Permit. (See Termination)

4. **Use.** City authorizes Permittee's non-exclusive use of the Premises for the following purpose(s):

After School Programming. NOTE: This permit does not guarantee the exclusive use of the area City reserves the right to re-assign Permittee, upon reasonable notice, to other areas as airport needs may require.

This Permit, and any access rights allowed hereunder, are for Permittee's use only and may not be transferred or assigned.

Use of the Premises by Permittee is subject to the reasonable administrative actions of the City of Kenai for the protection and maintenance of the Premises and of adjacent and contiguous lands or facilities and is further subject to the following conditions:

Permittee acknowledges that the use granted herein is subject to the Kenai Municipal Code and municipal regulations governing the Kenai Municipal Airport and as those laws and regulations may be amended from time to time.

Solicitation of donations or operation of a business or other commercial enterprise not contemplated by this Permit is prohibited without the written consent of City.

5. Duties of the Permittee. The Permittee will:

1. Oversee Boys & Girls Clubs after school programming
2. Employ adequate personnel for the after-school program in accordance with Permittee policies and procedures.
3. Assist with janitorial needs by leaving all programming areas in acceptable condition and will work with building administrator to meet janitorial needs for any area used by Boys & Girls Clubs programs. In the event janitorial services are required after an event, the expense for these services will be back billed to Permittee.
4. Meet with City administrators to finalize specific expectations and schedules.
5. Set and enforce reasonable expectations for Club member behavior.
6. Keep the premises in a neat and clean condition.
7. Seek specific approval from the City prior to altering the premises in any manner.
8. Work cooperatively with any other tenants in the facility to minimize impact and business disruptions.

6. Inspection. The Federal Aviation Administration (FAA) and/or City shall have the right and authority to inspect, at any time for any purpose whatsoever, the Premises as well as any and all equipment used by the Permittee under this Permit.

7. Radio Transmitting Equipment. Permittee shall discontinue the use of any machine or device which interferes with any government-operated transmitter, receiver, or navigation aid until the cause of the interference is eliminated.

8. Insurance. Permittee shall secure and keep in force adequate insurance, as stated below, to protect City and Permittee. Where specific limits are stated, the limits are the minimum acceptable limits. If Permittee's insurance policy contains higher limits, City is entitled to coverage to the extent of the higher limits.

A. Commercial General Liability insurance, including premises, all operations, property damage, personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit. The policy must name the City as an additional insured.

B. Worker’s compensation insurance with coverage for all employees engaged in work under this Permit or at the Premises as required by AS 23.30.045. Permittee is further responsible to provide worker’s compensation insurance for any subcontractor who directly or indirectly provides services to Permittee under this Permit.

C. Commercial Automobile Coverage with not less than \$1,000,000 combined single limit per occurrence. This insurance must cover all owned, hired, and non-owned motor vehicles the Permittee uses on the Airport. The policy must name the City as an additional insured.

D. All insurance required must meet the following additional requirements:

- i. All policies will be by a company/corporation currently rated “A-” or better by A.M. Best.
- ii. Permittee shall submit to the City proof of continuous insurance coverage in the form of insurance policies, certificates, endorsements, or a combination thereof, and signed by a person authorized by the insurer to bind coverage on its behalf.
- iii. Permittee shall request a waiver of subrogation against City from Permittee’s insurer and the waiver of subrogation, where possible, shall be provided at no cost to City.
- iv. Provide the City with notification at least 30 days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.

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

9. Assumption of Risk. Permittee assumes full control and sole responsibility as between Permittee and City for the activities of Permittee, its personnel, employees, and persons acting on behalf of or under the authority of the Permittee anywhere on the premises. Permittee shall provide all proper safeguards and shall assume all risks incurred in its activities on and access to the premises and its exercise of the privileges granted in this Permit.

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

11. Hazardous Substances and Materials. Permittee shall conform and be subject to the requirements of 14 CFR § 139.321 regarding the handling and storage of hazardous substances and materials.

12. No Discrimination. Permittee shall not discriminate against any person because of the person's race, creed, color national origin, sex, age, or handicap. Permittee recognizes the right of City to take any action necessary to enforce this requirement of the Permit. Permittee will furnish services provided under this Permit on a reasonable, and not unjustly discriminatory, basis to all users of the Airport and shall charge reasonable, and not unjustly discriminatory, prices for each product or service provided at the Airport.

13. Licenses and Permits. Permittee shall obtain and maintain all required federal, state, and local licenses, certificates, and other documents required for its operations under the Permit. Permittee shall provide proof of compliance to City upon request by the City.

14. Compliance with Law/Grant Assurances. This Permit, and Permittee's activities conducted under this Permit, is subject to all executive orders, policies and operational guidelines and all applicable requirements of federal, state, and City statutes, ordinances, and regulations in effect during the term of this Permit. Further, Permittee shall comply with all applicable requirements imposed on the Airport by federal law to ensure that the Airport's eligibility for federal money or for participation in federal aviation programs is not jeopardized. This Permit is subordinate to the City's grant assurances and federal obligations.

15. No Exclusivity. The privileges granted under this Permit are not exclusive to Permittee. City has the right to grant to others any right or privilege on the premises.

16. Assignment. The privileges granted under this Permit are personal to Permittee and may not be assigned by Permittee.

17. No Joint Venture. City shall not be construed or held to be a partner or joint venturer of Permittee in the conduct of its business or activities on the Premises.

18. No Waiver. Failure to insist upon a strict compliance with the terms, conditions, and requirements herein contained, or referred to, shall not constitute or be construed as a waiver or relinquishment of the right to exercise such terms, conditions, or requirements.

19. Personalty. Permittee shall remove any and all personal property, including all vehicles, from the Premises at the termination of this Permit (or any renewal thereof). Personal property placed or used upon the Premises will be removed and/or impounded by the City, if not removed upon termination of this Permit and when so removed and/or impounded, such property may be redeemed by the owner thereof only upon the payment to the City of the costs of removal plus storage charges of \$25 per day. The City of Kenai is not responsible for any damage to or theft of any personalty of Permittee or of its clients or invitees.

20. Termination; Default. This Permit may be terminated by either party hereto by giving 30 days advance written notice to the other party. City may terminate the Permit immediately, or upon notice shorter than 30 days, to protect public health and safety or due to a failure of Permittee to comply with condition or term of this Permit which failure remains uncured after notice by City to Permittee providing Permittee with a reasonable time period under the circumstances to correct the violation or breach.

21. Definitions. As used in this Permit, “Permittee” means Boys and Girls Club of Kenai Peninsula, Inc. and where the context reasonably indicates, its officers, agents, and employees. “Airport” means the Kenai Municipal Airport.

CITY OF KENAI

BOYS AND GIRLS CLUB

By: _____	By: _____
Paul Ostrander	Rachel Chaffee
City Manager	Executive Director
_____	_____
Date	Date

ACKNOWLEDGMENTS

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ____ day of _____, 2021, the foregoing instrument was acknowledged before me by Paul Ostrander, City Manager, of the City of Kenai, an Alaska municipal corporation, on behalf of the City.

Notary Public for Alaska
My Commission Expires: _____

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ____ day of _____, 2021, the foregoing instrument was acknowledged before me by Rachel Chaffee, Executive Director of Boys and Girls Club of the Kenai Peninsula, Inc., an Alaska non-profit corporation, on behalf of the corporation.

Notary Public for Alaska
My Commission Expires: _____

ATTEST:

Jamie Heinz, City Clerk

SEAL:

APPROVED AS TO FORM:

Scott M. Bloom, City Attorney



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Paul Ostrander, City Manager

DATE: August 13, 2021

SUBJECT: **Action/Approval – Letter of Support for a Kenaitze Indian Tribe Grant Request for a Pilot Fixed-Route Transportation Program**

The Kenaitze Indian Tribe has requested that the City provide a letter of support for a grant application they are submitting that would fund a pilot program for a fixed route transportation system.

The following was provided by the Tribe:

Kenaitze is planning to pilot fixed-route bus service along the three (3) major central Kenai Peninsula corridors—the Kenai Spur Hwy (KSH), from Nikiski in the north, through the City of Kenai, and ending in Soldotna in the south; the Sterling Highway, from Sterling in the north, through Soldotna to the Kalifornsky Beach (K-Beach) Road junction in the south; and K-Beach Road, from the Sterling Highway junction in the east to the City of Kenai in the west. Two (2) routes are planned for the 2-year Bus Pilot: a “Nikiski” route, running from Nikiski on the west side of the Tribe’s service area, through the City of Kenai along KSH to Soldotna, and returning westbound along the northern section of K-Beach Road through Kenai back to Nikiski; and a “Sterling” route, running from Sterling on the east side of the Tribe’s service area, through Soldotna along the Sterling Hwy and KSH to the City of Kenai, and returning eastbound along the northern section of K-Beach Road through Soldotna back to Sterling. Fixed-route service would be provided daily (Monday–Saturday), with key stops along each route identified by reflective, Kenaitze-branded “Bus Stop” signs affixed to existing signposts just below the street marker. Rural regions nationwide already know that reliable, affordable, and accessible systems of public transit are integral to a healthy community and economy; a dependable, fixed-route bus service would enable riders to save money on the major segments of their trips, and arrange transportation to/from the bus stop using extant service providers, such as CARTS or Alaska Cab, to take them to their final destinations.

The City will not be making a financial commitment to the program. I am respectfully asking Council to make a motion in support of Mayor Gabriel signing the attached letter of support.

Thank you for your consideration.



The Honorable Peter Buttigieg
Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Ave, SE
Washington, DC 20590

Dear Secretary Buttigieg,

I am writing this letter in support of the Kenaitze Indian Tribe's proposal to the Federal Transit Administration (FTA) "Public Transportation on Indian Reservations" discretionary grant program to fund fixed-route bus service for communities on the central Kenai Peninsula. As many other rural regions of the state and across the nation can attest, a reliable and affordable system of public transit has become increasingly important for a healthy community and economy.

For generations, the need for affordable public transit options throughout the central Kenai Peninsula has gone largely unfulfilled. Many low-income individuals living in the Tribe's service area cannot afford to purchase private vehicles, sustain servicing and repair costs, or maintain insurance coverage. Although many of the region's needs are met by the zone-based fare structure offered by Central Area Rural Transit System (CARTS), even this service is cost-prohibitive for commuters who must cross several zones to travel from home to work and back. In order to expand transportation access and options across the area, Kenaitze is proposing to pilot a fixed-route bus service connecting the communities of Nikiski, Kenai, Soldotna, and Sterling; and operating along the Kenai Spur Highway, the Sterling Highway, and Kalifornsky Beach Road that will complement the existing service provided by CARTS. Through improved coordination with local and regional partners, including the Kenai Peninsula Borough, this proposal seeks to leverage existing transportation resources with new start-up funding, and make the entire transit network more efficient for providers and less costly for patrons.

I strongly support the efforts of Kenaitze Indian Tribe to expand and enhance the availability of affordable public transit options not only for the region's Alaska Native and Tribal citizenry, but for the many low-income, disabled, and other community members who continue to encounter access barriers to education, commerce, and employment because of a lack of connectivity to regional resources. In the event this project is selected for funding, the City of Kenai is committed to meeting with the Tribe's leadership to develop a more durable Memorandum of Understanding (MOU) or similar agreement that expresses our respective contributions to the success of this fixed-route service pilot.

Sincerely,

Brian Gabriel Sr.
Mayor



MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Paul Ostrander, City Manager

DATE: August 13, 2021

SUBJECT: **Action / Approval – Potential Partnership with the City of Soldotna to Provide 9-1-1 Dispatch Services**

The City of Soldotna has requested to work with the City of Kenai to assess the feasibility of consolidating 9-1-1 dispatch services. The structure of any agreement with Soldotna would be similar to our current agreement that provides animal control shelter services. Kenai would provide 9-1-1 dispatch services to the Soldotna Police Department on a contract basis.

I am respectfully requesting the Council make a motion directing administration to perform the due diligence necessary to determine if this partnership is in the best interests of the City of Kenai and bring a recommendation back to Council.

Thank you for your consideration.

Attach: Request letter from the City of Soldotna



177 North Birch Street
Soldotna, AK 99669
907.262.9107
www.soldotna.org

Thursday, August 12, 2021

Paul Ostrander
City Manager
City of Kenai, Alaska
via email: postrander@kenai.city

Dear Mr. Ostrander:

We are in the process of re-evaluating how best to provide dispatch services for the Soldotna Police Department (SPD), and I am interested in exploring a potential partnership between our two municipalities. As you know, the Kenai Peninsula Borough operates the Soldotna Public Safety Communications Center (SPSCC), providing 9-1-1 call answering and dispatch services for numerous municipalities and agencies throughout the borough. They have recently implemented significant changes at the SPSCC, and this transition provides a great opportunity for the City of Soldotna to re-assess our own approach.

I am reaching out to inquire whether the City of Kenai is potentially interested in providing dispatch services to SPD on a contract basis, moving forward. Consolidation of emergency 9-1-1 dispatch services is common, and there are many good examples of successful partnerships in Alaska and around the nation. The primary benefit would be a more efficient use of municipal resources (as our recent collaboration to provide animal control shelter services has demonstrated).

Mayor Whitney and the Soldotna City Council have discussed this concept, and are enthusiastic about its potential. Should the Kenai City Council also support engaging in further discussions, Chief Mlynarik and I would work with your administration to perform the due diligence necessary to assess the feasibility of such a partnership. Critical factors to look at include financial considerations (whether costs could be reduced for both Cities), as well as interoperability issues related to technology and standard operating procedures. These would of course be considered alongside the primary goal of continuing to provide public safety services to both communities that are equal to, or higher, than current levels.

Thank you for your consideration, and please let me know if you are interested in discussing this further.

Sincerely,

A handwritten signature in black ink that reads 'Stephanie Queen' followed by a horizontal line.

Stephanie Queen
Soldotna City Manager

Cc: Police Chief Peter Mlynarik

**KENAI COUNCIL ON AGING
REGULAR MEETING
JULY 8, 2021 – 4:30 P.M.
KENAI SENIOR CENTER
CHAIR DON ERWIN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

The meeting was called to order by Chair Erwin at 4:30 p.m.

a. Pledge of Allegiance

Chair Erwin led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Members Present: Williams, Erwin, Craig, Geller, Modigh
Members Absent: Nelson, Thornton, Milewski

A quorum was present.

Staff/Council Liaison
Present: Senior Center Director K. Romain, Volunteer Coordinator K. Feltman, and Council Liaison Pettey

c. Agenda Approval

MOTION:

Member Williams **MOVED** for approval of the agenda as presented and Member Geller **SECONDED** the motion.

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

2. SCHEDULED PUBLIC COMMENTS – None.

3. UNSCHEDULED PUBLIC COMMENT -- None.

4. APPROVAL OF MEETING SUMMARY

MOTION:

Member Craig **MOVED** to approve the May 13, 2021 Meeting Summary as written and Member Williams **SECONDED** the motion.

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

5. UNFINISHED BUSINESS

a. Discussion/Recommendation – Council on Aging Name Change

Senior Director Romain reported that she contacted the State Grants Coordinator and learned

that the State would have no objection to Kenai's Council on Aging changing its name. Discussion followed in which comments included:

- The Kenai Senior Center had been in operation for 60 years. Changing the name could bring in younger seniors;
- "Council on Senior Living," "Senior Community," and "Senior Activity Center" were suggested as a new name for the group;
- It was also suggested, the possible name change issue be decided by the Kenai City Council.

MOTION:

Member Williams **MOVED** to keep the name as it is and Member Geller **SECONDED** the motion.

VOTE:

YEA: Williams, Geller, Modigh, Erwin
NAY: Craig

MOTION PASSED.

6. **NEW BUSINESS** –

a. **Discussion** – 2021 Survey Results

The group reviewed the results of the survey and agreed, the results were excellent.

7. **REPORTS**

- a. Senior Center Director – Senior Center Director Romain reported:
- Lois Nelson resigned from the Council on Aging effective immediately;
 - She was preparing a Title 3 grant request. She would be including information related to requests received for diabetic and gluten-free foods.

A discussion followed related to changing the meeting time from 4:30 p.m. to 3:30 p.m. on the second Thursday of the month.

MOTION:

Member Geller **MOVED** to change the meeting time of the Council on Aging from 4:30 p.m. to 3:30 p.m. on the second Thursday of the month. Member Craig **SECONDED** the motion.

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

*(*It was noted, after the meeting, this motion and vote should not have taken place because the issue of changing the meeting time was not included and advertised on the agenda prior to the meeting. The item will be properly placed on the August meeting agenda for consideration.)*

- b. Council on Aging Chair – Chair Erwin, no report.

- c. City Council Liaison – Council Member Pettey reported:
- The Personal Use Fishery was open from 6:00 a.m. to 11:00 p.m.;
 - The Bluff erosion project was moving forward;
 - Kenai Council would be holding a work session on August 4 at 4:00 p.m., regarding River Frontage Restoration;
 - Was very pleased with the Fourth of July Parade.

8. **NEXT MEETING ATTENDANCE NOTIFICATION** – August 12, 2021

Senior Center Director Romain reported she would be absent from the August 12, 2021 meeting.

9. **COUNCIL MEMBERS COMMENTS AND QUESTIONS** – None.

10. **ADDITIONAL PUBLIC COMMENT** – None.

11. **INFORMATION ITEMS** – None.

12. **ADJOURNMENT**

MOTION:

Member Craig **MOVED** for adjournment and Member Modigh **SECONDED** the motion. There were no objections.

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

There being no further business, the Council on Aging meeting adjourned at 5:45pm.

Meeting summary prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
JULY 28, 2021 – 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, R. Springer, J. Halstead, A. Douthit, D. Fikes, G. Woodard, G. Greenberg

Commissioners absent:

Staff/Council Liaison present: Planning Director R. Foster, Planning Assistant W. Anderson, Deputy City Clerk M. Thibodeau, Council Liaison J. Glendening

A quorum was present.

3. Agenda Approval

Chair Twait noted the following revisions to the agenda and packet:

Add to item H.1. **Action/Approval** - Approving a Letter of Non-Objection to the Time Extension for the Finalization of the Plat of Kee's Tern Subdivision.

- December 11, 2013 Planning & Zoning Packet
- Letter from Scott Huff, Platting Manager, Kenai Peninsula Borough

MOTION:

Commissioner Halstead **MOVED** to approve the agenda with requested additions to the packet and Vice Chair Fikes **SECONDED** the motion. There were no objections; **SO ORDERED**.

4. Consent Agenda

MOTION:

Commissioner Douthit **MOVED** to approve the consent agenda and Vice Chair Fikes **SECONDED**

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

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

5. *Excused absences – None.

B. APPROVAL OF MINUTES

1. *Regular Meeting of July 14, 2021

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2021-30** - Preliminary Subdivision Plat of Black Gold Estates 2021 Replat, submitted by McLane Consulting, Inc., P. O. Box 468, Soldotna, AK 99669, on behalf of Alex Douthit, 1104 Leeward Drive, Kenai, AK 99611

MOTION:

Vice Chair Fikes **MOVED** to approve Resolution No. PZ2021-30 and Commissioner Woodard **SECONDED** the motion.

Commissioner Douthit declared a conflict of interest, stating that he is the owner of the plat under consideration. Chair Twait ruled that Commissioner Douthit had a conflict and excused him from voting.

Planning Director Foster presented his staff report with information provided in packet explaining that the applicant wants to vacate the sixty foot right-of-way along the Southerly boundary, and the size of the lot will be increased from approximately 3.1 acres to approximately 3.4 acres.

Approval of the plat was recommended, 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 the sixty-foot right-of-way not needed for a public purpose and approve the vacation of the right-of-way as shown on the preliminary plat.
3. A note should be added to the plat stating that 'no private access to State maintained right of-ways permitted unless approved by the State of Alaska, Department of Transportation'.
4. Connection to City Water and Sewer pursuant to the provisions in KMC 17.010.010(a) and KMC 17.020.010(a).
5. Verification by the surveyor of the width of Wildwood Drive.

VOTE:

YEA: Halstead, Fikes, Greenberg, Woodard, Twait, Springer
 NAY:

MOTION PASSED UNANIMOUSLY.**F. PUBLIC HEARINGS**

1. **Resolution PZ2021-27** – Application for the rezoning of a tract of land described as the North 150 feet of Government Lot 34, Section 6, Township 5 North, Range 11 West, fronting the Kenai Spur Highway (KPB Parcel No. 04702011), from Suburban Residential (RS) to General Commercial (CG). The application was submitted by the majority property owner, Kenaitze Indian Tribe, 150 Willow Street, Kenai, Alaska 99611

MOTION:

Vice Chair Fikes **MOVED** to approve Resolution No. PZ2021-27 and Commissioner Douthit **SECONDED** the motion.

Planning Director Foster presented his staff report with information provided in packet explaining that the applicants want to rezone the property in question from suburban residential to general commercial. It was noted that the applicants own the property to the north which is already zoned as general commercial, and they have indicated plans for building two greenhouses for private use.

Chair Twait opened for public hearing.

John Williams thanked the Commission, and explained some of his past involvement with the property. He conveyed the Church's willingness to go along with the zoning change and welcomed the Kenaitze Native Association and Orthodox Church on the adjoining properties. He stated that there is a fence running between the church property and old trailer court property fence which is in disrepair, and asked that the new owners properly maintain the fence and bring up to good condition.

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

Clarification was provided that a landscape plan would not be a part of the rezoning process, although further development such as the proposed greenhouses could potentially trigger the need for a landscape site plan as part of a building permit. It was noted that the fence repair as requested during the public hearing could be considered a buffer within the landscape plan, which is required by code between neighboring districts. The need for a building permit and landscape plan depends on future development.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

- 1. **Action/Approval** - Approving a Letter of Non-Objection to the Time Extension for the Finalization of the Plat of Kee's Tern Subdivision.

MOTION:

Vice Chair Fikes **MOVED** to approve the letter of non-objection to the time extension for the finalization of the plat of Kee's Tern Subdivision. Commissioner Woodard **SECONDED** the motion.

Planning Director Foster noted the maps in the packet and laydown which present the preliminary plat approved by the Planning & Zoning Commission in 2013 and the phase 1 finalization, and clarified that tracts B, C and D remain to be finalized with the Borough. It was explained that after the approval of the preliminary plat, the Kenai Peninsula Borough changed their code to allow for extensions of ten years. The requested extension to finalize the remaining phases of the preliminary plat would meet the ten-year maximum.

Clarification was provided that this would allow for an extension up to February 11, 2023, and the Commission discussed whether this date should be added into the letter.

Kathleen Martin, owner of Kee's Turn subdivision, stated that she had no objection to adding this date to the letter.

MOTION TO AMEND:

Vice Chair Fikes **MOVED** to amend the letter by adding that the date of extension goes until February 11, 2023. Commissioner Woodard **SECONDED** the motion.

VOTE ON AMENDMENT:

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

MOTION PASSED UNANIMOUSLY.

VOTE ON MAIN MOTION:

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

MOTION PASSED UNANIMOUSLY.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Glendening reported on the actions from the July 7, 2021 City Council meeting. Reported that there is an upcoming City Council work session on Kenai Waterfront Revitalization and Economic Development Incentives, and encouraged the Commission to attend.
2. **Borough Planning** – No report.
3. **City Administration** – Planning Director Foster reported on the following:
 - The City received a noise complaint for a Conditional Use Permit on Angler Drive;
 - There is an upcoming Board of Adjustment hearing on Friday, July 30, 2021 regarding a Planning & Zoning Commission decision to approve a Conditional Use Permit for the development of eight single family dwellings on 4th Avenue;
 - The next City Council meeting on August 4th will include the approval of the Special Use Permit for the Moosemeat John Cabin and two airport land purchases, previously recommended for approval by the Planning & Zoning Commission;
 - Upcoming Planning & Zoning Commission meeting on August 11, 2021 is anticipated to include a plat and an application for airport property development incentives.

K. ADDITIONAL PUBLIC COMMENT –

John Williams reminisced on his past involvement with the Commission, and expressed enthusiasm for possible development of properties along the waterfront and planned development by the Kenaitze Indian Tribe. He encouraged the commission to follow closely and work with the Kenaitze in order to create economic growth in the City.

L. INFORMATIONAL ITEMS

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. August 11, 2021

Commissioner Woodard noted that she may not be able to attend.

N. COMMISSION COMMENTS & QUESTIONS

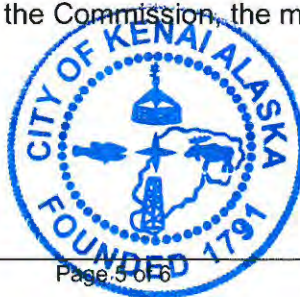
Commissioner Halstead appreciated the input from everyone, especially that from former Mayor John Williams.

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



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Eland Conway, Airport Manager

DATE: August 2021

SUBJECT: Kenai Municipal Airport (ENA) Mid-Month Report

Runway 2L/20R Replacement

Nightly runway closures for geotechnical coring assessing the runway, taxiway interlinks, and taxiway A subbase and structural commenced on the evening of Wednesday, August 4. Coring was completed on the morning of Tuesday, August 10.

The SOA DOT published the [2021 ENA Airport Pavement Inspection Report](#) on Thursday, August 5. This inspection shows some degradation from the previous 2018 ENA Airport Pavement Inspection Report.

The pavement inspection report in conjunction with the geotechnical assessment will determine the scope of the future runway project.

See aerial inspection below.

Aviation Afterhours

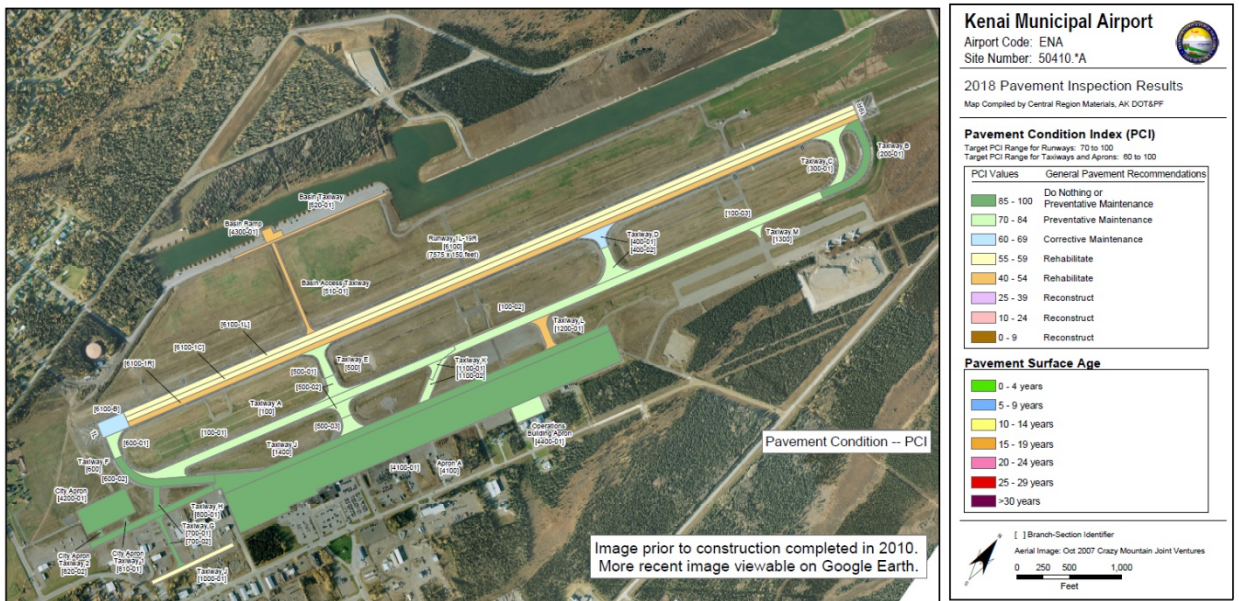
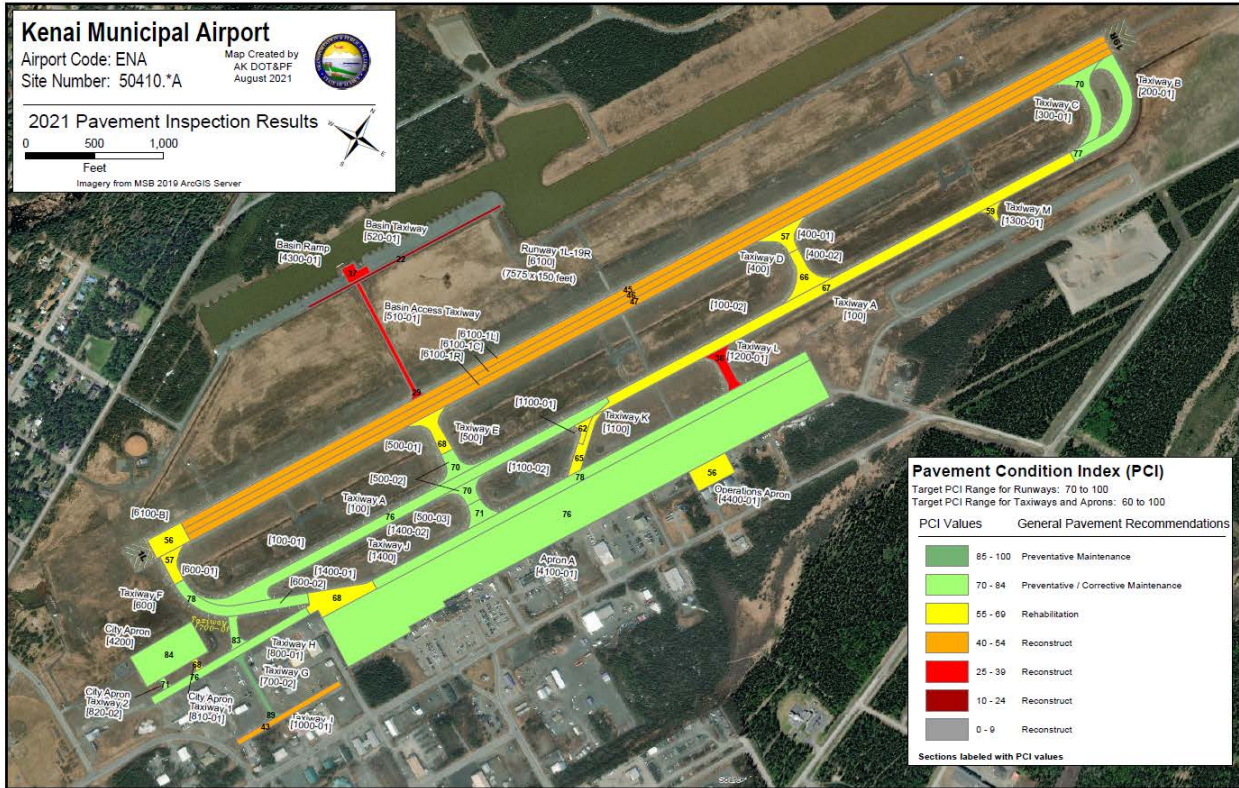
ENA is hosting Governor Mike Dunleavy’s Alaska Aviation Advisory Board, the aviation community and stakeholders in the Upper Deck Lounge and terminal. The business social is an opportunity for the AAAB to see the newly remodeled terminal. And, network with the local aviation community, business, marketing & tourism stakeholders, and the new airport manager.

Federal Mask Mandate



The TSA Federal Mask Mandate remains in effect. The increase in transmission rates has drawn new scrutiny at ENA. Additional mask mandate posters have been displayed, and all terminal tenants have been asked to follow the mask mandate.

We are looking into adding a paging interface to the existing PA system. This will allow for regular prerecorded public announcements.





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

THROUGH: Dave Ross, Police Chief

FROM: Jessica “JJ” Hendrickson, Animal Control Chief

DATE: August 3, 2021

SUBJECT: July 2021 Monthly Report

This month the Kenai Animal Shelter took in **60** animals. Animal intake and disposition:

DOGS:				
	INTAKE	37	DISPOSITION	24
	Waiver	8	Adopted	5
	Stray	13	Euthanized	13
	Impound	0	Claimed	3
	Protective Custody	2	Field Release	0
	Quarantine	5	Transferred	3
	Microchips	8	Other Dispositions	0
	Other Intakes	1		
CATS:				
	INTAKE	23	DISPOSITION	33
	Waiver	7	Adopted	12
	Stray	16	Euthanized	1
	Impound	0	Claimed	3
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	7

Microchips	0	Other Dispositions	0
Other Intakes	0		0
OTHER ANIMALS:			
INTAKE	0	DISPOSITION	0
Chicken	0	Chicken	0
Rabbit	0	Rabbit	0
Other	0	Guinea Pig	0
DOA:	6	OTHER STATISTICS:	
Dog	3	Licenses (City of Kenai Dog Licenses)	15
Cat	3		
Bird	0		

- 12 Animal dropped with After Hours (days we are closed but cleaning and with KPD)
- 29 Animals are *known* borough animals
- 30 Animals are *known* City of Kenai
- 5 Animals are *known* City of Soldotna
- 1 Animals from unknown location
- 51 Field Investigations & patrols
- 6.52 Volunteer Hours Logged
- 2 Citations
- 0 Educational Outreach

Statistical Data:

- 505 2019 YTD Intakes
- 454 2020 YTD Intakes
- 368 2021 YTD Intakes

Additional Information:

The Kenai Animal Shelter staff hosted a Volunteer Open House on July 28th, 2021 at the Kenai Library. Potential volunteers are in the process of completing the volunteer application and should start volunteering at the shelter in mid-August. Attendees from the June 16th Volunteer Open House have completed training and are actively volunteering at the shelter.





MEMORANDUM

TO: Mayor Brian Gabriel and City Council

THROUGH: Paul Ostrander, City Manager

FROM: Tony Prior, Fire Chief

DATE: August 10, 2021

SUBJECT: Fire Department Mid-Month Report – July

Calls for service in July were up, as we navigated through another dipnet season and the influx of people coming to partake in all that Kenai has to offer during July. Here is the breakdown for calls for service.

Year	2020	2021	% change
July total	122	144	18.0%
EMS	87	104	19.5%
All Other	35	40	14.3%
Year total	756	813	7.5%

Work continued with the Kenai Peninsula Community Wildfire Protection Project (CWPP) and I attended an information booth during Progress Days at the Soldotna Creek Park to answer questions on Wildfire Response on the Peninsula. Also continued work with the Natural Resources Planner and Project Manager for CWPP, to identify and assess the needs of COK, as well as critical infrastructure to be included in the plan. Mary Toll has continued work on the update to the City's Emergency Operation plan and we are working to completed the annual Alaska Assessment required by granting agencies.

We finished with the annual Airport Certification Inspection with an out-brief of no violations or changes needed to the operations of the Fire Department. Overall it was a great inspection process.

Typically, July is a month that we do not schedule much training as we focus on hose testing, ladder testing, engine testing, dipnet priorities, and higher call volumes. This year, due to our water tank out back having so much debris in it, we drained the tank to inspect it for maintenance. We will be working with other agencies to borrow their testing facilities to complete engine testing this year.





Firefighter Mac Lee passed his probationary period to become a regular employee in City Code and we are glad to have him with us. He is a great employee.



MEMORANDUM

TO: Mayor Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Katja Wolfe, Library Director
DATE: August 3, 2021
SUBJECT: Library Mid-Month Report for July 2021

July 2021 at a Glance

Items Borrowed		Jul-20	Jul-21	2021 YTD
Physical		4,193	6,911	36,028
Digital		1,404	1,607	11,581
Visits and Services				
Number of Curbside Pickups		n/a	50	
New Memberships		23	47	234
Room Use		n/a	94	196
Programs				
Number of Programs		18	19	119
People Reached (e.g., DIY Kits)		n/a	122	1,041
People Reached Virtually		n/a	637	5,430
Technology Sessions				
Computer sessions		382	436	2,124
WiFi Sessions		2,904	6,177	28,417
Early Literacy Station Sessions		n/a	186	371

July 2021 programming highlights

- 19 programs
 - 14 virtual programs
 - Story times for ages 0-5 (106 total views within 7 days)
 - Let's Draw (61 total views within 7 days)
 - Lego® Club (218 total views within 7 days)
 - Jr. Art Club (278 total views within 7 days)
 - Cast Iron Cooking (34 total views within 7 days)
 - 2 DIY kits (a total of 80 kits handed out)
 - 3 in-person programs
 - Outdoor Story Time (36 attendees)
 - Ozobot Circus (6 attendees)

July 2021 library services highlights

- Summer Reading Program 2021 update:
 - 427 children, 47 teens, and 104 adults have signed up to participate. For more information about our summer reading program, go to <https://www.kenai.city/library/page/summer-reading-2021>
- We provided 1015 meals to children 18 or under between June 1 and July 31. The Summer Food Program was made possible by the Food Bank of Alaska.
- We launched our Discovery Backpacks as part of our Discovery Kit collection. The purchase was made possible by a donation from the Derek Kaufman Fund, a Hilcorp donor advised fund from the Alaska Community Foundation. For more information about Discovery kits, please go to <https://www.kenai.city/library/page/discovery-kits>.





MEMORANDUM

TO: Mayor Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Robert J. Frates, Parks & Recreation Director
DATE: August 11, 2021
SUBJECT: Mid-month Report – July 2021

The Personal Use Fishery concluded July 31. Parks and Recreation staff along with inmates from the Wildwood Correctional Facility, facilitated a beach clean-up on August 1. Remaining fencing and related signage were removed on the August 2. The Kenai Central Highschool ski team patrolled and cleaned up litter on the north beach Mondays and Thursdays throughout the fishery and managed to keep most litter and debris from accumulating and becoming unsightly. An area of focus also included the parking lot areas, both at the end of South Spruce St. and up at the Little League parking lot. There was very little fish waste that accumulated on the beaches this season.

Staff facilitated seven (7) shelter reservations throughout the month of July, including assisting with the 4th of July activities. The Kenai Softball Association, Kenai Wolfpack Rugby and Kenai Little League held tournaments at our facilities during July. Preparation and use of these areas were coordinated with these respective leagues and their volunteers.

The department moved their administrative offices to the Kenai Recreation Center July 1 and assumed operations. We are working on becoming fully staffed, including hiring of a new Administrative Assistant to replace Carol Bannock. Carol did an awesome job for the department and the City for 3 years and will be missed.

The department was informed that the annual Industry Appreciation celebration is cancelled for this season.

Operators Dodge and Brusven removed 10 beetle-kill spruce trees from the cemetery property at the end of July and another 5 from Leif Hansen Memorial Park. The department will be teaming up with Public Works in October to facilitate additional removals throughout the City.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Ryan Foster, Planning Director
DATE: August 9, 2021
SUBJECT: **Planning and Zoning July 2021 Report**

Planning and Zoning Commission Agenda Items and Resolutions

- On July 14, 2021 the Planning and Zoning Commission recommended approval of the following variance applications, ordinances, and special use permits:
 - **Resolution PZ2021-26** - Application for a Variance Permit to Allow for a Rear Yard Setback of Five Feet where a Twenty-Foot Setback is Required and Height Restriction of Twelve Feet for a One-Story Accessory Building on Property Described as Lot 5, Block 3, Deepwood Park Subdivision Amended, and Located at 110 Deepwood Ct., Kenai, AK 99611.
 - **Action/Approval** – Special Use Permit to Kenai Chamber of Commerce and Visitor Center for the Moosemeat John Cabin.
 - **Action/Approval** – Recommendation for Ordinance No. 3222-2021 - Determining that Real Property Described as Lot 1A, Block 1, Deshka Subdivision, City-Owned Airport Land Located Outside the Airport Reserve, is not Needed for a Public Purpose and Authorizing the Sale of the Property to Schilling Rentals (2016), LLC.
 - **Action/Approval** – Recommendation for Ordinance No. 3221-2021- Determining that real property described as Lot 4A, Block 3, Cook Inlet Industrial Air Park 2014 Replat, city-owned airport land located outside the airport reserve, is not needed for a public purpose and authorizing the sale of the property to Schilling Rentals, an Alaska Partnership.

- On July 28, 2021 the Planning and Zoning Commission recommended approval of the following plat, rezoning application, and a letter of non-objection to the Kenai Peninsula Borough:
 - **Resolution PZ2021-30** – Preliminary Subdivision Plat of Black Gold Estates 2021 Replat, submitted by McLane Consulting, Inc., P. O. Box 468, Soldotna, AK 99669, on behalf of Alex Douthit, 1104 Leeward Drive, Kenai, AK 99611.

- **Resolution PZ2021-27** – Application for the rezoning of a tract of land described as the North 150 feet of Government Lot 34, Section 6, Township 5 North, Range 11 West, fronting the Kenai Spur Highway (KPB Parcel No. 04702011), from Suburban Residential (RS) to General Commercial (CG). The application was submitted by the majority property owner, Kenaitze Indian Tribe, 150 Willow Street, Kenai, Alaska 99611.
 - **Action/Approval** – Approving a Letter of Non-Objection to the Time Extension for the Finalization of the Plat of Kee's Tern Subdivision.
- On July 20, 2021 the Board of Adjustment held a hearing for the Appeal of Planning and Zoning Commission Action Approving a Conditional Use Permit to Applicant, Dean Schlehofer, to Operate a Guide Service at 345 Dolchok Lane, Lot 4, Block 4, Basin View Subdivision Part 3.
 - On July 23, 2021 the Board of Adjustment held a hearing for the Appeal of Planning and Zoning Commission Action Denying a Conditional Use Permit to Applicant, Dean Schlehofer, to Operate Lodging at 345 Dolchok Lane, Lot 4, Block 4, Basin View Subdivision Part 3.
 - On July 30, 2021 the Board of Adjustment held a hearing for the Appeal of Planning and Zoning Commission Action Approving a Conditional Use Permit to Applicant, TKC, LLC, for Eight Single Family Dwellings in a Suburban Residential Zone, Government Lot 26, Section 31, Township 6North, Range 11 West and Located at 1714.

Building Permit and Site Plan Reviews

Planning and Zoning staff reviews all Building Permits for compliance with the zoning code. The Department conducted seven Building Permit reviews in July, 2021.

Code Enforcement

There was one new code enforcement case opened in July, 2021.

Lands

- On July 7, 2021, Kenai City Council approved the following conditional land donations:
 - **Ordinance No. 3217-2021** - Conditionally Donating Certain City Owned Property Described as Two Approximate 1 1/4 Acre Parcels to be Subdivided from a Portion of the 72 Acre More or Less Portion of the SE 1/4 Lying East of Tract A Kenai Meadows (KPB Parcel No. 039 010 65) To Kenai Peninsula Housing Initiative for the Development of Restricted Income and Senior Housing. (Mayor Gabriel, Vice Mayor Molloy, Council Member Winger).
 - **Ordinance No. 3219-2021** - Conditionally Donating Certain City Owned Property Described as One Approximate 2 Acre Parcel to be Subdivided from a Portion of the 6.8 Acre More or Less Portion of the East of Tract 4, Baron Park Subdivision (KPB Parcel No. 045 01 035) to Triumvirate Theatre for the Development of a Theatre Facility. (Administration).

The City received an application for a lease renewal for 110 FBO Road in July 2021.

Page 2 of 2





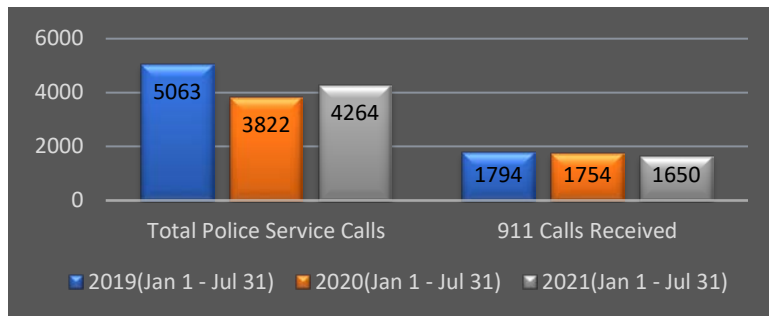
MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: David Ross, Police Chief
DATE: August 10, 2021
SUBJECT: **Police & Communications Department Activity – July 2021**

Police handled 869 calls for service in July. Dispatch received an estimated 360 9-1-1 calls; however, we are still awaiting the exact final number for July due to the incorporation 911 system updates this summer. Officers made 52 arrests. Traffic enforcement resulted in 242 traffic contacts and 55 traffic citations. There were 7 DUI arrests. Officers investigated 13 motor vehicle collisions in July. There were no collisions involving moose. There was one collision involving drugs or alcohol. There was one collision that resulted in three fatalities and multiple injuries.

The KPD officer on the regional SERT team attended two days of training with the team. One KPD officer attended a two day rifle class in Kenai.

Five Temporary Enforcement Officers (TEOs) were employed by the police department this summer and did an excellent job assisting the Department by handling most fishery related calls and assisting in other minor and major police cases over the summer.





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin, Public Works Director
DATE: August 2021
SUBJECT: **Mid-Month Report; Public Works / Capital Projects**

- Kenai Municipal Airport Sand Storage Facility – The City executed a design agreement to HDL Engineering on April 17, 2020 for a new Sand Storage Facility. On August 7, 2020 Final Design Documents were received and a Formal Invitation to Bid was released on August 10th, 2020 with Bids due on August 31st, 2020. Orion Construction was the successful bidder with a low bid of \$2,289,000. The City successfully executed a grant with the FAA on September 25, 2020 in the amount of \$1,954,101, a second grant is anticipated for next Spring, May 2021, to cover the remaining costs on a total project cost of \$2,835,263. A Notice to Proceed for Construction was issued for October 14, 2020. *Update August 2021: This project is now planned to be on hold until next spring. The metal building package is not going to be available until mid-winter and the department does not want to leave an unprotected and unconditioned building slab exposed for the winter months. This project will restart in May 2022 and be ready for use during the next winter season starting November 2022.*
- Kenai Municipal Airport Airfield Drainage – *Update: Ordinance 3234-2021 is being introduced at the August 18, 2021 council meeting. The project was released for formal construction bids on July 28, 2021 with bids due on August 19, 2021. Ordinance 3234-2021 will be amended at the September 1, 2021 meeting to reflect actual bids received. Work is expected to take place in September and October and be completed prior to winter shutdown. Project consists of the replacement of approximately 500 lf of failing storm water pipelines located in the safety area off the northern end of the runway.*
- Kenai Municipal Airport (KMA) Tractor & Mower – Invitations to Bid were released on November 20, 2020 with Bids Due on December 8, 2020. This project is in support of Airfield Maintenance Operations and is identified as Project No. 5 for the Airport Fund in the City's current Capital Improvement Plan. Council can expect to see legislation in December in relation to this Project. Ordinance 3176-2020 was approved at the January 6th, 2021 Council Meeting with an Award to Craig Taylor Equipment in the amount of \$151,736. Formal Notice



of Award was issued on January 12th, contract was formally executed on January 21, 2021 and the equipment is now on order. *Update: The equipment has arrived at Craig Taylor Equipment on K Beach, installation some minor equipment like LED lights is taking place the week of 7/26/21. Tractor and mower are expected to be in service by August 19th.*

- Kenai Municipal Airport Snow Removal Equipment (SRE) – *Update: This equipment is on order and dependent upon supply chain logistics will likely arrive in spring 2022.*



- Kenai Municipal Airport Runway Rehabilitation Project – This project known as Task 4 within HDL Engineering Consultants LLC term service agreement with the City shall provide an initial assessment of the current condition of the airport runway. This will include geotech work, coring numerous locations of the runway. This work will provide the necessary information to coordinate with the FAA to seek grant funding for an overall runway rehabilitation project which will ultimately include the runway, taxiways, drainage, lighting, markings, etc. Once the conditions report is received, which fiscal year the project will likely need to take place will be determinable. This initial assessment and corresponding design work to an anticipated 35% level of completion has been contracted at a total cost of \$250,000 and is expected to be completed by the end of the calendar year. *Update: On August 4th HDL Engineering and staff successfully completed geotech borings of the runway after hours. The project development continues to move forward.*
- Dock repair – An Invitation to Bid was released on May 29, 2020 with Bids due on June 19, 2020. No bids were received. On July 10, 2020 the project was re-advertised for bids with bids due on July 27, 2020. The City received one Bid from Endries Company in the amount of \$298,365. Ordinance 3154-2020 was introduced on August 5, 2020 and approved on August 19, 2020. Formal contract was executed with Endries Company on August 31, 2020 with a formal Notice to Proceed provided on the same day. Work associated with the Cathodic Protection is now complete. *Update: Cathodic protection is now complete and the project is entering closeout.*
- Waste Water Treatment Plant Master Plan – Resolution 2020-48 was approved at the June 17, 2020 Council meeting allowing this work to proceed. On July 2, 2020 HDL staff and consultants spent the day on the property going through all systems of the plant. On August 31, 2020 the first draft assessment was received. Staff continues to work with HDL to develop plans for the facility in preparation of updates to the Capital Plan. *Update: With the assessments now complete a Rate Study will begin this fall to evaluate and determine best practices for long term maintenance of the facility.*



- Water & Sewer Master Plan – Resolution 2021-19 is set for Council approval March 17, 2021 awarding \$82,175 to HDL Engineering Consultants to begin assessments of Water & Sewer facilities. A formal report is anticipated within ninety days of their Notice to Proceed. HDL was on site April 13-15 conducting site inspections, photo documenting facility conditions. Work remains on schedule. *Update: With the assessments now complete a Rate Study will begin this fall to evaluate and determine best practices for long term maintenance of the facility.*
- Waste Water Treatment Plant Replacement Sludge Press – Resolution 2020-95 approved at the December 16, 2020 Council meeting authorized HDL Engineering to begin the Design Phase of the WWTP Replacement Sludge Press. Contract Documents were executed on January 6, 2021 with a Notice to Proceed issued on January 11, 2021. First step will be to request proposals from various press manufacturers and make a selection to move through design phases with. Presses of this type typically take six months to manufacturer, goal will be to have an operational new press around late November 2021. On February 3, 2021 HDL staff was on site taking measurements and further detailing the new press location and associated appurtenances. A Request for Proposals from press manufactures was released on April 27, 2021 with proposals due on May 25th, 2021. Resolution 2021-42 to award an equipment purchase agreement to Andritz Corp in the amount of \$285,000 was approved by Council at the June 16, 2021 meeting. *Update: Equipment is now on order. Final plans will be drafted and an Invitation to Bid for Construction will be released this fall with equipment arrival anticipated for January/February 2022.*
- Kenai Well house Relocation – Project was released for Invitations to Bid on March 8, 2021 with bids due on April 1, 2021. Project consists of relocating a small prefabricated steel structure, approximately 20'x28' that suffered foundation damages during the November 2018 earthquake. This project was approved under Ordinance 3194-2021 at the March 3rd, 2021 council meeting. Ordinance 3215-2021 *was approved June 2, 2021 to award the project to Polar North Construction and to accept insurance proceeds for project to move forward. Contract documents are in the process of being executed. Work is anticipated to start in August 2021 and will likely carry into spring 2022 for completion as the weather allows.*
- SCADA Integration – Resolution 2021-10 approved at the March 3, 2021 Council meeting has authorized a \$125,000 purchase order to HDL Engineering for assessments and repairs to both the Water & Sewer and Wastewater facilities relating to SCADA. Borealis Controls as sub-consultant to HDL Engineering has provided a revised SCADA network diagram, and is working on replacing primary equipment at the public safety building. Late June 2021 all primary equipment at the Public Safety Building was replaced with new, contractor has been working on programming remotely with the next site visit anticipated for early August. *Update: Progress toward SCADA Integration has been slow, staff is seeking alternative firms, Borealis Controls is not meeting our current expectations.*
- USACE Bluff Erosion – See City Manager's report. Director's Report from the Army Corp of Engineers was signed April 10, 2019. On June 17, 2020 Council authorized the City Manager to sign the MOU received from the Corp. PED Agreement arrived on September 2, 2020. The City mailed a check in the amount of \$350,000 on September 18, 2020 to cover the City's initial share of PED costs. Meetings have begun with the City Manager and Public Works Director with the ACOE. Draft RFP Docs were sent to ACOE Staff for comment on December



8, 2020 during phone conference with ACOE, City Manager and PWD. Comments were received back on December 9th. Formal Request for Proposals was released on January 28, 2021, Pre-proposal zoom meeting was conducted on February 9, 2021 with approximately twenty people attending. Proposals were received on March 4, 2021 from five firms. Evaluations of the proposals were completed by committee and HDR Engineering, Inc was the highest scoring successful proposer. An intent to award was sent out on March 18, 2021. Council approved Resolution 2021-35 at the June 2, 2021 meeting awarding an agreement to HDR along with issuance of a purchase order in the amount of \$791,832.68. Design services are expected to run approximately twelve months to provide bid ready plans and specifications. July 6, 2021 the formal agreement between the City of Kenai and HDR was executed. Subcontracts are being secured with data collection and first meetings to begin in August 2021 after the dipnet fishery has concluded. *Update: On August 11, 2021 the City Manager and Public Works Director met and walked the project site with representatives from the Army Corp of Engineers including the Regional Commander in charge of the project. Project kickoff meeting with Engineers is scheduled for August 19th at 3:00pm.*

- Multi-purpose Facility – The Building Maintenance Department went through the Ice Rink and pressure washed all of the algae that has been growing on the steel beams. Nelson Engineering was also able to come out and assess the structure and condition of the rusting. Formal report was received on October 6, 2020. *Nothing new to report.*
- Cemetery Expansion – This project is located at the corner of First Ave and Float Plane Rd and will provide for additional burial space as the existing adjacent cemetery has reached capacity. The Public Works Department using in house personnel has already cleared, leveled and graded the site, and placed and compacted a gravel sub-base for the parking area. *Update: Public Works staff intends to install additional topsoil and seed the property within the next few weeks, bid documents are being developed for the completion of the paving, fencing, and numbering of burial plots.*
- Bryson Ave. Bluff Erosion Repair – Project was released for Construction Bids on July 29, 2021 with bids due on August 19, 2021. This project is expected to take place in September and October and involves the replacement of a 100+ feet of storm piping, storm water manhole, and placement of 8000 CY of fill to re-stabilize the bluff in this area.
- DOT Kenai Spur Highway to Sports Lake Rd – In speaking with representatives from DOT on June 10, 2021, it is my understanding this project will likely be released for construction bids in late fall 2021 for an anticipated construction start of Spring/Summer 2022. This project is intended to continue the widening of the roadway similar to the previous project that extended to approximately Swires Rd. *Nothing new to report.*





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Kathy Romain, Senior Center Director
DATE: August 11, 2021
SUBJECT: July 2021 Monthly Report

July started with a July 4th Pie Booth and this year Biscuits and Gravy were available at 8 am. Everything was sold out by early afternoon. The Country Store was also a wonderful success! Thank you to our Kenai City Council who wonderfully support these fundraisers.

	2021	2020
Home Delivered Meals	2077	2657
Individuals	82	121
Pick-Up Meals	131	118
Individuals	15	20
Dining Room (Congregate) Meals	548	0
Individuals	89	0
Grocery Shopping Assistance	0	4
SIGN-INS VIA MySeniorCenter©		
Writers Group	23	0
Caregiver Support Group	18	0
Growing Stronger Exercise	238	0
Tai Chi Class	52	0
TOPS Weight Loss Class	31	0
Coffee/Paper	989	0
Bluegrass Jam Session	264	0
Card Games	427	0
Total Event Sign-ins	2087	0
Individuals	144	0
Vintage Pointe Manor Vacancies	2	6



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Terry Eubank, Finance Director

DATE: August 11, 2021

SUBJECT: Quarterly Financial Report for the quarter ended June 30, 2021.

Attached is a quarterly financial report for the General Fund, Personal Use Fishery Fund, Airport Fund, Water/Sewer Fund, and Senior Fund as of June 30, 2021. This report is essentially on a cash basis, so there are accounts that may not look reasonable.

In the General Fund for example, sales and property tax revenue only includes payments made to the City by the Borough through May. The second calendar quarter 2021 sales tax filings and tax payments are not represented in the balances. FY2020 revenue amounts will not be accurate for a few months because of the delay in receipt of the payments.

State and Federal is below budget in all funds because of PERS aid. The State doesn't actually give us any money. Instead they make an 'on-behalf' payment to the pension system. Similarly, we have not booked expenditures for the PERS the State is covering, so the Non-Departmental department is way under budget. At year-end we will record revenue and expenditures for these items.

The actual financial performance of each fund will be presented when the City's Comprehensive Annual Financial Report is completed. This report will be on the modified accrual basis for Governmental Funds and will show a more accurate picture of each fund's financial performance for FY2021. The report is expected in November after completion of the annual audit the first week of October and will be presented to Council in early December.

**Quarterly General Fund
Expenditure Report
For Quarter Ended June 30, 2021**

	FY2020 <u>Actual</u>	Original * FY2021 <u>Budget</u>	Amended <u>Budget</u>	YTD <u>Actual</u>	Variance	%
REVENUES						
Appropriation of Fund Balance	\$ -	\$ 1,630,773	\$ 4,268,210	\$ 271,926	\$ (3,996,284)	6.37%
Taxes	11,646,400	11,094,097	11,094,097	10,689,857	(404,240)	96.36%
Licenses/Permits and Ambulance	687,247	671,000	671,000	643,723	(27,277)	95.93%
State/Federal	1,008,704	918,385	1,000,813	281,330	(719,483)	28.11%
Dock/Multipurpose/Miscellaneous	143,254	143,500	158,500	172,055	13,555	108.55%
Fines and Forfeitures	73,774	87,500	109,295	90,327	(18,968)	82.65%
Interest and Miscellaneous	857,550	496,411	511,329	473,626	(37,703)	92.63%
Transfers/Central Admin Fees	<u>1,783,239</u>	<u>1,870,623</u>	<u>1,870,623</u>	<u>1,919,243</u>	<u>48,620</u>	<u>102.60%</u>
Total Revenues	<u>16,200,168</u>	<u>16,912,289</u>	<u>19,683,866</u>	<u>14,542,087</u>	<u>(5,141,779)</u>	<u>73.88%</u>
EXPENDITURES & TRANSFERS						
General Government						
01 City Clerk	\$ 270,870	\$ 306,417	\$ 306,417	\$ 283,295	\$ 23,122	7.55%
11 Legislative	149,184	163,614	163,614	143,112	20,502	12.53%
12 Legal	316,915	351,880	351,880	322,902	28,978	8.24%
13 City Manager	357,534	442,081	443,881	398,613	45,268	10.20%
14 Human Resources	167,185	177,224	180,723	176,725	3,998	2.21%
15 Finance	694,039	759,848	807,448	732,894	74,554	9.23%
16 Land Administration	7,006	14,713	14,713	3,111	11,602	78.85%
18 Non-Departmental	917,287	1,256,466	2,046,079	1,332,825	713,254	34.86%
19 Planning and Zoning	208,515	230,646	230,646	202,003	28,643	12.42%
20 Safety	<u>790</u>	<u>19,150</u>	<u>19,150</u>	<u>890</u>	<u>18,260</u>	<u>95.35%</u>
Total General Government	<u>3,089,325</u>	<u>3,722,038</u>	<u>4,564,551</u>	<u>3,596,370</u>	<u>968,181</u>	<u>21.21%</u>
Public Safety						
21 Police	2,187,246	3,400,122	3,416,606	1,822,497	1,594,109	46.66%
22 Fire	2,272,757	3,259,311	3,292,375	1,758,995	1,533,380	46.57%
23 Communications	576,433	886,835	886,835	461,241	425,594	47.99%
29 Animal Control	<u>403,794</u>	<u>445,097</u>	<u>446,118</u>	<u>414,430</u>	<u>31,688</u>	<u>7.10%</u>
Total Public Safety	<u>5,440,230</u>	<u>7,991,365</u>	<u>8,041,934</u>	<u>4,457,163</u>	<u>3,584,771</u>	<u>44.58%</u>
Public Works						
31 Public Works Administration	163,211	196,456	198,177	186,451	11,726	5.92%
32 Shop	608,981	646,827	646,827	591,259	55,568	8.59%
33 Streets	948,981	1,068,845	1,068,845	812,711	256,134	23.96%
34 Buildings	358,511	407,277	407,277	354,388	52,889	12.99%
35 Street Lighting	177,965	192,183	192,183	179,657	12,526	6.52%
60 Dock	<u>50,843</u>	<u>62,232</u>	<u>62,232</u>	<u>32,138</u>	<u>30,094</u>	<u>48.36%</u>
Total Public Works	<u>2,308,492</u>	<u>2,573,820</u>	<u>2,575,541</u>	<u>2,156,604</u>	<u>418,937</u>	<u>16.27%</u>
Parks and Recreation & Culture						
03 Visitor Center	165,169	133,981	144,991	139,222	5,769	3.98%
40 Library	805,319	863,016	875,008	821,576	53,432	6.11%
45 Parks, Recreation & Beautification	<u>1,057,415</u>	<u>1,117,100</u>	<u>1,166,354</u>	<u>1,079,147</u>	<u>87,207</u>	<u>7.48%</u>
Total Parks and Recreation & Culture	<u>2,027,903</u>	<u>2,114,097</u>	<u>2,186,353</u>	<u>2,039,945</u>	<u>146,408</u>	<u>6.70%</u>
Total Operating Expenditures	<u>12,865,950</u>	<u>16,401,320</u>	<u>17,368,378</u>	<u>12,250,082</u>	<u>5,118,296</u>	<u>29.47%</u>
Transfer to other funds						
Street Improvement Capital Project Fund	200,000	-	1,116,560	1,116,560	-	0.00%
Kenai Recreation Center Capital Project Fund	100,000	-	60,000	60,000	-	0.00%
Trail Construction Capital Project Fund	37,800	-	-	-	-	-
Public Safety Building Capital Proj. Fund	12,218	-	-	-	-	-
Public Safety Capital Project Fund	-	-	22,389	22,389	-	0.00%
Kenai Multipurpose Facility Capital Proj. Fund	-	152,259	152,259	152,259	-	0.00%
Library Improvement Capital Proj. Fund	50,000	-	58,000	58,000	-	0.00%
Visitor Center Improvement Capital Proj. Fund	-	-	182,000	182,000	-	0.00%
Information Technology Capital Proj. Fund	-	-	35,000	35,000	-	0.00%
City Hall Improvement Capital Proj. Fund	-	-	210,000	210,000	-	0.00%
Kenai Fine Arts Center Imp. Cap. Proj. Fund	-	-	120,000	120,000	-	0.00%
Senior Citizen Special Revenue Fund	253,999	217,192	217,762	217,762	-	0.00%
Debt Service	<u>139,853</u>	<u>141,518</u>	<u>141,518</u>	<u>118,035</u>	<u>23,483</u>	<u>16.59%</u>
Total Transfer to other funds	<u>793,870</u>	<u>510,969</u>	<u>2,315,488</u>	<u>2,292,005</u>	<u>23,483</u>	<u>1.01%</u>
Total Expenditures & Transfers	<u>13,659,820</u>	<u>16,912,289</u>	<u>19,683,866</u>	<u>14,542,087</u>	<u>5,141,779</u>	<u>26.12%</u>
Net Revenues over(under) Expenditures	<u>\$ 2,540,348</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	

* Note: The original budget includes outstanding encumbrances at 6/30/2020.

**Quarterly General Fund
Expenditure Report
For Quarter Ended June 30, 2021**

	FY2020 Actual	Original * FY2021 Budget	Amended Budget	YTD Actual	Variance	%
<u>REVENUES</u>						
Appropriation of Fund Balance	\$ -	\$ 64,973	\$ 76,750	\$ -	\$ (76,750)	-100.00%
Beach Parking	144,331	146,460	146,460	175,980	29,520	20.16%
Beach Camping	149,788	164,900	164,900	214,248	49,348	29.93%
Dock Launch & Park	105,275	106,000	106,000	115,304	9,304	8.78%
Dock Parking Only	11,736	12,000	12,000	13,377	1,377	11.48%
Participant Drop-off Fee	4,698	6,715	6,715	4,792	(1,923)	-28.64%
Interest Earnings	8,836	750	750	-	(750)	-100.00%
PERS Grant	3,355	5,688	5,688	-	(5,688)	-100.00%
Credit Card Fees	(4,306)	(4,000)	(4,000)	(12,807)	(8,807)	220.18%
Transfer from CP Funds	-	-	-	2,215	2,215	N/A
Total Revenue	<u>423,713</u>	<u>503,486</u>	<u>515,263</u>	<u>513,109</u>	<u>(2,154)</u>	<u>-0.42%</u>
<u>EXPENDITURES & TRANSFERS</u>						
Public Safety	\$ 81,775	\$ 81,211	\$ 90,081	\$ 78,533	\$ 11,548	12.82%
Streets	30,743	50,389	46,802	34,740	12,062	25.77%
Boating Facility	52,494	90,850	90,965	85,093	5,872	6.46%
Parks, Recreation & Beautification	206,172	207,152	237,415	182,766	54,649	23.02%
Total Operating Expenditures	<u>371,184</u>	<u>429,602</u>	<u>465,263</u>	<u>381,132</u>	<u>84,131</u>	<u>18.08%</u>
Transfers to Other Funds - General Fund	50,000	50,000	50,000	50,000	-	0.00%
Total Expenditures & Transfers	<u>421,184</u>	<u>479,602</u>	<u>515,263</u>	<u>431,132</u>	<u>84,131</u>	<u>16.33%</u>
Net Revenues over Expenditures	<u>\$ 2,529</u>	<u>\$ 23,884</u>	<u>\$ -</u>	<u>\$ 81,977</u>	<u>\$ (86,285)</u>	

* Note: The original budget includes outstanding encumbrances at 6/30/2020.

**Quarterly General Fund
Expenditure Report
For Quarter Ended June 30, 2021**

	FY2020 <u>Actual</u>	Original * FY2021 <u>Budget</u>	Amended <u>Budget</u>	YTD <u>Actual</u>	<u>Variance</u>	<u>%</u>
<u>REVENUES</u>						
Appropriation of Fund Balance	\$ -	\$ 41,945	\$ 1,835,022	\$ 1,333,012	\$ (502,010)	0.00%
State/Federal	833,516	55,254	2,216,252	1,086,243	(1,130,009)	49.01%
Interest , Leases & Fees	725,424	702,009	702,009	719,220	17,211	102.45%
Terminal Revenues	796,773	624,051	624,051	571,146	(52,905)	91.52%
Landing Fees	337,097	300,874	300,874	245,094	(55,780)	81.46%
Transfers In	928,251	955,050	955,050	1,075,573	120,523	112.62%
Total Revenues	<u>3,621,061</u>	<u>2,679,183</u>	<u>6,633,258</u>	<u>5,030,288</u>	<u>(1,602,970)</u>	<u>75.83%</u>
<u>EXPENDITURES & TRANSFERS</u>						
Terminal Area	\$ 565,649	\$ 666,607	\$ 668,625	\$ 586,606	\$ 82,019	12.27%
Airfield	1,734,690	1,874,687	1,953,437	1,791,303	162,134	8.30%
Administration	299,666	358,462	2,509,843	322,222	2,187,621	87.16%
Other Buildings & Areas	186,740	174,462	205,597	168,912	36,685	17.84%
Training Facility	26,551	38,475	38,475	29,487	8,988	23.36%
Total Expenditures	<u>2,813,296</u>	<u>3,112,693</u>	<u>5,375,977</u>	<u>2,898,530</u>	<u>2,477,447</u>	<u>46.08%</u>
Transfer to other funds						
Airport Improvement Capital Projects	<u>799,875</u>	<u>-</u>	<u>2,131,758</u>	<u>2,131,758</u>	<u>-</u>	<u>0.00%</u>
Total Transfer to other funds	<u>799,875</u>	<u>-</u>	<u>2,131,758</u>	<u>2,131,758</u>	<u>-</u>	<u>0.00%</u>
Total Expenditures & Transfers	<u>3,613,171</u>	<u>3,112,693</u>	<u>7,507,735</u>	<u>5,030,288</u>	<u>2,477,447</u>	<u>33.00%</u>
Net Revenues over Expenditures	<u>\$ 7,890</u>	<u>\$ (433,510)</u>	<u>\$ (874,477)</u>	<u>\$ -</u>	<u>\$ 874,477</u>	

* Note: The original budget includes outstanding encumbrances at 6/30/2020.

**Quarterly General Fund
Expenditure Report
For Quarter Ended June 30, 2021**

	FY2020 <u>Actual</u>	Original * FY2021 <u>Budget</u>	Amended <u>Budget</u>	YTD <u>Actual</u>	<u>Variance</u>	<u>%</u>
<u>REVENUES</u>						
Appropriation of Fund Balance	\$ -	\$ 447,404	\$ 1,309,442	\$ 940,940	\$ (368,502)	71.86%
State/Federal	40,373	55,288	55,288	-	(55,288)	0.00%
Water/Sewer Fees	2,918,937	2,955,467	2,955,467	2,912,167	(43,300)	98.53%
Penalty and Interest	31,873	41,600	41,600	(19)	(41,619)	-0.05%
Interest and Miscellaneous	143,799	15,480	15,480	5,665	(9,815)	36.60%
Transfer from CP Funds	-	-	-	23,496	23,496	N/A
Total Revenues	<u>3,134,982</u>	<u>3,515,239</u>	<u>4,377,277</u>	<u>3,882,249</u>	<u>(495,028)</u>	<u>88.69%</u>
<u>EXPENDITURES & TRANSFERS</u>						
Water	\$ 777,623	\$ 901,915	\$ 959,415	\$ 825,925	\$ 133,490	13.91%
Sewer	380,979	508,804	508,804	383,046	125,758	24.72%
Wastewater Treatment Plant	<u>1,073,772</u>	<u>1,221,943</u>	<u>1,221,943</u>	<u>986,163</u>	<u>235,780</u>	<u>19.30%</u>
Total Expenditures	<u>2,232,374</u>	<u>2,632,662</u>	<u>2,690,162</u>	<u>2,195,134</u>	<u>495,028</u>	<u>18.40%</u>
Transfer to other funds -						
Water & Sewer Capital Projects	-	882,577	1,687,115	1,687,115	0	-
Total Transfer to other funds	-	882,577	1,687,115	1,687,115	0	-
Total Expenditures & Transfers	<u>2,232,374</u>	<u>3,515,239</u>	<u>4,377,277</u>	<u>3,882,249</u>	<u>495,028</u>	<u>11.31%</u>
Net Revenues over Expenditures	<u>\$ 902,608</u>	<u>\$ -</u>	<u>\$ (0)</u>	<u>\$ -</u>	<u>\$ 0</u>	

* Note: The original budget includes outstanding encumbrances at 6/30/2020.

**Quarterly General Fund
Expenditure Report
For Quarter Ended June 30, 2021**

	FY2020 <u>Actual</u>	Original * FY2021 <u>Budget</u>	Amended <u>Budget</u>	YTD <u>Actual</u>	<u>Variance</u>	<u>%</u>
<u>REVENUES</u>						
Appropriation of Fund Balance	\$ -	\$ 65,799	\$ 22,785	\$ -	\$ (22,785)	0.00%
State Grants	246,012	212,504	335,094	277,614	(57,480)	82.85%
USDA Grant	20,471	20,000	20,000	14,591	(5,409)	72.96%
Choice Waiver	117,208	125,000	125,000	113,945	(11,055)	91.16%
KPB Grant	126,207	126,207	169,221	169,221	-	100.00%
Rents & Leases	9,811	13,000	13,000	9,088	(3,912)	69.91%
Miscellaneous Donations	34,198	28,500	28,500	13,825	(14,675)	48.51%
Donations - Senior Connection	50,430	50,000	50,000	50,000	-	100.00%
Meal Donations	56,243	72,500	72,500	40,690	(31,810)	56.12%
Ride Donations	2,570	4,000	4,000	125	(3,875)	3.13%
Transfer from General Fund - Operations	242,829	203,092	203,662	217,762	14,100	106.92%
Transfer from General Fund - Capital	11,170	14,100	14,100	-	(14,100)	0.00%
Other	97	300	300	8	(292)	2.67%
Total Revenues	<u>917,246</u>	<u>935,002</u>	<u>1,058,162</u>	<u>906,869</u>	<u>(151,293)</u>	<u>85.70%</u>
<u>EXPENDITURES & TRANSFERS</u>						
Senior Citizen Access	\$ 171,710	\$ 180,075	\$ 179,940	\$ 142,207	\$ 37,733	20.97%
Congregate Meals	248,997	262,518	306,317	246,883	59,434	19.40%
Home Meals	236,221	230,951	302,929	268,652	34,277	11.32%
Senior Transportation	101,065	100,417	100,579	72,725	27,854	27.69%
Choice Waiver	145,816	161,041	168,397	141,898	26,499	15.74%
Total Expenditures	<u>903,809</u>	<u>935,002</u>	<u>1,058,162</u>	<u>872,365</u>	<u>185,797</u>	<u>17.56%</u>
Transfer to other funds -	-	-	-	-	-	-
Total Transfer to other funds	-	-	-	-	-	-
Total Expenditures & Transfers	<u>903,809</u>	<u>935,002</u>	<u>1,058,162</u>	<u>872,365</u>	<u>185,797</u>	<u>17.56%</u>
Net Revenues over Expenditures	<u>\$ 13,437</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 34,504</u>	<u>\$ 34,504</u>	

* Note: The original budget includes outstanding encumbrances at 6/30/2020.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Terry Eubank

DATE: August 6, 2021

SUBJECT: **June 30, 2021 Quarterly Investment Report**

City of Kenai Investment Portfolio

At June 30, 2021 the City had investments with a market value of \$28,075,773. That is up from \$27,288,397 at March 31, 2021. The City’s portfolio is yielding 0.78% that is down from 0.84% at March 31, 2021. Unfortunately, as higher yielding securities mature they are being replaced at lower yields, causing the portfolio’s rate of return to decrease.

City’s Investment Portfolio

US Agency Securities	\$11,959,117
AML Investment Pool	1,427,922
Wells Fargo Money Market	5,579,836
FDIC Insured Certificates of Deposit	8,343,902
Bank Balance	<u>764,996</u>
Total	\$ <u>28,075,773</u>

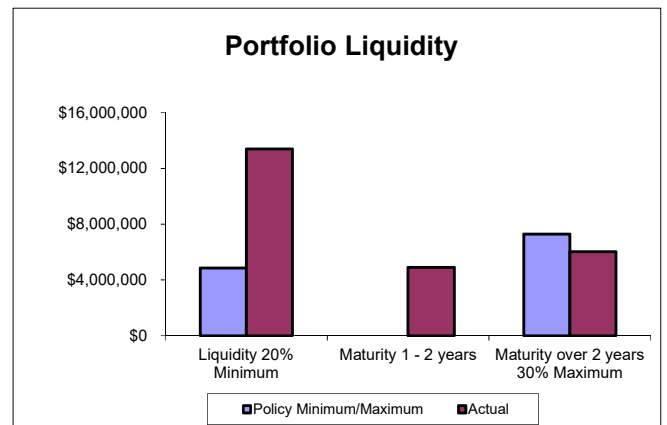
Permanent Fund Investments

The second quarter 2021 saw strong performance in equity markets and normalization in fixed income markets. Returns for the second quarter of 2021 were 4.51% and the one-year return was 23.08%. Since inception the portfolio has returned 8.79%. As of June 30, 2021, the portfolio value was \$35,267,004, comprised of \$30,068,105 (85.26%) Airport Land Sale Permanent Fund, \$3,803,858 (10.78%) General Land Sale Permanent Fund monies, \$193,233 (0.55%) Kenai Community Foundation holdings, and \$1,201,808 (3.41%) Kenai Senior Connection holdings. The annual transfers for the City’s permanent funds have not been made to date but will be made prior to year end.

CITY OF KENAI
INVESTMENT PORTFOLIO SUMMARY
June 30, 2021

	June 30, 2021 Fair Market Value	Current Yield
Cash & Cash Equivalents		
Wells Fargo Checking	\$ 764,996	0.01%
Wells Fargo Secured Money Market	5,579,836	0.01%
FDIC Insured Certificates of Deposit	8,343,902	2.23%
Alaska Municipal League Investment Pool	<u>1,427,922</u>	<u>0.01%</u>
Total Cash & Cash Equivalents	16,116,656	1.16%
Government Securities		
Maturities Less than 1 Year	4,035,180	0.08%
Maturities 1 to 2 Years	4,368,045	0.18%
Maturities Greater than 2 Years	<u>3,555,892</u>	0.60%
Total Government Securities	<u>11,959,117</u>	<u>0.27%</u>
Total Portfolio	<u>\$ 28,075,773</u>	<u>0.78%</u>

Investment Portfolio - Purchase Price	\$ 27,700,823
Investment Portfolio - Fair Value 6/30/21	<u>28,075,773</u>
Fair Value Adjustment - 06/30/20	374,950
Fair Value Adjustment thru - 6/30/2021	<u>(438,704)</u>
Cummulative Change in Fair Value	<u>\$ (63,754)</u>

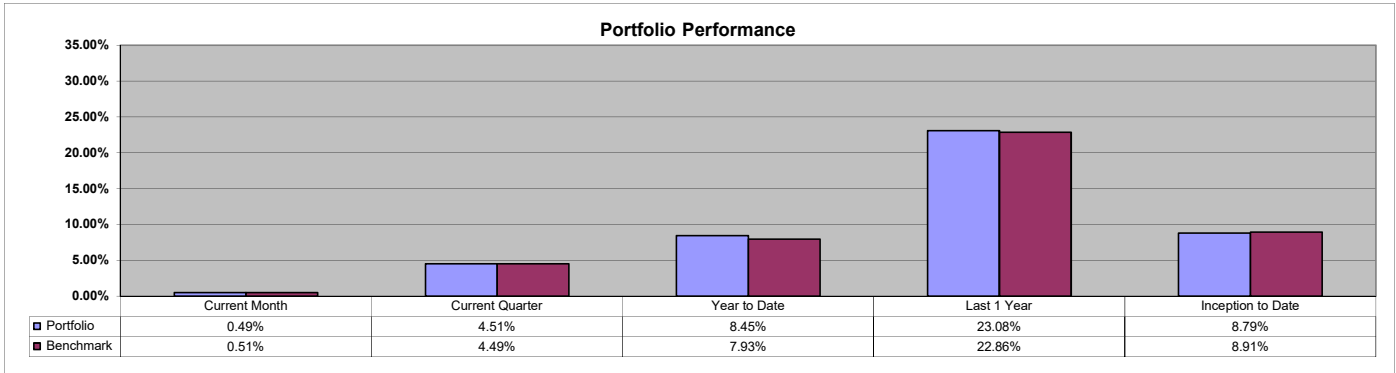
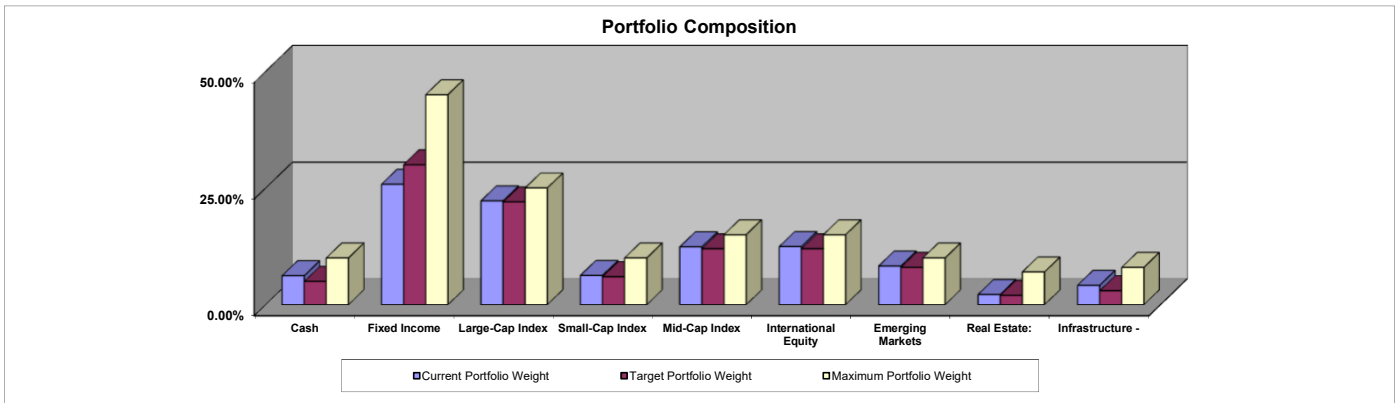


CITY OF KENAI
INVESTMENTS
6/30/2021

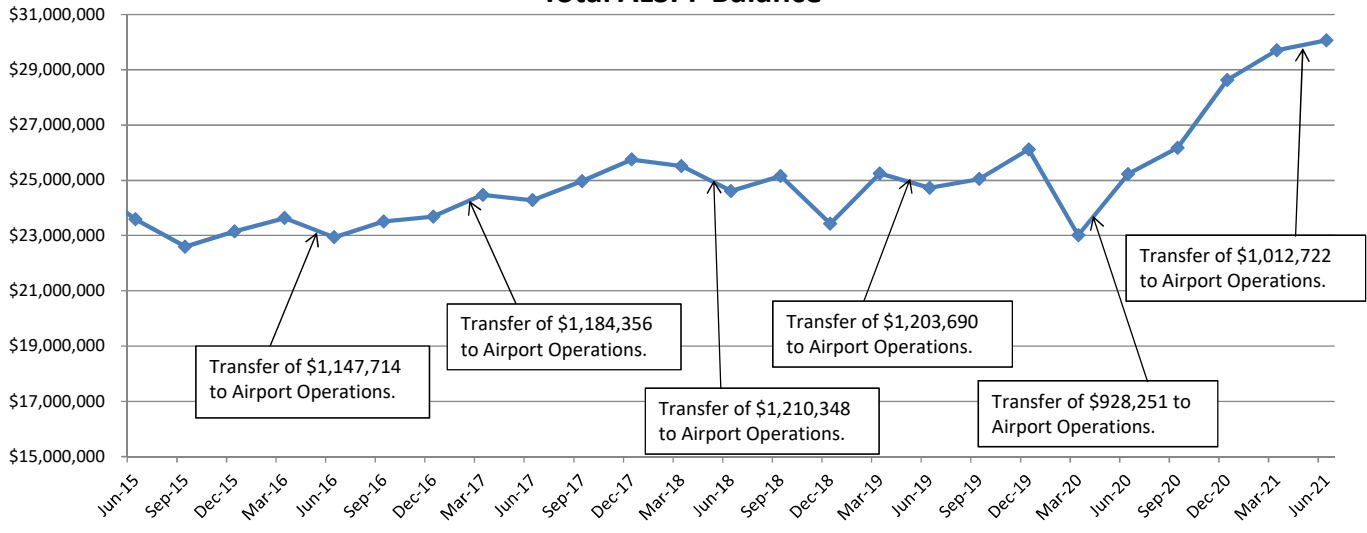
SECURITY	Expected Call or Maturity	CUSIP	original cost	Current year cost or		Unrealized Gain or Loss	Accrued Interest	EFFECT. RATE	
				06/30/20 Market Value	06/30/21 Market Value				
FFCB 0.10 4/27/22	7/27/21 One Time	3133EMNU2	1,000,006	1,000,005.56	999,720.00	(285.56)	177.78	0.100	
FFCB 0.125 2/3/23	Bullet	3133EMPH9	1,000,200	1,000,200.00	999,270.00	(930.00)	513.89	0.125	
FNMA 2.0 1/5/22	Bullet	3135GOS38	1,019,341	1,019,341.44	1,009,790.00	(9,551.44)	9,777.78	0.070	
FNMA 2.625 1/11/22	Bullet	3135GOU92	1,025,576	1,025,576.33	1,013,430.00	(12,146.33)	12,395.83	0.070	
FHMS KSMC A2 2.615 1/25/23	Bullet	3137BO4Y7	2,652,004	2,652,003.98	2,623,167.30	(28,836.68)	5,524.19	0.196	
FHMS K037 A1	Bullet	3137B7YX1	666,137	612,335.45	608,365.93	(3,969.52)	1,288.18	0.174	
FHMS K047 A1	Bullet	3137BKRH5	368,066	352,809.81	350,031.62	(2,778.19)	792.15	0.297	
FHMS K053 A1	Bullet	3137BN6F6	589,977	538,696.91	530,586.98	(8,109.93)	1,082.90	0.383	
FHLMC 2.375 1/13/22	Bullet	3137EADB2	1,023,074	1,023,073.50	1,012,240.00	(10,833.50)	11,083.33	0.070	
FHMS KMP1 A1	Bullet	3137FATD0	353,831	338,861.37	336,668.97	(2,192.40)	608.00	0.302	
FN AN3349	Bullet	3138LFWK0	298,708	296,133.03	292,570.84	(3,562.19)	480.96	0.589	
FN AM4716	Bullet	3138L5G20	643,390	638,648.76	633,782.09	(4,866.67)	1,671.32	0.787	
FN Am47124	Bullet	3138L74J2	856,847	850,960.38	837,744.69	(13,215.69)	2,020.49	0.759	
FNR 2003-79 NJ Mtge	Bullet	31393EER6	167,065	140,498.54	137,241.74	(3,256.80)	553.33	0.346	
FHR 2935 AC Mtge	Bullet	31395MQZ8	115,131	98,804.02	96,418.46	(2,385.56)	383.04	0.487	
FN BL6989	Bullet	3140HYXT0	481,189	479,065.86	478,088.71	(977.15)	571.53	0.751	
TOTAL			12,260,541.74	12,067,014.94	11,959,117.33	(107,897.61)	48,924.70	0.302 0.0774	
FDIC Insured CD's	CD - 12/31/10								
3.55 AXP 12/4/23		27471	02589AA28	249,998	271,462.45	264,548.55	(6,913.90)	643.38	3.160
2.45 BWW 5/10/22		35141	05580ARK2	245,000	255,250.80	250,061.70	(5,189.10)	855.15	2.450
1.75 SECSTB 12/18/24		8941	062163BN9	245,000	257,833.10	256,544.40	(1,288.70)	152.71	1.750
0.20 HAPOAL 11/27/22		33686	06251A2M1	249,000	249,000.00	249,191.73	191.73	61.40	0.200
3.10 BANK MIDWEST CD 9/15/23		5170	063615BM9	245,000	266,555.10	260,520.75	(6,034.35)	2,205.67	3.100
2.45 SONHBT 5/23/22		24540	06426KBB3	245,000	255,397.80	250,211.15	(5,186.65)	131.56	2.450
2.30 BACR 10/18/22		57203	06740KLD7	245,000	256,551.75	251,921.25	(4,630.50)	1,142.44	2.300
2.4 COF 4/19/22		33954	1404202E9	247,000	256,788.61	251,660.89	(5,127.72)	1,185.60	2.400
2.4 COF 8/30/22		4297	14042RHS3	245,000	256,512.55	251,568.45	(4,944.10)	1,949.26	2.400
3.15 CFBANK 9/18/23		28263	15721UCQ0	245,000	266,898.10	260,738.80	(6,159.30)	274.87	3.150
3.30 C 9/7/23		7213	17312QS34	245,000	267,909.95	261,370.90	(6,539.05)	2,569.48	3.300
1.75 CNBMIL 12/9/24		3814	17801GBW8	245,000	257,823.30	256,492.95	(1,330.35)	258.42	1.750
2.55 CMS 1/18/22		57293	29278TAK6	245,000	253,947.40	248,366.30	(5,581.10)	256.75	2.550
1.65 ESSA 12/29/21		28262	29667RSB0	245,000	248,924.90	245,316.05	(3,608.85)	1,694.53	1.650
1.70 FNLC 7/30/21		4256	32117BDW5	245,000	249,069.45	245,338.10	(3,731.35)	342.33	1.700
3.10 SRCE 10/21/22		9087	33646CKJ2	245,000	261,108.75	254,532.95	(6,575.80)	2,122.44	3.100
2.35 GS 8/30/22		33124	38148PNS2	245,000	256,247.95	251,423.90	(4,824.05)	1,908.65	2.350
1.85 LIVOAK 12/11/24		58665	538036HF4	245,000	258,901.30	257,343.10	(1,558.20)	372.53	1.850
1.65 MEDBNK 12/6/21		57449	58404DFV8	247,000	252,182.06	248,711.71	(3,470.35)	279.14	1.650
2.60 MS 2/15/22		32992	61747MK83	245,000	254,574.60	248,917.55	(5,657.05)	2,373.48	2.600
1.75 MS 12/6/21		34221	61760A3R8	247,000	252,564.91	248,854.97	(3,709.94)	307.90	1.750
2.05 NTLNYC 8/30/22		18734	634116CM7	245,000	254,633.40	250,537.00	(4,096.40)	13.76	2.050
3.40 NCBSVG 12/21/23		32612	635573AL2	247,234	270,499.60	263,992.40	(6,507.20)	228.22	3.220
0.30 NYCB 11/9/23		16022	649447UE7	249,000	249,000.00	249,258.96	258.96	108.47	0.300
2.15 NRTHFL 10/25/22		28710	66612ABX5	245,000	255,784.90	251,529.25	(4,255.65)	966.91	2.150
1.70 RCKCAN 12/20/23		33542	77183VAD0	245,000	256,078.90	253,658.30	(2,420.60)	125.52	1.700
2.80 SALLMA 4/17/24		58177	7954502H7	245,000	266,863.80	262,127.95	(4,735.85)	1,409.59	2.590
2.75 SBIIN 02/16/23		33682	856285HZ7	245,000	260,817.20	255,260.60	(5,556.60)	2,491.95	2.750
1.65 SNV 12/9/21		873	87164DPS3	245,000	250,196.45	246,764.00	(3,432.45)	243.66	1.650
2.35 SYF 10/20/22		27314	87164WTC2	245,000	256,858.00	252,109.90	(4,748.10)	1,135.73	2.350
2.15 EVER 10/28/22		34775	87270LAV5	245,000	255,870.65	251,622.35	(4,248.30)	894.75	2.150
2.05 THFDSL 10/27/21		30012	88413QBT4	245,000	251,090.70	246,619.45	(4,471.25)	894.42	2.050
3.00 TOWN 9/27/21		35095	89214PCA5	245,000	253,621.55	246,786.05	(6,835.50)	1,953.29	3.000
TOTAL FDIC Insured CD's				8,106,231.99	8,486,819.98	8,343,902.36	(142,917.62)	31,553.96	2.229
WELLS MONEY MKT AML POOL - City ACCT	Agreed to Amlip			5,579,836.45	5,579,836.45	5,579,836.45		45.25	0.010
	Agreed to GL			1,427,921.61	1,427,921.61	1,427,921.61		9.37	0.010
				27,374,531.79	27,561,592.98	27,310,777.75	(250,815.23)	80,533.28	
WF Cash	Agreed to WF			764,995.73	764,995.73	764,995.73		-	0.010
TOTAL				28,139,527.52	28,326,588.71	28,075,773.48	(250,815.23)	80,533.28	
TOTAL CURRENT YIELD									0.7827%
		Max/Min	Return	Actual	Difference				
Maturity over 2 years 30% Maximum		8,422,732.04	1.3836%	6,402,489	2,020,242.62	OK			
Liquidity 20% Minimum		5,615,154.70	0.4570%	15,034,733	(9,419,578.75)	OK			
Maturity 1 - 2 years			0.9408%	6,638,551					
			0.7827%	28,075,773					

**CITY OF KENAI
PERMANENT FUND
INVESTMENT PORTFOLIO SUMMARY
June 30, 2021**

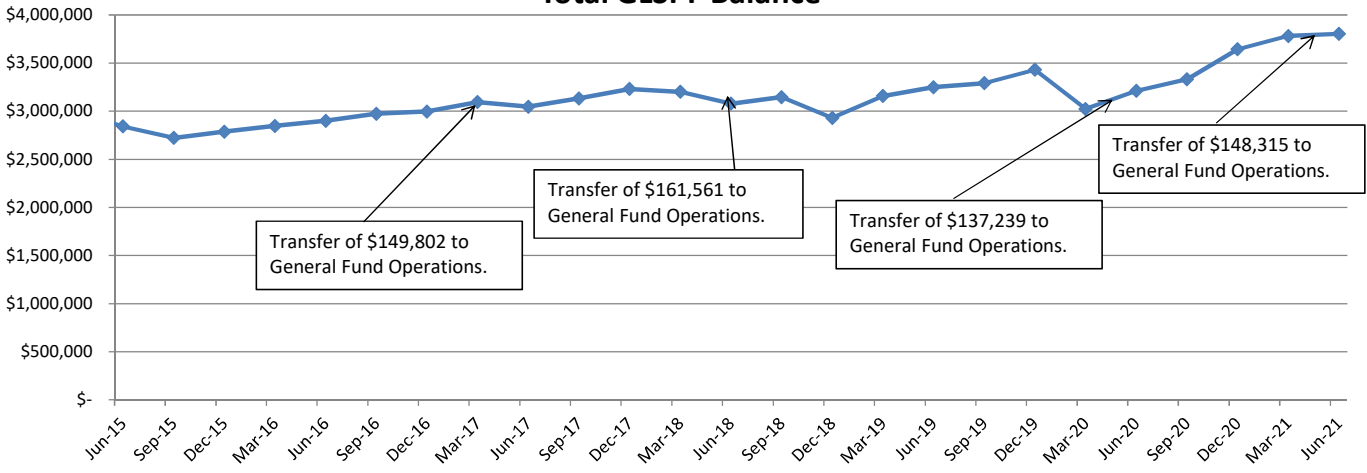
	Fair Market Value					Current or Average Yield	Current Portfolio Weight	Target Weight	Portfolio Maximum
	30-Jun-20	30-Sep-20	31-Dec-20	31-Mar-21	30-Jun-21				
Cash									
Cash & Cash Equivalents	1,686,563	1,675,498	2,070,212	1,859,760	2,190,624	0.01%	6.20%	5.00%	10.00%
Fixed Income									
Government & Corporate Securities									
Government Securities	8,908,043	9,029,809	9,059,561	5,510,068	5,766,625	1.34%	16.35%		
Corporate Securities	<u>2,951,572</u>	<u>2,954,951</u>	<u>3,008,315</u>	<u>3,358,495</u>	<u>3,331,243</u>	<u>1.81%</u>	<u>9.45%</u>		
Total Fixed Income	11,859,615	11,984,760	12,067,876	8,868,563	9,097,868	1.54%	25.80%	30.00%	45.00%
Equities:									
Domestic Equities:									
Large-Cap Index									
Large-Cap Index	6,216,950	6,277,450	7,044,122	7,785,032	7,847,291		22.25%	22.00%	25.00%
Small-Cap Index	1,428,285	1,504,959	1,969,325	2,373,660	2,210,115		6.27%	6.00%	10.00%
Mid-Cap Index	<u>2,937,586</u>	<u>3,040,011</u>	<u>3,587,646</u>	<u>4,544,749</u>	<u>4,369,012</u>		<u>12.39%</u>	<u>12.00%</u>	<u>15.00%</u>
Total Domestic Equities	10,582,821	10,822,420	12,601,093	14,703,441	14,426,418		40.91%	40.00%	50.00%
International Equities:									
International Equity	2,820,829	3,135,397	3,408,193	4,360,394	4,389,491		12.45%	12.00%	15.00%
Emerging Markets	<u>1,385,874</u>	<u>1,555,963</u>	<u>1,772,297</u>	<u>2,839,434</u>	<u>2,923,176</u>		<u>8.29%</u>	<u>8.00%</u>	<u>10.00%</u>
Total International Equities	4,206,703	4,691,360	5,180,490	7,199,828	7,312,667		<u>20.74%</u>	20.00%	25.00%
Real Estate:									
JP Morgan Beta Builders MSCI Reit	372,699	443,932	488,356	542,069	773,540		2.19%		
Pacer Benchmark Industrial Real Estat	-	145,812	159,528	174,858	-		<u>0.00%</u>		
Total Real Estate	372,699	589,744	647,884	716,927	773,540		2.19%	2.00%	7.00%
Infrastructure -									
Flexshares Stoxx Global Broad Infrastructure	<u>866,614</u>	<u>922,410</u>	<u>994,560</u>	<u>1,477,735</u>	<u>1,465,887</u>		<u>4.16%</u>	<u>3.00%</u>	<u>8.00%</u>
Total Equities	<u>16,028,837</u>	<u>17,025,934</u>	<u>19,424,027</u>	<u>24,097,931</u>	<u>23,978,512</u>		<u>68.00%</u>	<u>65.00%</u>	<u>90.00%</u>
Total Portfolio	<u>29,575,015</u>	<u>30,686,192</u>	<u>33,562,115</u>	<u>34,826,254</u>	<u>35,267,004</u>	<u>8.45%</u>	<u>100.00%</u>	<u>100.00%</u>	<u>145.00%</u>
Total ALSPF Balance	25,230,638	26,178,591	28,632,059	29,710,505	30,068,105				
Total GLSPF Balance	3,210,886	3,331,523	3,643,755	3,781,000	3,803,858				
Total Kenai Community Foundation	157,004	162,903	178,171	184,881	193,233				
Total Kenai Senior Connection	976,487	1,013,175	1,108,130	1,149,869	1,201,808				



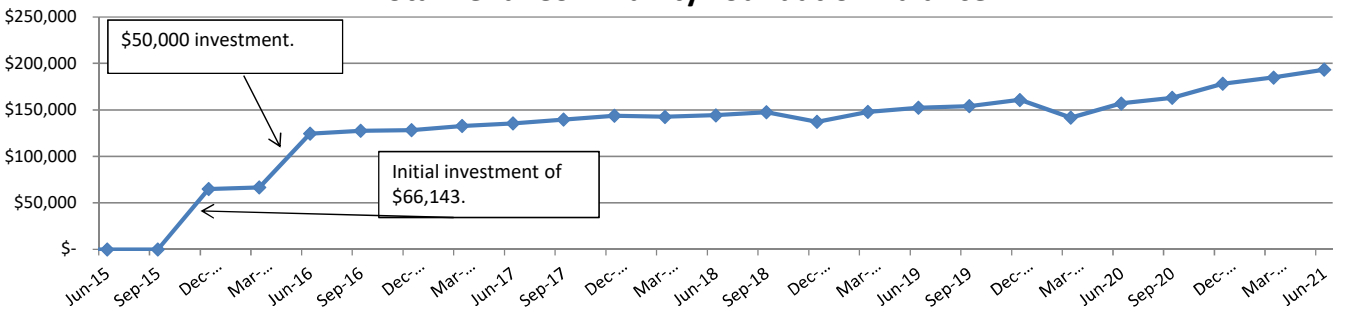
Total ALSPF Balance



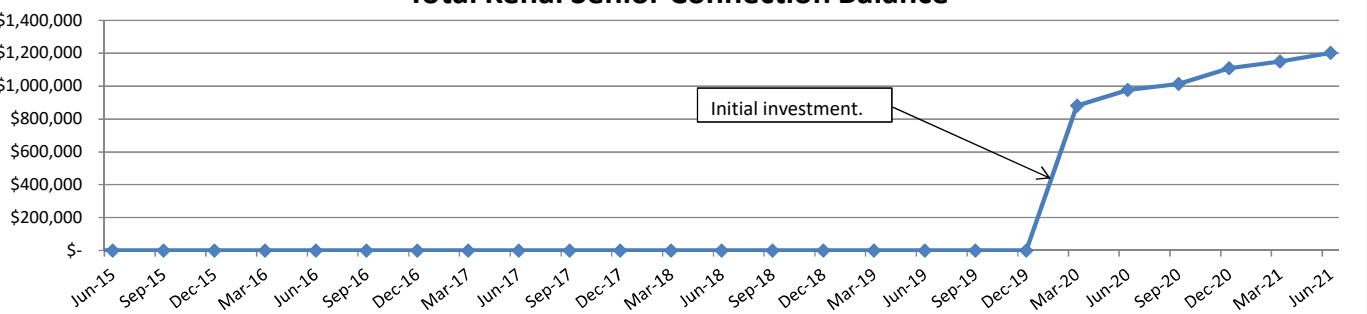
Total GLSPF Balance



Total Kenai Community Foundation Balance



Total Kenai Senior Connection Balance



CITY OF KENAI PERMANENT FUNDS

Account Statement - Period Ending June 30, 2021



ACCOUNT ACTIVITY

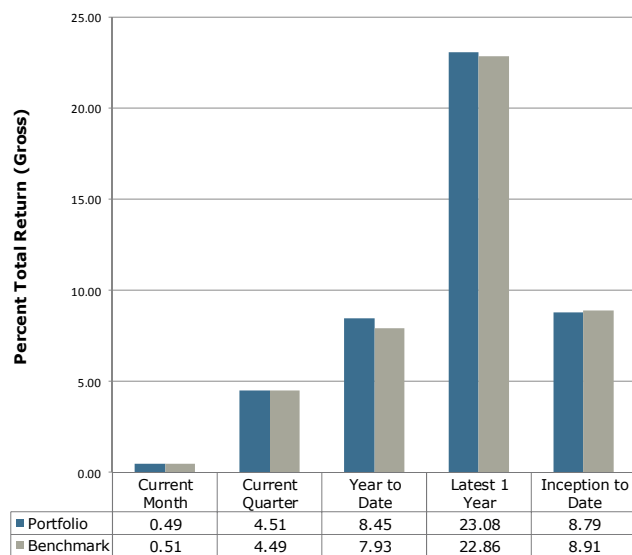
Portfolio Value on 05-31-21	35,095,700
Contributions	0
Withdrawals	-554
Change in Market Value	13,425
Interest	19,418
Dividends	139,015
 Portfolio Value on 06-30-21	 35,267,004

MANAGEMENT TEAM

Client Relationship Manager:	Blake Phillips, CFA® Blake@apcm.net
Your Portfolio Manager:	Bill Lierman, CFA®
Contact Phone Number:	907/272 -7575

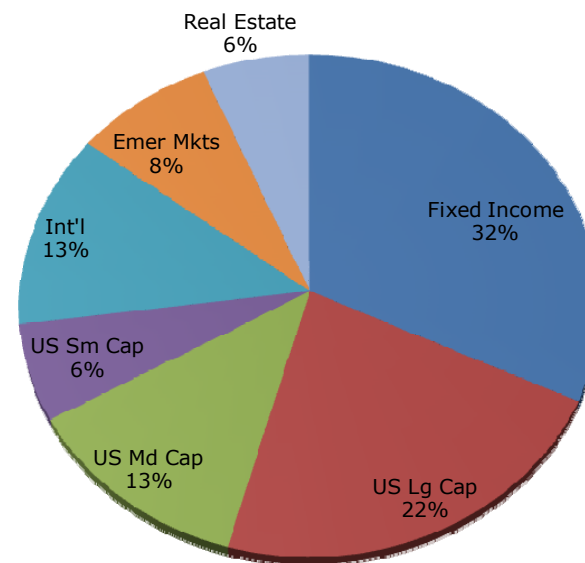
INVESTMENT PERFORMANCE

**Current Account Benchmark:
Equity Blend**



Performance is Annualized for Periods Greater than One Year

PORTFOLIO COMPOSITION



Clients are encouraged to compare this report with the official statement from their custodian.

Alaska Permanent Capital Management Co.
PORTFOLIO SUMMARY AND TARGET
CITY OF KENAI PERMANENT FUNDS
June 30, 2021

Asset Class & Target	Market Value	% Assets	Range
FIXED INCOME (35%)			
US Fixed Income (30.0%)	9,098,435	25.8	25% to 45%
Cash (5.0%)	2,214,633	6.3	0% to 10%
Subtotal:	11,313,068	32.1	
EQUITY (60%)			
US Large Cap (22.0%)	7,822,715	22.2	17% to 27%
US Mid Cap (12.0%)	4,369,012	12.4	7% to 17%
US Small Cap (6.0%)	2,210,115	6.3	0% to 11%
Developed International Equity (12.0%)	4,389,491	12.4	7% to 17%
Emerging Markets (8.0%)	2,923,176	8.3	0% to 13%
Subtotal:	21,714,509	61.6	
ALTERNATIVE INVESTMENTS (5%)			
Real Estate (2.0%)	773,540	2.2	0% to 5%
Infrastructure (3.0%)	1,465,887	4.2	0% to 6%
Subtotal:	2,239,427	6.3	
TOTAL PORTFOLIO	35,267,004	100	

Alaska Permanent Capital Management Co.
PORTFOLIO APPRAISAL
CITY OF KENAI PERMANENT FUNDS
June 30, 2021

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
FNMA & FHLMC									
8,894	FHLMC POOL G14203 4.000% Due 04-01-26	104.56	9,300	106.53	9,475	0.03	356	30	-0.78
87,776	FG POOL C91270 4.500% Due 10-01-29	105.67	92,754	108.59	95,315	0.27	3,950	329	1.06
84,482	FG POOL J30401 3.000% Due 01-01-30	101.30	85,577	106.17	89,694	0.25	2,534	211	0.78
89,055	FG POOL G16255 2.500% Due 07-01-32	99.70	88,790	105.42	93,886	0.27	2,226	186	1.01
89,762	FNCL POOL 995373 4.500% Due 02-01-39	106.72	95,793	111.45	100,038	0.28	4,039	337	1.81
110,681	FR RB5095 MTGE 2.000% Due 01-01-41	103.84	114,927	102.09	112,990	0.32	2,214	37	1.51
232,576	FN POOL AJ1405 4.000% Due 09-01-41	104.48	243,006	109.97	255,773	0.73	9,303	775	1.81
127,625	FN POOL AT2324 3.000% Due 01-01-43	100.20	127,884	106.85	136,367	0.39	3,829	64	1.59
183,830	FG POOL V80057 3.000% Due 05-01-43	100.23	184,260	107.49	197,591	0.56	5,515	460	1.57
119,715	FN POOL AL3180 3.000% Due 05-01-43	100.20	119,958	106.84	127,907	0.36	3,591	299	1.59
134,083	FG POOL G08722 3.500% Due 09-01-46	102.09	136,880	106.85	143,268	0.41	4,693	391	1.97
48,678	FN AS8483 3.000% Due 12-01-46	102.95	50,115	105.63	51,420	0.15	1,460	122	1.69
77,253	FN POOL BD2453 3.000% Due 01-01-47	99.89	77,169	106.28	82,103	0.23	2,318	193	1.69
229,362	FN POOL AS8810 3.500% Due 02-01-47	102.04	234,039	106.06	243,271	0.69	8,028	669	2.02
79,220	FN POOL MA2930 4.000% Due 03-01-47	103.56	82,042	107.47	85,137	0.24	3,169	264	2.26
69,303	FG G61893 3.000% Due 07-01-47	101.14	70,094	105.22	72,918	0.21	2,079	173	1.67
37,472	FN MA3276 3.500% Due 02-01-48	105.75	39,626	105.85	39,663	0.11	1,312	109	1.94
68,614	FN MA3305 3.500% Due 03-01-48	103.02	70,683	105.73	72,546	0.21	2,401	200	1.86
23,593	FN POOL MA3638 4.000% Due 04-01-49	103.09	24,323	106.50	25,128	0.07	944	79	2.30
58,814	FR RA1343 3.000% Due 09-01-49	104.69	61,571	105.16	61,848	0.18	1,764	147	1.78
39,162	FN MA3834 3.000% Due 11-01-49	101.90	39,905	104.25	40,826	0.12	1,175	98	1.77
41,234	FN MA3871 3.000% Due 12-01-49	101.91	42,020	104.26	42,990	0.12	1,237	103	1.77

Alaska Permanent Capital Management Co.
PORTFOLIO APPRAISAL
CITY OF KENAI PERMANENT FUNDS
June 30, 2021

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
48,836	FR QA5517 3.000% Due 12-01-49	102.31	49,965	104.41	50,990	0.14	1,465	122	1.78
44,225	FN MA3960 3.000% Due 03-01-50	102.31	45,248	104.26	46,110	0.13	1,327	111	1.99
80,821	FANNIE MAE POOL 2.500% Due 05-01-50	104.98	84,849	103.53	83,671	0.24	2,021	168	1.76
149,552	FANNIE MAE POOL 2.500% Due 08-01-50	105.11	157,193	103.92	155,417	0.44	3,739	312	1.76
109,401	FN CA7738 MTGE 2.500% Due 11-01-50	105.64	115,572	103.53	113,260	0.32	2,735	228	1.76
111,621	FN MA4237 MTGE 2.000% Due 01-01-51	103.73	115,789	101.04	112,777	0.32	2,232	37	1.79
	Accrued Interest				6,253	0.02			
			2,659,333		2,748,630	7.79		6,253	
CORPORATE BONDS									
100,000	ABBVIE INC 2.900% Due 11-06-22	101.31	101,307	103.32	103,324	0.29	2,900	443	0.43
100,000	GOLDMAN SACHS GROUP INC 3.625% Due 01-22-23	101.98	101,985	104.98	104,981	0.30	3,625	1,601	0.42
75,000	STARBUCKS CORP 3.100% Due 03-01-23	98.54	73,902	104.29	78,217	0.22	2,325	775	0.52
100,000	AVALONBAY COMMUNITIES 2.850% Due 03-15-23	100.82	100,816	103.35	103,348	0.29	2,850	839	0.87
200,000	BANK OF NEW YORK MELLON 2.200% Due 08-16-23	97.83	195,666	103.56	207,118	0.59	4,400	1,650	0.52
200,000	JPMORGAN CHASE & CO 3.875% Due 02-01-24	105.18	210,362	108.31	216,626	0.61	7,750	3,229	0.63
100,000	MORGAN STANLEY IND FINANCIAL SRV 3.875% Due 04-29-24	103.71	103,711	108.76	108,762	0.31	3,875	667	0.74
100,000	WELLS FARGO & COMPANY 3.300% Due 09-09-24	99.88	99,882	107.81	107,813	0.31	3,300	1,027	0.81
150,000	KIMCO REALTY CORP 3.300% Due 02-01-25	94.92	142,377	107.82	161,737	0.46	4,950	2,062	1.07
150,000	REYNOLDS AMERICAN INC 4.450% Due 06-12-25	108.47	162,700	110.78	166,167	0.47	6,675	352	1.62
150,000	CITIGROUP INC 3.700% Due 01-12-26	101.65	152,470	110.59	165,879	0.47	5,550	2,605	1.29
100,000	KROGER CO 2.650% Due 10-15-26	99.82	99,820	106.14	106,139	0.30	2,650	559	1.44
100,000	GENERAL DYNAMICS CORP 3.500% Due 04-01-27	106.12	106,120	110.95	110,951	0.31	3,500	875	1.51
35,000	DARDEN RESTAURANTS INC 3.850% Due 05-01-27	110.59	38,706	111.10	38,885	0.11	1,347	225	1.84
110,000	BORGWARNER INC 2.650% Due 07-01-27	107.34	118,072	106.06	116,662	0.33	2,915	1,457	1.59

Alaska Permanent Capital Management Co.
PORTFOLIO APPRAISAL
CITY OF KENAI PERMANENT FUNDS
June 30, 2021

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
100,000	ENBRIDGE INC 3.700% Due 07-15-27	101.13	101,135	110.29	110,295	0.31	3,700	1,706	1.89
100,000	ANHEUSER-BUSCH INBEV WORLDWIDE 4.000% Due 04-13-28	114.31	114,309	113.86	113,862	0.32	4,000	867	1.82
100,000	INTEL CORP 2.450% Due 11-15-29	105.62	105,622	105.25	105,247	0.30	2,450	313	1.77
50,000	KOHL'S CORPORATION 3.375% Due 05-01-31	99.80	49,901	103.53	51,763	0.15	1,687	427	2.96
100,000	AT&T INC 6.375% Due 03-01-41	119.32	119,320	143.55	143,551	0.41	6,375	2,125	3.34
100,000	HOME DEPOT INC 4.875% Due 02-15-44	115.63	115,627	133.55	133,551	0.38	4,875	1,842	2.85
100,000	CARDINAL HEALTH 4.900% Due 09-15-45	111.47	111,470	119.50	119,496	0.34	4,900	1,443	3.68
100,000	BANK OF AMERICA CORP 4.443% Due 01-20-48	106.31	106,308	123.98	123,978	0.35	4,443	1,987	3.11
100,000	Sysco Corporation 4.450% Due 03-15-48	120.54	120,536	119.52	119,525	0.34	4,450	1,310	3.34
50,000	TELUS CORP 4.300% Due 06-15-49	121.52	60,762	119.85	59,924	0.17	2,150	96	3.22
110,000	MAGELLAN MIDSTEAM PARTN 3.950% Due 03-01-50	109.07	119,976	108.50	119,351	0.34	4,345	1,448	3.48
110,000	KANSAS CITY SOUTHERN 3.500% Due 05-01-50	108.00	118,801	105.40	115,937	0.33	3,850	642	3.21
75,000	NUTRIEN LTD 3.950% Due 05-13-50	99.74	74,803	115.07	86,305	0.24	2,962	395	3.15
	Accrued Interest				32,968	0.09			
			3,126,467		3,332,363	9.45		32,968	
DOMESTIC LARGE CAP EQUITY FUNDS/ETF									
3,140	FLEXSHARES QUAL DIV ETF	40.53	127,261	56.14	176,280	0.50	NA		
17,863	SPDR S&P 500 ETF	209.90	3,749,370	428.06	7,646,436	21.68	NA		
			3,876,630		7,822,715	22.18			
DOMESTIC MID CAP EQUITY FUNDS/ETF									
16,258	ISHARES CORE S&P MIDCAP 400 ETF	115.77	1,882,219	268.73	4,369,012	12.39	NA		
DOMESTIC SMALL CAP EQUITY FUNDS/ETF									
19,562	ISHARES S&P SMALLCAP 600 INDEX ETF	50.32	984,433	112.98	2,210,115	6.27	NA		
INTERNATIONAL EQUITY FUNDS/ETF									
58,636	ISHARES ETF CORE MSCI EAFE	66.21	3,882,529	74.86	4,389,491	12.45	NA		
EMERGING MARKET FUNDS/ETF									
43,636	ISHARES ETF CORE MSCI EMERGING MKTS	52.59	2,294,995	66.99	2,923,176	8.29	NA		

Alaska Permanent Capital Management Co.
PORTFOLIO APPRAISAL
CITY OF KENAI PERMANENT FUNDS
June 30, 2021

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
REAL ESTATE & INFRASTRUCTURE									
25,507	FLEXSHAR STX GLOBAL BROAD INF ETF	50.57	1,289,803	57.47	1,465,887	4.16	NA		
8,072	JPMORGAN BETABUILDERS MSCI US REIT ETF	81.40	657,100	95.83	773,540	2.19	NA		
			1,946,903		2,239,427	6.35			
U.S. TREASURY									
50,000	US TREASURY NOTES 0.125% Due 07-31-22	100.02	50,010	100.01	50,004	0.14	62	26	0.12
110,000	US TREASURY NOTES 0.125% Due 03-31-23	99.96	109,953	99.85	109,833	0.31	137	34	0.21
20,000	US TREASURY NOTES 0.125% Due 07-15-23	100.00	19,999	99.74	19,948	0.06	25	12	0.25
190,000	US TREASURY NOTE 0.125% Due 10-15-23	99.75	189,532	99.57	189,183	0.54	237	50	0.31
150,000	US TREASURY NOTES 1.625% Due 10-31-23	99.41	149,109	103.04	154,558	0.44	2,437	411	0.32
180,000	US TREASURY NOTES 0.250% Due 05-15-24	99.86	179,740	99.45	179,015	0.51	450	57	0.44
205,000	US TREASURY NOTES 1.375% Due 01-31-25	104.70	214,633	102.75	210,629	0.60	2,819	1,176	0.60
75,000	US TREASURY NOTES 2.750% Due 06-30-25	99.71	74,780	108.15	81,114	0.23	2,062	6	0.68
20,000	US TREASURY NOTES 0.250% Due 07-31-25	100.16	20,032	98.11	19,622	0.06	50	21	0.72
75,000	US TREASURY NOTES 1.625% Due 05-15-26	95.63	71,726	103.65	77,739	0.22	1,219	156	0.86
200,000	US TREASURY NOTES 2.000% Due 11-15-26	95.26	190,516	105.53	211,062	0.60	4,000	511	0.94
15,000	US TREASURY NOTES 0.375% Due 07-31-27	99.90	14,985	95.84	14,377	0.04	56	23	1.08
100,000	US TREASURY NOTES 1.250% Due 03-31-28	99.59	99,590	100.39	100,395	0.28	1,250	312	1.19
160,000	US TREASURY NOTES 3.125% Due 11-15-28	102.38	163,808	113.13	181,006	0.51	5,000	639	1.26
20,000	US TREASURY NOTES 2.625% Due 02-15-29	101.74	20,348	109.66	21,931	0.06	525	197	1.29
225,000	US TREASURY NOTES 1.500% Due 02-15-30	108.51	244,143	100.99	227,223	0.64	3,375	1,268	1.38
10,000	US TREASURY NOTES 0.625% Due 05-15-30	100.79	10,079	93.47	9,347	0.03	62	8	1.41
20,000	US TREASURY NOTE 0.625% Due 08-15-30	99.73	19,945	93.16	18,633	0.05	125	47	1.43
125,000	US TREASURY NOTES 0.875% Due 11-15-30	97.64	122,046	95.09	118,867	0.34	1,094	140	1.44

Alaska Permanent Capital Management Co.
PORTFOLIO APPRAISAL
CITY OF KENAI PERMANENT FUNDS
June 30, 2021

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
75,000	US TREASURY NOTE 1.125% Due 02-15-31	95.51	71,631	97.08	72,808	0.21	844	317	1.45
125,000	US TREASURY NOTES 1.625% Due 05-15-31	100.89	126,113	101.53	126,914	0.36	2,031	259	1.46
125,000	US TREASURY NOTES 3.875% Due 08-15-40	127.11	158,890	131.47	164,341	0.47	4,844	1,820	1.90
115,000	US TREASURY NOTES 1.375% Due 11-15-40	95.68	110,031	89.83	103,302	0.29	1,581	202	2.01
55,000	US TREASURY NOTES 3.125% Due 02-15-43	117.36	64,546	119.48	65,716	0.19	1,719	646	2.01
95,000	US TREASURY NOTES 2.875% Due 05-15-49	102.98	97,832	117.10	111,243	0.32	2,731	349	2.07
15,000	US TREASURY NOTES 1.250% Due 05-15-50	100.74	15,111	81.65	12,248	0.03	187	24	2.10
115,000	US TREASURY NOTES 1.625% Due 11-15-50	96.64	111,133	89.81	103,285	0.29	1,869	239	2.09
	Accrued Interest				8,949	0.03			
			2,720,262		2,763,293	7.84		8,949	
AGENCIES									
125,000	FEDERAL HOME LOAN BANK 0.600% Due 08-27-25	99.90	124,875	99.10	123,870	0.35	750	258	0.82
125,000	FHLB 1.625% Due 03-12-27	104.27	130,335	103.52	129,405	0.37	2,031	615	0.99
	Accrued Interest				873	0.00			
			255,210		254,148	0.72		873	
CASH AND EQUIVALENTS									
	DIVIDEND ACCRUAL		24,577		24,577	0.07			
	WF ADV GOVT MM FD-INSTL #1751		2,190,056		2,190,056	6.21			
			2,214,633		2,214,633	6.28			
TOTAL PORTFOLIO			25,843,615		35,267,004	100	234,031	49,043	

Alaska Permanent Capital Management Co.
TRANSACTION SUMMARY
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 To 06-30-21

Trade Date	Settle Date	Security	Quantity	Trade Amount
PURCHASES				
REAL ESTATE & INFRASTRUCTURE				
06-01-21	06-03-21	JPMORGAN BETABUILDERS MSCI US REIT ETF	1,960.0000	187,082.00
U.S. TREASURY				
06-08-21	06-09-21	US TREASURY NOTES 1.625% Due 05-15-31	125,000	126,113.28
06-08-21	06-09-21	US TREASURY NOTES 0.250% Due 05-15-24	180,000	179,739.84
				305,853.12
				492,935.12
DEPOSITS AND EXPENSES				
MANAGEMENT FEES				
06-30-21	06-30-21	MANAGEMENT FEES		4,605.58
				4,605.58
DIVIDEND				
DOMESTIC LARGE CAP EQUITY FUNDS/ETF				
06-18-21	07-30-21	SPDR S&P 500 ETF		24,577.26
06-24-21	06-24-21	FLEXSHARES QUAL DIV ETF		856.13
				25,433.39
DOMESTIC MID CAP EQUITY FUNDS/ETF				
06-16-21	06-16-21	ISHARES CORE S&P MIDCAP 400 ETF		12,004.14
DOMESTIC SMALL CAP EQUITY FUNDS/ETF				
06-16-21	06-16-21	ISHARES S&P SMALLCAP 600 INDEX ETF		4,949.89

Alaska Permanent Capital Management Co.
TRANSACTION SUMMARY
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 To 06-30-21

Trade Date	Settle Date	Security	Quantity	Trade Amount
EMERGING MARKET FUNDS/ETF				
06-16-21	06-16-21	ISHARES ETF CORE MSCI EMERGING MKTS		20,532.27
INTERNATIONAL EQUITY FUNDS/ETF				
06-16-21	06-16-21	ISHARES ETF CORE MSCI EAFE		63,817.02
REAL ESTATE & INFRASTRUCTURE				
06-24-21	06-24-21	FLEXSHAR STX GLOBAL BROAD INF ETF		9,959.28
06-25-21	06-25-21	JPMORGAN BETABUILDERS MSCI US REIT ETF		2,318.76
				12,278.04
				139,014.75
INTEREST				
CASH AND EQUIVALENTS				
06-01-21	06-01-21	WF ADV GOVT MM FD-INSTL #1751		16.57
CORPORATE BONDS				
06-14-21	06-14-21	REYNOLDS AMERICAN INC 4.450% Due 06-12-25		3,337.50
06-15-21	06-15-21	TELUS CORP 4.300% Due 06-15-49		1,075.00
				4,412.50
FNMA & FHLMC				
06-15-21	06-15-21	FHLMC POOL G14203 4.000% Due 04-01-26		30.79
06-15-21	06-15-21	FG POOL G16255 2.500% Due 07-01-32		192.70

Alaska Permanent Capital Management Co.
TRANSACTION SUMMARY
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 To 06-30-21

Trade Date	Settle Date	Security	Quantity	Trade Amount
06-15-21	06-15-21	FG POOL G08722 3.500% Due 09-01-46		408.49
06-15-21	06-15-21	FG POOL C91270 4.500% Due 10-01-29		338.76
06-15-21	06-15-21	FG POOL J30401 3.000% Due 01-01-30		217.03
06-15-21	06-15-21	FG POOL V80057 3.000% Due 05-01-43		462.02
06-15-21	06-15-21	FG G61893 3.000% Due 07-01-47		179.66
06-25-21	06-25-21	FR QA5517 3.000% Due 12-01-49		125.21
06-25-21	06-25-21	FR RA1343 3.000% Due 09-01-49		151.28
06-25-21	06-25-21	FR RB5095 MTGE 2.000% Due 01-01-41		186.25
06-25-21	06-25-21	FN POOL AJ1405 4.000% Due 09-01-41		801.89
06-25-21	06-25-21	FN POOL AT2324 3.000% Due 01-01-43		321.59
06-25-21	06-25-21	FN AS8483 3.000% Due 12-01-46		126.14
06-25-21	06-25-21	FN POOL AS8810 3.500% Due 02-01-47		722.83
06-25-21	06-25-21	FN POOL AL3180 3.000% Due 05-01-43		300.20
06-25-21	06-25-21	FN POOL BD2453 3.000% Due 01-01-47		196.38
06-25-21	06-25-21	FANNIE MAE POOL 2.500% Due 05-01-50		178.78
06-25-21	06-25-21	FANNIE MAE POOL 2.500% Due 08-01-50		318.27
06-25-21	06-25-21	FN CA7738 MTGE 2.500% Due 11-01-50		232.05
06-25-21	06-25-21	FNCL POOL 995373 4.500% Due 02-01-39		350.43

Alaska Permanent Capital Management Co.
TRANSACTION SUMMARY
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 To 06-30-21

Trade Date	Settle Date	Security	Quantity	Trade Amount
06-25-21	06-25-21	FN POOL MA2930 4.000% Due 03-01-47		276.34
06-25-21	06-25-21	FN MA3305 3.500% Due 03-01-48		210.68
06-25-21	06-25-21	FN MA3276 3.500% Due 02-01-48		115.68
06-25-21	06-25-21	FN POOL MA3638 4.000% Due 04-01-49		83.33
06-25-21	06-25-21	FN MA3834 3.000% Due 11-01-49		102.96
06-25-21	06-25-21	FN MA3871 3.000% Due 12-01-49		108.25
06-25-21	06-25-21	FN MA3960 3.000% Due 03-01-50		116.99
06-25-21	06-25-21	FN MA4237 MTGE 2.000% Due 01-01-51		187.36
				7,042.34
U.S. TREASURY				
06-30-21	06-30-21	US TREASURY NOTES 2.750% Due 06-30-25		1,031.25
				12,502.66

PRINCIPAL PAYDOWNS

FNMA & FHLMC				
06-15-21	06-15-21	FHLMC POOL G14203 4.000% Due 04-01-26	342.57	342.57
06-15-21	06-15-21	FG POOL G16255 2.500% Due 07-01-32	3,440.46	3,440.46
06-15-21	06-15-21	FG POOL G08722 3.500% Due 09-01-46	5,972.00	5,972.00
06-15-21	06-15-21	FG POOL C91270 4.500% Due 10-01-29	2,561.62	2,561.62
06-15-21	06-15-21	FG POOL J30401 3.000% Due 01-01-30	2,331.51	2,331.51

Alaska Permanent Capital Management Co.
TRANSACTION SUMMARY
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 To 06-30-21

Trade Date	Settle Date	Security	Quantity	Trade Amount
06-15-21	06-15-21	FG POOL V80057 3.000% Due 05-01-43	976.51	976.51
06-15-21	06-15-21	FG G61893 3.000% Due 07-01-47	2,562.29	2,562.29
06-25-21	06-25-21	FR QA5517 3.000% Due 12-01-49	1,249.25	1,249.25
06-25-21	06-25-21	FR RA1343 3.000% Due 09-01-49	1,696.92	1,696.92
06-25-21	06-25-21	FR RB5095 MTGE 2.000% Due 01-01-41	1,070.99	1,070.99
06-25-21	06-25-21	FN POOL AJ1405 4.000% Due 09-01-41	7,989.44	7,989.44
06-25-21	06-25-21	FN POOL AT2324 3.000% Due 01-01-43	1,010.32	1,010.32
06-25-21	06-25-21	FN AS8483 3.000% Due 12-01-46	1,779.05	1,779.05
06-25-21	06-25-21	FN POOL AS8810 3.500% Due 02-01-47	18,465.58	18,465.58
06-25-21	06-25-21	FN POOL AL3180 3.000% Due 05-01-43	365.76	365.76
06-25-21	06-25-21	FN POOL BD2453 3.000% Due 01-01-47	1,299.68	1,299.68
06-25-21	06-25-21	FANNIE MAE POOL 2.500% Due 05-01-50	4,992.72	4,992.72
06-25-21	06-25-21	FANNIE MAE POOL 2.500% Due 08-01-50	3,216.70	3,216.70
06-25-21	06-25-21	FN CA7738 MTGE 2.500% Due 11-01-50	1,981.03	1,981.03
06-25-21	06-25-21	FNCL POOL 995373 4.500% Due 02-01-39	3,684.60	3,684.60
06-25-21	06-25-21	FN POOL MA2930 4.000% Due 03-01-47	3,682.05	3,682.05
06-25-21	06-25-21	FN MA3305 3.500% Due 03-01-48	3,618.45	3,618.45
06-25-21	06-25-21	FN MA3276 3.500% Due 02-01-48	2,190.24	2,190.24

Alaska Permanent Capital Management Co.
TRANSACTION SUMMARY
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 To 06-30-21

Trade Date	Settle Date	Security	Quantity	Trade Amount
06-25-21	06-25-21	FN POOL MA3638 4.000% Due 04-01-49	1,407.35	1,407.35
06-25-21	06-25-21	FN MA3834 3.000% Due 11-01-49	2,023.95	2,023.95
06-25-21	06-25-21	FN MA3871 3.000% Due 12-01-49	2,064.75	2,064.75
06-25-21	06-25-21	FN MA3960 3.000% Due 03-01-50	2,570.44	2,570.44
06-25-21	06-25-21	FN MA4237 MTGE 2.000% Due 01-01-51	795.58	795.58
				85,341.81
				85,341.81

PURCHASED ACCRUED INTEREST

U.S. TREASURY

06-08-21	06-09-21	US TREASURY NOTES 1.625% Due 05-15-31		137.99
06-08-21	06-09-21	US TREASURY NOTES 0.250% Due 05-15-24		30.57
				168.56
				168.56

SALES, MATURITIES, AND CALLS

DOMESTIC SMALL CAP EQUITY FUNDS/ETF

06-01-21	06-03-21	ISHARES S&P SMALLCAP 600 INDEX ETF	1,629.0000	187,025.52
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EMERGING MARKET FUNDS/ETF

06-01-21	06-03-21	ISHARES ETF CORE MSCI EMERGING MKTS	1,849.0000	125,823.80
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Alaska Permanent Capital Management Co.
TRANSACTION SUMMARY
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 To 06-30-21

Trade Date	Settle Date	Security	Quantity	Trade Amount
REAL ESTATE & INFRASTRUCTURE				
06-01-21	06-03-21	PACER INDUSTRIAL REAL ESTATE ETF	4,362.0000	185,821.57
				498,670.89
WITHDRAW				
CASH AND EQUIVALENTS				
06-21-21	06-21-21	WF ADV GOVT MM FD-INSTL #1751		553.51
				553.51

Alaska Permanent Capital Management Co.
REALIZED GAINS AND LOSSES
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 Through 06-30-21

<u>Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Avg. Cost Basis</u>	<u>Proceeds</u>	<u>Gain Or Loss</u>
06-01-21	1,849.0000	ISHARES ETF CORE MSCI EMERGING MKTS	97,246.43	125,823.80	28,577.37
06-01-21	4,362.0000	PACER INDUSTRIAL REAL ESTATE ETF	153,582.59	185,821.57	32,238.98
06-01-21	1,629.0000	ISHARES S&P SMALLCAP 600 INDEX ETF	81,977.41	187,025.52	105,048.11
06-15-21	342.57	FHLMC POOL G14203 4.000% Due 04-01-26	358.20	342.57	-15.63
06-15-21	3,440.46	FG POOL G16255 2.500% Due 07-01-32	3,430.25	3,440.46	10.21
06-15-21	5,972.00	FG POOL G08722 3.500% Due 09-01-46	6,096.57	5,972.00	-124.57
06-15-21	2,561.62	FG POOL C91270 4.500% Due 10-01-29	2,706.91	2,561.62	-145.29
06-15-21	2,331.51	FG POOL J30401 3.000% Due 01-01-30	2,361.75	2,331.51	-30.24
06-15-21	976.51	FG POOL V80057 3.000% Due 05-01-43	978.80	976.51	-2.29
06-15-21	2,562.29	FG G61893 3.000% Due 07-01-47	2,591.52	2,562.29	-29.23
06-25-21	1,249.25	FR QA5517 3.000% Due 12-01-49	1,278.14	1,249.25	-28.89
06-25-21	1,696.92	FR RA1343 3.000% Due 09-01-49	1,776.46	1,696.92	-79.54
06-25-21	1,070.99	FR RB5095 MTGE 2.000% Due 01-01-41	1,112.07	1,070.99	-41.08
06-25-21	7,989.44	FN POOL AJ1405 4.000% Due 09-01-41	8,347.72	7,989.44	-358.28
06-25-21	1,010.32	FN POOL AT2324 3.000% Due 01-01-43	1,012.37	1,010.32	-2.05
06-25-21	1,779.05	FN AS8483 3.000% Due 12-01-46	1,831.59	1,779.05	-52.54
06-25-21	18,465.58	FN POOL AS8810 3.500% Due 02-01-47	18,842.10	18,465.58	-376.52

Alaska Permanent Capital Management Co.
REALIZED GAINS AND LOSSES
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 Through 06-30-21

<u>Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Avg. Cost Basis</u>	<u>Proceeds</u>	<u>Gain Or Loss</u>
06-25-21	365.76	FN POOL AL3180 3.000% Due 05-01-43	366.50	365.76	-0.74
06-25-21	1,299.68	FN POOL BD2453 3.000% Due 01-01-47	1,298.26	1,299.68	1.42
06-25-21	4,992.72	FANNIE MAE POOL 2.500% Due 05-01-50	5,241.58	4,992.72	-248.86
06-25-21	3,216.70	FANNIE MAE POOL 2.500% Due 08-01-50	3,381.05	3,216.70	-164.35
06-25-21	1,981.03	FN CA7738 MTGE 2.500% Due 11-01-50	2,092.77	1,981.03	-111.74
06-25-21	3,684.60	FNCL POOL 995373 4.500% Due 02-01-39	3,932.16	3,684.60	-247.56
06-25-21	3,682.05	FN POOL MA2930 4.000% Due 03-01-47	3,813.22	3,682.05	-131.17
06-25-21	3,618.45	FN MA3305 3.500% Due 03-01-48	3,727.57	3,618.45	-109.12
06-25-21	2,190.24	FN MA3276 3.500% Due 02-01-48	2,316.18	2,190.24	-125.94
06-25-21	1,407.35	FN POOL MA3638 4.000% Due 04-01-49	1,450.89	1,407.35	-43.54
06-25-21	2,023.95	FN MA3834 3.000% Due 11-01-49	2,062.37	2,023.95	-38.42
06-25-21	2,064.75	FN MA3871 3.000% Due 12-01-49	2,104.11	2,064.75	-39.36
06-25-21	2,570.44	FN MA3960 3.000% Due 03-01-50	2,629.88	2,570.44	-59.44
06-25-21	795.58	FN MA4237 MTGE 2.000% Due 01-01-51	825.29	795.58	-29.71
TOTAL GAINS					165,876.09
TOTAL LOSSES					-2,636.11
			420,772.72	584,012.70	163,239.98

Alaska Permanent Capital Management Co.
CASH LEDGER
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 To 06-30-21

Trade Date	Settle Date	Tran Code	Activity	Security	Amount
WF ADV GOVT MM FD-INSTL #1751					
06-01-21			Beginning Balance		1,972,760.46
06-01-21	06-03-21	wd	Purchase	JPMORGAN BETABUILDERS MSCI US REIT ETF	-187,082.00
06-01-21	06-03-21	dp	Sale	ISHARES ETF CORE MSCI EMERGING MKTS	125,823.80
06-01-21	06-03-21	dp	Sale	PACER INDUSTRIAL REAL ESTATE ETF	185,821.57
06-01-21	06-03-21	dp	Sale	ISHARES S&P SMALLCAP 600 INDEX ETF	187,025.52
06-01-21	06-01-21	dp	Interest	WF ADV GOVT MM FD-INSTL #1751	16.57
06-08-21	06-09-21	wd	Purchase	US TREASURY NOTES 1.625% Due 05-15-31	-126,113.28
06-08-21	06-09-21	wd	Accrued Interest	US TREASURY NOTES 1.625% Due 05-15-31	-137.99
06-08-21	06-09-21	wd	Purchase	US TREASURY NOTES 0.250% Due 05-15-24	-179,739.84
06-08-21	06-09-21	wd	Accrued Interest	US TREASURY NOTES 0.250% Due 05-15-24	-30.57
06-14-21	06-14-21	dp	Interest	REYNOLDS AMERICAN INC 4.450% Due 06-12-25	3,337.50
06-15-21	06-15-21	dp	Interest	TELUS CORP 4.300% Due 06-15-49	1,075.00
06-15-21	06-15-21	dp	Interest	FHLMC POOL G14203 4.000% Due 04-01-26	30.79
06-15-21	06-15-21	dp	Paydown	FHLMC POOL G14203 4.000% Due 04-01-26	342.57
06-15-21	06-15-21	dp	Paydown	FG POOL G16255 2.500% Due 07-01-32	3,440.46

Alaska Permanent Capital Management Co.
CASH LEDGER
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 To 06-30-21

Trade Date	Settle Date	Tran Code	Activity	Security	Amount
06-15-21	06-15-21	dp	Interest	FG POOL G16255 2.500% Due 07-01-32	192.70
06-15-21	06-15-21	dp	Interest	FG POOL G08722 3.500% Due 09-01-46	408.49
06-15-21	06-15-21	dp	Paydown	FG POOL G08722 3.500% Due 09-01-46	5,972.00
06-15-21	06-15-21	dp	Paydown	FG POOL C91270 4.500% Due 10-01-29	2,561.62
06-15-21	06-15-21	dp	Interest	FG POOL C91270 4.500% Due 10-01-29	338.76
06-15-21	06-15-21	dp	Interest	FG POOL J30401 3.000% Due 01-01-30	217.03
06-15-21	06-15-21	dp	Paydown	FG POOL J30401 3.000% Due 01-01-30	2,331.51
06-15-21	06-15-21	dp	Paydown	FG POOL V80057 3.000% Due 05-01-43	976.51
06-15-21	06-15-21	dp	Interest	FG POOL V80057 3.000% Due 05-01-43	462.02
06-15-21	06-15-21	dp	Interest	FG G61893 3.000% Due 07-01-47	179.66
06-15-21	06-15-21	dp	Paydown	FG G61893 3.000% Due 07-01-47	2,562.29
06-16-21	06-16-21	dp	Dividend	ISHARES ETF CORE MSCI EAFE	63,817.02
06-16-21	06-16-21	dp	Dividend	ISHARES ETF CORE MSCI EMERGING MKTS	20,532.27
06-16-21	06-16-21	dp	Dividend	ISHARES CORE S&P MIDCAP 400 ETF	12,004.14
06-16-21	06-16-21	dp	Dividend	ISHARES S&P SMALLCAP 600 INDEX ETF	4,949.89
06-21-21	06-21-21	wd	Withdrawal	from Portfolio	-553.51

Alaska Permanent Capital Management Co.
CASH LEDGER
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 To 06-30-21

Trade Date	Settle Date	Tran Code	Activity	Security	Amount
06-24-21	06-24-21	dp	Dividend	FLEXSHAR STX GLOBAL BROAD INF ETF	9,959.28
06-24-21	06-24-21	dp	Dividend	FLEXSHARES QUAL DIV ETF	856.13
06-25-21	06-25-21	dp	Dividend	JPMORGAN BETABUILDERS MSCI US REIT ETF	2,318.76
06-25-21	06-25-21	dp	Interest	FR QA5517 3.000% Due 12-01-49	125.21
06-25-21	06-25-21	dp	Paydown	FR QA5517 3.000% Due 12-01-49	1,249.25
06-25-21	06-25-21	dp	Paydown	FR RA1343 3.000% Due 09-01-49	1,696.92
06-25-21	06-25-21	dp	Interest	FR RA1343 3.000% Due 09-01-49	151.28
06-25-21	06-25-21	dp	Interest	FR RB5095 MTGE 2.000% Due 01-01-41	186.25
06-25-21	06-25-21	dp	Paydown	FR RB5095 MTGE 2.000% Due 01-01-41	1,070.99
06-25-21	06-25-21	dp	Paydown	FN POOL AJ1405 4.000% Due 09-01-41	7,989.44
06-25-21	06-25-21	dp	Interest	FN POOL AJ1405 4.000% Due 09-01-41	801.89
06-25-21	06-25-21	dp	Interest	FN POOL AT2324 3.000% Due 01-01-43	321.59
06-25-21	06-25-21	dp	Paydown	FN POOL AT2324 3.000% Due 01-01-43	1,010.32
06-25-21	06-25-21	dp	Interest	FN AS8483 3.000% Due 12-01-46	126.14
06-25-21	06-25-21	dp	Paydown	FN AS8483 3.000% Due 12-01-46	1,779.05

Alaska Permanent Capital Management Co.
CASH LEDGER
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 To 06-30-21

Trade Date	Settle Date	Tran Code	Activity	Security	Amount
06-25-21	06-25-21	dp	Paydown	FN POOL AS8810 3.500% Due 02-01-47	18,465.58
06-25-21	06-25-21	dp	Interest	FN POOL AS8810 3.500% Due 02-01-47	722.83
06-25-21	06-25-21	dp	Interest	FN POOL AL3180 3.000% Due 05-01-43	300.20
06-25-21	06-25-21	dp	Paydown	FN POOL AL3180 3.000% Due 05-01-43	365.76
06-25-21	06-25-21	dp	Paydown	FN POOL BD2453 3.000% Due 01-01-47	1,299.68
06-25-21	06-25-21	dp	Interest	FN POOL BD2453 3.000% Due 01-01-47	196.38
06-25-21	06-25-21	dp	Interest	FANNIE MAE POOL 2.500% Due 05-01-50	178.78
06-25-21	06-25-21	dp	Paydown	FANNIE MAE POOL 2.500% Due 05-01-50	4,992.72
06-25-21	06-25-21	dp	Paydown	FANNIE MAE POOL 2.500% Due 08-01-50	3,216.70
06-25-21	06-25-21	dp	Interest	FANNIE MAE POOL 2.500% Due 08-01-50	318.27
06-25-21	06-25-21	dp	Interest	FN CA7738 MTGE 2.500% Due 11-01-50	232.05
06-25-21	06-25-21	dp	Paydown	FN CA7738 MTGE 2.500% Due 11-01-50	1,981.03
06-25-21	06-25-21	dp	Paydown	FNCL POOL 995373 4.500% Due 02-01-39	3,684.60
06-25-21	06-25-21	dp	Interest	FNCL POOL 995373 4.500% Due 02-01-39	350.43
06-25-21	06-25-21	dp	Interest	FN POOL MA2930 4.000% Due 03-01-47	276.34

Alaska Permanent Capital Management Co.
CASH LEDGER
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 To 06-30-21

Trade Date	Settle Date	Tran Code	Activity	Security	Amount
06-25-21	06-25-21	dp	Paydown	FN POOL MA2930 4.000% Due 03-01-47	3,682.05
06-25-21	06-25-21	dp	Interest	FN MA3305 3.500% Due 03-01-48	210.68
06-25-21	06-25-21	dp	Paydown	FN MA3305 3.500% Due 03-01-48	3,618.45
06-25-21	06-25-21	dp	Interest	FN MA3276 3.500% Due 02-01-48	115.68
06-25-21	06-25-21	dp	Paydown	FN MA3276 3.500% Due 02-01-48	2,190.24
06-25-21	06-25-21	dp	Paydown	FN POOL MA3638 4.000% Due 04-01-49	1,407.35
06-25-21	06-25-21	dp	Interest	FN POOL MA3638 4.000% Due 04-01-49	83.33
06-25-21	06-25-21	dp	Interest	FN MA3834 3.000% Due 11-01-49	102.96
06-25-21	06-25-21	dp	Paydown	FN MA3834 3.000% Due 11-01-49	2,023.95
06-25-21	06-25-21	dp	Paydown	FN MA3871 3.000% Due 12-01-49	2,064.75
06-25-21	06-25-21	dp	Interest	FN MA3871 3.000% Due 12-01-49	108.25
06-25-21	06-25-21	dp	Interest	FN MA3960 3.000% Due 03-01-50	116.99
06-25-21	06-25-21	dp	Paydown	FN MA3960 3.000% Due 03-01-50	2,570.44
06-25-21	06-25-21	dp	Paydown	FN MA4237 MTGE 2.000% Due 01-01-51	795.58
06-25-21	06-25-21	dp	Interest	FN MA4237 MTGE 2.000% Due 01-01-51	187.36

Alaska Permanent Capital Management Co.
CASH LEDGER
CITY OF KENAI PERMANENT FUNDS
From 06-01-21 To 06-30-21

Trade Date	Settle Date	Tran Code	Activity	Security	Amount
06-30-21	06-30-21	dp	Interest	US TREASURY NOTES 2.750% Due 06-30-25	1,031.25
06-30-21			Ending Balance		2,190,056.12
DIVIDEND ACCRUAL					
06-01-21			Beginning Balance		0.00
06-18-21	07-30-21	dp	Dividend	SPDR S&P 500 ETF	24,577.26
06-30-21			Ending Balance		24,577.26

Alaska Permanent Capital Management Co.
PORTFOLIO APPRAISAL sort by CUSIP
CITY OF KENAI PERMANENT FUNDS
June 30, 2021

Cusip9	Original Face	Quantity	Security	Unit Cost	Total Cost	Price	Market Value	Accrued Interest	Annual Income
FNMA & FHLMC									
3128MC3L7	256,397.0000	8,894.2200	FHLMC POOL G14203	104.562501	9,300.02	106.53500	9,475.46	29.65	355.77
3128MFE46	190,000.0000	89,054.6200	FG POOL G16255	99.703123	88,790.24	105.42500	93,885.83	185.53	2,226.37
3128MJYU8	477,000.0000	134,083.0100	FG POOL G08722	102.085937	136,879.90	106.85000	143,267.70	391.08	4,692.91
3128P7MT7	2,000,000.0000	87,775.5200	FG POOL C91270	105.671877	92,754.04	108.58900	95,314.56	329.16	3,949.90
31307LNS3	301,000.0000	84,481.8200	FG POOL J30401	101.296875	85,577.44	106.17000	89,694.35	211.20	2,534.45
3132L5B28	450,000.0000	183,829.5900	FG POOL V80057	100.234376	184,260.44	107.48600	197,591.07	459.57	5,514.89
31335CC69	150,000.0000	69,303.2900	FG G61893	101.140626	70,093.78	105.21600	72,918.15	173.26	2,079.10
3133A0DW1	100,000.0000	48,835.8100	FR QA5517	102.312497	49,965.14	104.41100	50,989.96	122.09	1,465.07
3133KGP44	100,000.0000	58,814.0800	FR RA1343	104.687501	61,570.99	105.15800	61,847.71	147.04	1,764.42
3133KYUU1	115,000.0000	110,681.0900	FR RB5095 MTGE	103.835939	114,926.75	102.08600	112,989.90	36.89	2,213.62
3138ASR38	1,500,000.0000	232,576.1100	FN POOL AJ1405	104.484375	243,005.69	109.97400	255,773.25	775.25	9,303.04
3138EKRA5	374,582.0000	127,625.0400	FN POOL AT2324	100.203126	127,884.28	106.85000	136,367.36	63.81	3,828.75
3138WJM96	125,000.0000	48,677.9600	FN AS8483	102.953126	50,115.48	105.63200	51,419.50	121.69	1,460.34
3138WJYG7	783,285.0000	229,362.2400	FN POOL AS8810	102.039062	234,039.08	106.06400	243,270.77	668.97	8,027.68
3138WPSN5	335,507.0000	119,714.5200	FN POOL AL3180	100.203125	119,957.69	106.84300	127,906.58	299.29	3,591.44
3140F9WP6	139,000.0000	77,253.3400	FN POOL BD2453	99.890625	77,168.84	106.27700	82,102.53	193.13	2,317.60
3140KESQ2	100,000.0000	80,820.5300	FANNIE MAE POOL	104.984378	84,848.93	103.52700	83,671.07	168.38	2,020.51
3140KLRM6	175,000.0000	149,551.6500	FANNIE MAE POOL	105.109373	157,192.80	103.92200	155,417.07	311.57	3,738.79
3140QFS42	115,000.0000	109,401.4900	FN CA7738 MTGE	105.640623	115,572.42	103.52700	113,260.08	227.92	2,735.04
31416BXA1	4,000,000.0000	89,762.3200	FNCL POOL 995373	106.718781	95,793.25	111.44800	100,038.31	336.61	4,039.30
31418CHG2	148,000.0000	79,220.0900	FN POOL MA2930	103.562500	82,042.31	107.46900	85,137.04	264.07	3,168.80
31418CU77	225,000.0000	68,613.5900	FN MA3305	103.015627	70,682.72	105.73100	72,545.83	200.12	2,401.48
31418CUA0	125,000.0000	37,471.6600	FN MA3276	105.750001	39,626.28	105.84800	39,663.00	109.29	1,311.51
31418DBG6	101,000.0000	23,593.0300	FN POOL MA3638	103.093756	24,322.94	106.50500	25,127.76	78.64	943.72
31418DHL9	100,000.0000	39,161.6100	FN MA3834	101.898438	39,905.07	104.24900	40,825.59	97.90	1,174.85
31418DJR4	100,000.0000	41,233.7200	FN MA3871	101.906254	42,019.74	104.25900	42,989.86	103.08	1,237.01
31418DMJ8	100,000.0000	44,225.3100	FN MA3960	102.312502	45,248.02	104.26100	46,109.75	110.56	1,326.76
31418DV74	115,000.0000	111,620.6700	FN MA4237 MTGE	103.734374	115,789.00	101.03600	112,777.06	37.21	2,232.41
Accrued I							6,252.98		
					2,659,333.29		2,748,630.07	6,252.98	81,655.53
CORPORATE BONDS									
00206RDG4	100,000.0000	100,000.0000	AT&T INC	119.320000	119,320.00	143.55100	143,551.00	2,125.00	6,375.00
00287YAL3	100,000.0000	100,000.0000	ABBVIE INC	101.307000	101,307.00	103.32400	103,324.00	443.06	2,900.00
035240AL4	100,000.0000	100,000.0000	ANHEUSER-BUSCH INBEV WORLDWIDE	114.309000	114,309.00	113.86200	113,862.00	866.67	4,000.00
05348EAR0	100,000.0000	100,000.0000	AVALONBAY COMMUNITIES	100.816000	100,816.00	103.34800	103,348.00	839.17	2,850.00
06051GGG8	100,000.0000	100,000.0000	BANK OF AMERICA CORP	106.308000	106,308.00	123.97800	123,978.00	1,987.01	4,443.00
06406FAD5	200,000.0000	200,000.0000	BANK OF NEW YORK MELLON	97.833000	195,666.00	103.55900	207,118.00	1,650.00	4,400.00
099724AL0	110,000.0000	110,000.0000	BORGWARNER INC	107.338000	118,071.80	106.05600	116,661.60	1,457.50	2,915.00
14149YBD9	100,000.0000	100,000.0000	CARDINAL HEALTH	111.470000	111,470.00	119.49600	119,496.00	1,442.78	4,900.00
172967KG5	150,000.0000	150,000.0000	CITIGROUP INC	101.647000	152,470.50	110.58600	165,879.00	2,605.42	5,550.00
237194AL9	35,000.0000	35,000.0000	DARDEN RESTAURANTS INC	110.588000	38,705.80	111.09900	38,884.65	224.58	1,347.50
29250NAR6	100,000.0000	100,000.0000	ENBRIDGE INC	101.135000	101,135.00	110.29500	110,295.00	1,706.11	3,700.00
369550BL1	100,000.0000	100,000.0000	GENERAL DYNAMICS CORP	106.120000	106,120.00	110.95100	110,951.00	875.00	3,500.00
38141GRD8	100,000.0000	100,000.0000	GOLDMAN SACHS GROUP INC	101.985000	101,985.00	104.98100	104,981.00	1,601.04	3,625.00
437076BD3	100,000.0000	100,000.0000	HOME DEPOT INC	115.627000	115,627.00	133.55100	133,551.00	1,841.67	4,875.00

Alaska Permanent Capital Management Co.
PORTFOLIO APPRAISAL sort by CUSIP
CITY OF KENAI PERMANENT FUNDS
June 30, 2021

Cusip9	Original Face	Quantity	Security	Unit Cost	Total Cost	Price	Market Value	Accrued Interest	Annual Income
458140BH2	100,000.0000	100,000.0000	INTEL CORP	105.622000	105,622.00	105.24700	105,247.00	313.06	2,450.00
46625HJT8	200,000.0000	200,000.0000	JPMORGAN CHASE & CO	105.181000	210,362.00	108.31300	216,626.00	3,229.17	7,750.00
485170BE3	110,000.0000	110,000.0000	KANSAS CITY SOUTHERN	108.001000	118,801.10	105.39700	115,936.70	641.67	3,850.00
49446RAU3	150,000.0000	150,000.0000	KIMCO REALTY CORP	94.918000	142,377.00	107.82500	161,737.50	2,062.50	4,950.00
500255AX2	50,000.0000	50,000.0000	KOHL'S CORPORATION	99.802000	49,901.00	103.52700	51,763.50	426.56	1,687.50
501044DE8	100,000.0000	100,000.0000	KROGER CO	99.820000	99,820.00	106.13900	106,139.00	559.44	2,650.00
559080AP1	110,000.0000	110,000.0000	MAGELLAN MIDSTEAM PARTN	109.069000	119,975.90	108.50100	119,351.10	1,448.33	4,345.00
61746BDQ6	100,000.0000	100,000.0000	MORGAN STANLEY IND FINANC	108.711000	103,711.00	108.76200	108,762.00	667.36	3,875.00
67077MAX6	75,000.0000	75,000.0000	NUTRIEN LTD	99.738000	74,803.50	115.07400	86,305.50	395.00	2,962.50
761713BG0	150,000.0000	150,000.0000	REYNOLDS AMERICAN INC	108.467000	162,700.50	110.77800	166,167.00	352.29	6,675.00
855244AN9	75,000.0000	75,000.0000	STARBUCKS CORP	98.536000	73,902.00	104.28900	78,216.75	775.00	2,325.00
871829BH9	100,000.0000	100,000.0000	Sysco Corporation	120.536000	120,536.00	119.52500	119,525.00	1,310.28	4,450.00
87971MBK8	50,000.0000	50,000.0000	TELUS CORP	121.524200	60,762.10	119.84900	59,924.50	95.56	2,150.00
94974BGA2	100,000.0000	100,000.0000	WELLS FARGO & COMPANY	99.882000	99,882.00	107.81300	107,813.00	1,026.67	3,300.00
Accrued I							32,967.88		
					3,126,467.20		3,332,362.68	32,967.88	108,800.50
DOMESTIC LARGE CAP EQUITY FUNDS/ETF									
33939L860	3,140.0000	3,140.0000	FLEXSHARES QUAL DIV ETF	40.528831	127,260.53	56.14000	176,279.60		0.00
78462F103	17,863.0000	17,863.0000	SPDR S&P 500 ETF	209.895866	3,749,369.85	428.06000	7,646,435.78		0.00
					3,876,630.38		7,822,715.38		0.00
DOMESTIC MID CAP EQUITY FUNDS/ETF									
464287507	16,258.0000	16,258.0000	ISHARES CORE S&P MIDCAP 400	57.71848	1,882,218.70	268.73000	4,369,012.34		0.00
DOMESTIC SMALL CAP EQUITY FUNDS/ETF									
464287804	19,562.0000	19,562.0000	ISHARES S&P SMALLCAP 600	50.323765	984,433.48	112.98000	2,210,114.76		0.00
INTERNATIONAL EQUITY FUNDS/ETF									
46432F842	58,636.0000	58,636.0000	ISHARES ETF CORE MSCI EAFE	66.214080	3,882,528.80	74.86000	4,389,490.96		0.00
EMERGING MARKET FUNDS/ETF									
46434G103	43,636.0000	43,636.0000	ISHARES ETF CORE MSCI EMER	52.94067	2,294,994.69	66.99000	2,923,175.64		0.00
REAL ESTATE & INFRASTRUCTURE									
33939L795	25,507.0000	25,507.0000	FLEXSHAR STX GLOBAL BROAD	50.566646	1,289,803.44	57.47000	1,465,887.29		0.00
46641Q738	8,072.0000	8,072.0000	JPMORGAN BETABUILDERS MSCI	81.404811	657,099.64	95.83000	773,539.76		0.00
					1,946,903.08		2,239,427.05		0.00
U.S. TREASURY									
912810QK7	125,000.0000	125,000.0000	US TREASURY NOTES	127.111805	158,889.76	131.47300	164,341.25	1,819.75	4,843.75
912810QZ4	55,000.0000	55,000.0000	US TREASURY NOTES	117.355473	64,545.51	119.48400	65,716.20	645.72	1,718.75
912810SH2	95,000.0000	95,000.0000	US TREASURY NOTES	102.981445	97,832.37	117.09800	111,243.10	348.83	2,731.25
912810SN9	15,000.0000	15,000.0000	US TREASURY NOTES	100.738267	15,110.74	81.65200	12,247.80	23.95	187.50
912810SS8	115,000.0000	115,000.0000	US TREASURY NOTES	96.637565	111,133.20	89.81300	103,284.95	238.67	1,868.75
912810ST6	115,000.0000	115,000.0000	US TREASURY NOTES	95.679174	110,031.05	89.82800	103,302.20	201.95	1,581.25
9128285M8	160,000.0000	160,000.0000	US TREASURY NOTES	102.380210	163,808.34	113.12900	181,006.40	638.59	5,000.00

Alaska Permanent Capital Management Co.
PORTFOLIO APPRAISAL sort by CUSIP
CITY OF KENAI PERMANENT FUNDS
June 30, 2021

Cusip9	Original Face	Quantity	Security	Unit Cost	Total Cost	Price	Market Value	Accrued Interest	Annual Income
9128286B1	20,000.0000	20,000.0000	US TREASURY NOTES	101.741271	20,348.25	109.65600	21,931.20	197.24	525.00
912828R36	75,000.0000	75,000.0000	US TREASURY NOTES	95.634709	71,726.03	103.65200	77,739.00	155.66	1,218.75
912828T91	150,000.0000	150,000.0000	US TREASURY NOTES	99.406253	149,109.38	103.03900	154,558.50	410.67	2,437.50
912828U24	200,000.0000	200,000.0000	US TREASURY NOTES	95.257812	190,515.62	105.53100	211,062.00	510.87	4,000.00
912828XZ8	75,000.0000	75,000.0000	US TREASURY NOTES	99.707033	74,780.27	108.15200	81,114.00	5.60	2,062.50
912828Z52	205,000.0000	205,000.0000	US TREASURY NOTES	104.699220	214,633.40	102.74600	210,629.30	1,175.78	2,818.75
912828Z94	225,000.0000	225,000.0000	US TREASURY NOTES	108.507813	244,142.58	100.98800	227,223.00	1,267.96	3,375.00
912828ZQ6	10,000.0000	10,000.0000	US TREASURY NOTES	100.793000	10,079.30	93.47300	9,347.30	7.98	62.50
912828ZY9	20,000.0000	20,000.0000	US TREASURY NOTES	99.996100	19,999.22	99.73800	19,947.60	11.53	25.00
91282CAB7	20,000.0000	20,000.0000	US TREASURY NOTES	100.160150	20,032.03	98.10900	19,621.80	20.86	50.00
91282CAC5	50,000.0000	50,000.0000	US TREASURY NOTES	100.019540	50,009.77	100.00800	50,004.00	26.07	62.50
91282CAD3	15,000.0000	15,000.0000	US TREASURY NOTES	99.898467	14,984.77	95.84400	14,376.60	23.46	56.25
91282CAE1	20,000.0000	20,000.0000	US TREASURY NOTE	99.726562	19,945.31	93.16400	18,632.80	46.96	125.00
91282CAP6	190,000.0000	190,000.0000	US TREASURY NOTE	99.753905	189,532.42	99.57000	189,183.00	49.97	237.50
91282CAV3	125,000.0000	125,000.0000	US TREASURY NOTES	97.636720	122,045.90	95.09400	118,867.50	139.69	1,093.75
91282CBL4	75,000.0000	75,000.0000	US TREASURY NOTE	95.507813	71,630.86	97.07800	72,808.50	316.99	843.75
91282CBS9	100,000.0000	100,000.0000	US TREASURY NOTES	99.589840	99,589.84	100.39500	100,395.00	312.50	1,250.00
91282CBU4	110,000.0000	110,000.0000	US TREASURY NOTES	99.957027	109,952.73	99.84800	109,832.80	34.37	137.50
91282CCB5	125,000.0000	125,000.0000	US TREASURY NOTES	100.890624	126,113.28	101.53100	126,913.75	259.43	2,031.25
91282CCC3	180,000.0000	180,000.0000	US TREASURY NOTES	99.855467	179,739.84	99.45300	179,015.40	57.47	450.00
Accrued I							8,948.51		
					2,720,261.78		2,763,293.46	8,948.51	40,793.75
AGENCIES									
3130AJ4B2	125,000.0000	125,000.0000	FHLB	104.268000	130,335.00	103.52400	129,405.00	615.02	2,031.25
3130AJZ36	125,000.0000	125,000.0000	FEDERAL HOME LOAN BANK	99.900000	124,875.00	99.09600	123,870.00	258.33	750.00
Accrued I							873.35		
					255,210.00		254,148.35	873.35	2,781.25
CASH AND EQUIVALENTS									
			DIVIDEND ACCRUAL		24,577.26		24,577.26		0.00
VP4560000			WF ADV GOVT MM FD-INSTL #1751		2,190,056.12		2,190,056.12		0.00
					2,214,633.38		2,214,633.38		0.00
TOTAL PORTFOLIO					25,843,614.78		35,267,004.06	49,042.71	234,031.03

Report to City Council

CITY OF KENAI

Audit Planning:
Year Ended June 30, 2021



Contents

QUICK ACCESS TO THE FULL REPORT

WELCOME	3
EXECUTIVE SUMMARY	4
APPENDIX	12

The following communication was prepared as part of our audit, has consequential limitations, and is intended solely for the information and use of those charged with governance (e.g, City Council) and, if appropriate, management of the Company and is not intended and should not be used by anyone other than these specified parties.

Welcome

July 9, 2021

Honorable Mayor and Members of the City Council
City of Kenai

Professional standards require us to communicate with you regarding matters related to the financial statement audit that are, in our professional judgment, significant and relevant to your responsibilities in overseeing the financial reporting process. This document provides an overview of our plan for the audit of the financial statements, schedule of expenditures of federal awards and schedule of state financial assistance of City of Kenai, the City, as of and for the year ended June 30, 2021, including a summary of the nature, scope, and timing of the planned audit work.

We are pleased to be of service to the City and look forward to discussing our audit plan, as well as other matters that may be of interest to you.

Respectfully,

BDO USA, LLP

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Executive Summary

Responsibilities

BDO USA, LLP, as your auditor, is responsible for forming and expressing an opinion(s) about whether the financial statements, the schedule of expenditures of federal awards and schedule of state financial assistance that have been prepared by management, with your oversight, are prepared, in all material respects, in conformity with accounting principles generally accepted in the United States of America. In addition, our audit will be conducted in accordance with standards for financial audits contained in the *Government Auditing Standards*, issued by the Comptroller General of the United States, Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements of Federal Awards* (Uniform Guidance) and *State of Alaska Audit Guide and Compliance Supplement for State Single Audits* (State Audit Guide). The audit of the financial statements does not relieve you of your responsibilities and does not relieve management of their responsibilities. The engagement letter, a copy of which has been provided to you, includes specific details regarding the auditor's and management's responsibilities.



Audit Strategy

Overall, our audit strategy is to assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design further audit procedures responsive to assessed risks. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. In connection with our audit, we will obtain a sufficient understanding of the City's internal control to plan the audit of the financial statements. However, such understanding is required for the purposes of determining our audit procedures and not to provide any assurance concerning such internal control. In addition, Government Auditing Standards require that we also plan and perform the audit to obtain reasonable assurance about whether the City has complied with applicable laws, regulations and the terms and conditions of the federal and state awards that may have a direct and material effect on each of City's major federal and state programs.

We focus on areas with higher risk of material misstatement (whether due to error or fraud). Our audit strategy includes consideration of:

- ▶ prior year audit results together with current year preliminary analytical review, including discussions with management and those charged with governance regarding the City's operations,
- ▶ inherent risk within the City,
- ▶ recent developments within the industry, regulatory environment, and general economic conditions,
- ▶ recently issued and effective accounting and financial reporting guidance,
- ▶ the City's significant accounting policies and procedures, including those requiring significant management judgments and estimates and those related to significant unusual transactions,
- ▶ the control environment and the possibility that the control system and procedures may fail to prevent or detect a material error or fraud,
- ▶ Information about systems and the computer environment in which the related systems operate,
- ▶ a continual assessment of materiality thresholds based upon qualitative and quantitative factors affecting the City, and
- ▶ internal control over compliance with requirements that could have a direct and material effect on a major federal and state program in order to determine our auditing procedures.

Planned Scope

Based upon our initial assessment, our planned scope for the audit is described below:

- ▶ The areas indicated below relate to significant risks identified during our risk assessment procedures and include a brief description of how we propose to address them:
 - Management Override of Controls
 - Revenue Recognition
 - Fraud Risk
 - Other Matters, including Significant Unusual Transactions

- ▶ We will plan and perform the audit of the financial statements for the year ended June 30, 2021, in accordance with *Government Auditing Standards* (GAS).

- ▶ We will consider the City's internal control over financial reporting as a basis for designing audit procedures for the purpose of expressing our opinion(s) on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control.

- ▶ We will perform tests of compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions is not an objective of our audit.

Planned Scope

- ▶ We will plan and perform the audit of the Schedule of Expenditures of Federal Awards (SEFA) and Schedule of State Financial Assistance (SSFA) for the year ended June 30, 2021, in accordance with GAS, the Uniform Guidance and State Audit Guide and will issue an in relation to opinion.
- ▶ We will consider internal control over compliance with requirements that could have a direct and material effect on a major federal and state program in order to determine our auditing procedures for the purpose of expressing an opinion on compliance and to test and report on internal control over compliance in accordance with the Uniform Guidance and State Audit Guide.



Overall Audit Timeline

The following represents our anticipated schedule with regard to our audit of the financial statements of the City:

	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Planning	✓	✓					
Interim Fieldwork		✓	✓				
Year-End Fieldwork				✓	✓		
Release Reports on Financial Statements						✓	✓



Independence

Our engagement letter to you dated July 9, 2021, describes our responsibilities in accordance with professional standards and certain regulatory authorities with regard to independence and the performance of our services. This letter also stipulates the responsibilities of the City with respect to independence as agreed to by the City. Please refer to that letter for further information.



Client Service Team

As a matter of policy, we attempt to provide continuity of service to our clients to the greatest extent possible. Where engagement team rotation is necessary, we will discuss this matter with you and determine the appropriate individual to be assigned to the engagement based on particular experience, expertise, and engagement needs.

We are pleased to be of service to the City and look forward to answering questions you may have regarding our audit plan as well as other matters that may be of interest to you.



Joy Merriner
Assurance Partner
jmerriner@bdo.com
907-770-2257



Michelle Kiese
Assurance Senior Manager
mkiese@bdo.com
907-646-7335



Travis Werba
Assurance Manager
tjwerba@bdo.com
907-770-2202



Appendix





Implementation of New GASB Standards

New GASB Standards

In light of the COVID-19 Pandemic, the GASB issued Statement No. 95, *Postponement of the Effective Dates of Certain Authoritative Guidance*, to provide relief to governments. This Statement, which was effective upon the issuance date of May 8, 2020, postponed the effective dates of certain provisions in Statements that were first effective for reporting periods beginning after June 15, 2018. The effective dates of certain provisions contained in the following pronouncements were postponed by one year:

- ▶ Statement No. 83, *Certain Asset Retirement Obligations*
- ▶ Statement No. 84, *Fiduciary Activities*
- ▶ Statement No. 88, *Certain Disclosures Related to Debt, including Direct Borrowings and Direct Placements*
- ▶ Statement No. 89, *Accounting for Interest Cost Incurred before the End of a Construction Period*
- ▶ Statement No. 90, *Majority Equity Interests*
- ▶ Statement No. 91, *Conduit Debt Obligations*
- ▶ Statement No. 92, *Omnibus 2020*
- ▶ Statement No. 93, *Replacement of Interbank Offered Rates*

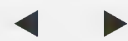
The effective date of Statement No. 87, *Leases*, has been postponed by 18 months.

Earlier application of the standards is encouraged and is permitted to the extent specified in each pronouncement as originally issued.

GASB Statement No. 83, *Certain Asset Retirement Obligations*

Effective Dates	Date per Pronouncement	Date as amended per GASB Statement No. 95
	Reporting Periods Beginning After 6/15/2018	Reporting Periods Beginning After 6/15/2019

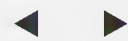
- ▶ Establishes measurement criteria for recording a liability for the retirement or removal of certain assets such as nuclear power plants, sewage treatment facilities, coal-fired power plants, wind turbines, and x-ray machines.
- ▶ Governments with legal obligations to perform future asset retirement activities related to its tangible capital assets would be required to recognize a liability.
- ▶ Must be both an external obligating event, such as a court judgment or federal, state or local law; and an internal obligating event, such as contamination or retirement.
- ▶ A liability and corresponding deferred outflow are recorded when the liability is both incurred and reasonably estimable.
- ▶ The liability is based on the best estimate of the current value of outlays expected to be incurred.
- ▶ Deferred outflows should be amortized over the estimated useful life of the tangible capital asset.
- ▶ Annual remeasurement required, adjusting for effects of inflation or deflation.
- ▶ Exception for minority owner (<50%).



GASB Statement No. 84, *Fiduciary Activities*

Effective Dates	Date per Pronouncement	Date as amended per GASB Statement No. 95
	Reporting Periods Beginning After 12/15/2018	Reporting Periods Beginning After 12/15/2019

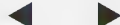
- ▶ Establishes criteria for reporting fiduciary activities that focuses on whether the government controls the assets and the fiduciary relationship with the beneficiaries.
- ▶ Four fiduciary funds will be used: Pension and OPEB trust funds; Investment trust funds; Private-purpose trust funds; and Custodial funds.
- ▶ Custodial funds replace agency funds for activities that are not held in trust.
- ▶ For activities other than a Pension or OPEB plan for which a trust agreement exists, an investment trust fund or private purpose trust fund will be used.
- ▶ For stand-alone business-type activities, fiduciary activities should be reported in separate fiduciary fund financial statements, unless resources are expected to be held three months or less.



GASB Statement No. 87, *Leases*

Effective Dates	Date per Pronouncement (as amended)	Date as amended per GASB Statement No. 95
	Fiscal Years Beginning After 12/15/2019	Fiscal Years Beginning After 6/15/2021

- ▶ Requires recognition of certain lease assets and liabilities for leases that are currently classified as operating leases.
- ▶ New definition of a lease - a contract that conveys the right to use another entity’s nonfinancial asset for a period in an exchange or exchange-like transaction.
- ▶ Eliminates the distinction between operating and capital leases.
- ▶ Excludes short-term leases, leases that transfer ownership and service concession arrangements that are covered by GASB Statement No. 60.
- ▶ Lessees would recognize a lease liability and an intangible right-to-use lease asset which would be amortized in a systematic and reasonable manner over the shorter of the lease term or the useful life of the underlying asset.
- ▶ Lessors would recognize a lease receivable and deferred inflow of resources which would be recognized as revenue in a systematic and rational manner over the term of the lease.



GASB Statement No. 88, *Certain Disclosures Related to Debt, including Direct Borrowings and Direct Placements*

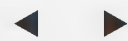
Effective Dates	Date per Pronouncement	Date as amended per GASB Statement No. 95
	Reporting Periods Beginning After 6/15/2018	Reporting Periods Beginning After 6/15/2019

- ▶ Defines debt for purposes of disclosure as a liability that arises from a contractual obligation to pay cash or other assets in one or more payments to settle an amount that is fixed as of the date the obligation is established.
- ▶ Excludes pension and OPEB liabilities, leases (except for contracts reported as a financed purchase of the underlying assets) and accounts payable as those should be disclosed in separate notes.
- ▶ Includes capital appreciation bonds and variable rate debt.
- ▶ Additional note disclosures required for unused lines of credit, assets pledged as collateral, specific debt agreement terms.
- ▶ Debt disclosures should separate information for direct borrowings and direct placements of debt from other debt.

GASB Statement No. 89, *Accounting for Interest Cost Incurred Before the End of a Construction Period*

Effective Dates	Date per Pronouncement	Date as amended per GASB Statement No. 95
	Reporting Periods Beginning After 12/15/2019	Reporting Periods Beginning After 12/15/2020

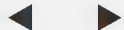
- ▶ Upon implementation, in financial statements using the economic resources measurement focus (business-type activities and enterprise funds) interest incurred during construction should be recognized as an expense of the period.
- ▶ Interest costs on construction-in-progress will be capitalized only to the implementation date of this Statement. The provisions of this Statement are to be applied prospectively and will therefore not require a restatement of any balances.
- ▶ In financial statements using the current financial resources measurement focus (governmental funds), interest incurred during construction should be recognized as an expenditure (no change).
- ▶ If a government has regulated operations as defined by paragraph 476 of GASB Statement No. 62, this Statement does not eliminate or remove the requirement to capitalize qualifying interest costs as a regulatory asset.



GASB Statement No. 90, *Majority Equity Interests*, and *Amendment of GASB Statements No. 14 and No. 61*

Effective Dates	Date per Pronouncement	Date as amended per GASB Statement No. 95
	Reporting Periods Beginning After 12/15/2018	Reporting Periods Beginning After 12/15/2019

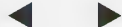
- ▶ A majority equity interest in a legally separate organization will be reported as an investment if it meets the definition of an investment.
- ▶ Measured using the equity method, unless held by a special-purpose government engaged only in fiduciary activities, a fiduciary fund or an endowment/permanent fund. These funds would utilize fair value to measure the majority equity interest.
- ▶ For all other majority equity interests in a legally separate organization, report the legally separate organization as component unit and the fund that holds the equity interest should report an asset using the equity method.
- ▶ Acquisition of a component unit in which the government holds 100% interest would be measured using acquisition value.



GASB Statement No. 91, *Conduit Debt Obligations*

Effective Dates	Date per Pronouncement	Date as amended per GASB Statement No. 95
	Reporting Periods Beginning After 12/15/2020	Reporting Periods Beginning After 12/15/2021

- ▶ Clearly defines the characteristics of a conduit debt obligation and establishes that a conduit debt obligation is not a liability of the issuer.
- ▶ An issuer should recognize a liability associated with an additional commitment or voluntary commitment to support debt service if certain recognition criteria are met.
- ▶ As long as a conduit debt obligation is outstanding, an issuer that has made an additional commitment should evaluate at least annually whether the recognition criteria are met. An issuer that has only made a limited commitment should evaluate whether those recognition criteria are met when an event occurs that cause the issuer to evaluate its willingness or ability to support the obligor’s debt service through a voluntary commitment.
- ▶ Standard addresses accounting for arrangements where capital assets are constructed or acquired with the proceeds of a conduit debt obligation and used by third-party obligors in the course of their activities.
- ▶ Standard enhances note disclosures related to conduit debt.

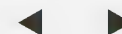


GASB Statement No. 92, Omnibus 2020

Effective Dates	Date per Pronouncement	Date as amended per GASB Statement No. 95
	Key Provisions Effective as Noted Below	Except for Provisions Effective upon Statement Issuance, all other Provisions are Delayed One Year

Key Provisions of the Statement are as follows:

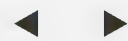
- ▶ Effective Upon Statement Issuance- February 5, 2020:
 - The effective date for interim financial reporting of Statement No. 87, Leases, and Implementation Guide No. 2019-3, Leases, is for fiscal years beginning after December 15, 2019.
 - Clarifies that for public entity risk pools, amounts recoverable from reinsurers or excess insurers related to paid claims and claims adjustment expenses may be reported as a reduction of expenses.
 - The terms derivative and derivatives should be replaced with derivative instrument and derivative instruments, respectively.
- ▶ Effective for Fiscal Years Beginning After June 15, 2020:
 - Clarification of the reporting of intra-entity transfers of assets between a government employer or noncontributing entity to a defined benefit pension or other postemployment (OPEB) plan that are within the same reporting entity.
- ▶ Effective for Reporting Periods Beginning After June 15, 2020:
 - Clarification that a government that reports a fiduciary activity for assets that are accumulated for purposes of providing pension or OPEB through certain defined benefit plans should recognize liabilities in accordance with Statement No. 84.
- ▶ Effective for Government Acquisitions Occurring in Reporting Periods Beginning After June 15, 2020:
 - In a government acquisition, liabilities and assets related to the acquired entity’s asset retirement obligations (AROs) should be measured using the accounting and financial reporting requirements of Statement No. 83, when the AROs fall within the scope of that standard.



GASB Statement No. 93, *Replacement of Interbank Offered Rates*

Effective Dates	Date per Pronouncement	Date as amended per GASB Statement No. 95
	Effective as Noted Below	Paragraphs 13 and 14 are Effective for Fiscal Years Beginning After June 15, 2021

- ▶ Effective for Reporting Periods Beginning After June 15, 2020:
 - Provides exceptions for certain hedging derivative instruments to the hedge accounting termination provisions when an IBOR is replaced as the reference rate of the hedging derivative instrument’s variable payment.
 - Clarifies the hedge accounting termination provisions when a hedged item is amended to replace the reference rate.
 - Clarifies that the uncertainty related to the continued availability of IBORs does not, by itself, affect the assessment of whether the occurrence of a hedged expected transaction is probable.
 - Identifies a Secured Overnight Financing Rate and the Effective Federal Funds Rate as appropriate benchmark interest rates for the qualitative evaluation of the effectiveness of an interest rate swap.
 - Clarifies the definition of reference rate, as it is used in Statement 53, as amended.
 - Provides an exception to the lease modifications guidance in Statement 87, as amended, for certain lease contracts that are amended solely to replace an IBOR as the rate upon which variable payments depend. (paragraphs 13 and 14)
- ▶ Effective for Reporting Periods Ending After December 31, 2021:
 - Removes LIBOR as an appropriate benchmark interest rate for the qualitative evaluation of the effectiveness of an interest rate swap (paragraph 11b).



GASB Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*

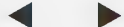
Effective Dates	Date per Pronouncement
	Fiscal Years Beginning After June 15, 2022

- ▶ For the Public-Private and Public-Public Partnerships (P3s) that meet the definition of a service concession arrangement (SCA), this Statement carries forward the financial reporting requirements for SCAs that were included in Statement 60, with modifications to apply the more extensive requirements related to recognition and measurement of leases to SCAs.
- ▶ For P3s that meet the definition of a lease, the guidance in Statement No. 87 should be applied, if existing assets of the transferor that are not required to be improved by the operator as part of the P3 arrangement are the only underlying P3 assets and the P3s do not meet the definition of an SCA.
- ▶ This Statement provides specific guidance for all other P3s from the perspective of both a government that transfers rights to another party and governmental operators that receive those rights.
- ▶ The Statement requires governments to account for Availability Payment Arrangement (APAs) in which ownership of the asset transfers by the end of the contract as a financed purchase of the underlying infrastructure or other nonfinancial asset. It also requires a government to report an APA that is related to operating or maintaining a nonfinancial asset as an outflow of resources (for example, expense) in the period to which payments relate

GASB Statement No. 96, *Subscription Based Information Technology Arrangements*

Effective Dates	Date per Pronouncement
	Fiscal Years Beginning After June 15, 2022

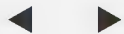
- ▶ Addresses accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users. Standard is based on the standards established in Statement No. 87, Leases.
- ▶ Defines a SBITA as a contract that conveys control of the right to use a SBITA vendor’s IT software, alone or in combination with tangible capital assets (the underlying IT assets), as specified in the contract for a period of time in an exchange or exchange-like transaction.
- ▶ Requires governments with SBITAs to recognize a right-to-use subscription asset—an intangible asset—and a corresponding subscription liability (with an exception for short-term SBITAs—those with a maximum possible term of 12 months).
- ▶ Provides guidance related to outlays other than subscription payments, including implementation costs, and requirements for note disclosures related to a SBITA.



GASB Statement No. 97, Certain Component Unit Criteria, and Accounting and Financial Reporting for Internal Revenue Code Section 457 Plans Deferred Compensation Plans

Effective Dates	Date per Pronouncement
	Effective as Noted Below

- ▶ Effective Upon Statement Issuance - June 23, 2020:
 - Requires that for purposes of determining whether a primary government is financially accountable for a potential component unit, except for a potential component unit that is a defined contribution pension plan, a defined contribution OPEB plan, or an other employee benefit plan (for example, certain Section 457 plans), the absence of a governing board should be treated the same as the appointment of a voting majority of a governing board if the primary government performs the duties that a governing board typically performs.
 - Requires that the financial benefit burden criteria in Statement No. 84, Fiduciary Activities, be applicable to only defined benefit pension and OPEB plans administered through a trust.
- ▶ Effective for Fiscal Years Beginning After June 15, 2021
 - Requires that a Section 457 plan be classified as either a pension plan or an other employee benefit plan depending on whether the plan meets the definition of a pension plan.
 - Requires that a Section 457 plan that meets the definition of a pension apply all accounting and financial reporting requirements relevant to pensions.
 - Clarifies that Statement 84, as amended, should be applied to all Section 457 plans to determine whether those arrangements should be reported as fiduciary activities.





Industry Resources

Industry Risk and Resources

- ▶ BDO's industry focus is part of who we are and how we serve our clients and has been for over a century. We demonstrate our experience through knowledgeable professionals, relevant client work and participation in the industries we serve.
- ▶ Our industry practices bring perspective on trends, opportunities, issues and regulations that frame our services and approach to address your needs and your industry.

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Public Sector
BDO leverages an independent viewpoint to help clients navigate complex, government-wide challenges.

OVERVIEW FEDERAL GOVERNMENT

Challenging times call for a new perspective.
The public sector is facing many challenges. In addition to political gridlock, the federal deficit has caused many agencies' budgets to shrink over the last several years, meaning that government leaders are under pressure to accomplish more with reduced funding.

BDO's Public Sector Practice serves a wide variety of clients across many levels of government. In addition to our Federal Government clients, we also serve Regional, State, and Local Governments, drawing on deep experience to provide strategic, innovative solutions. Offering a unique depth of capabilities and resources, BDO helps government leaders develop tailored strategies and implement practical solutions that make the most of their limited resources.

KEY CONTACTS
MARK ELLENBOGEN ▶
President/CEO of BDO Public Sector

Accounting, Audit and Other Compliance Considerations for Public Sector Entities Related to COVID-19

The global pandemic is having unprecedented impacts on federal, state, local, tribal and territory governments. Our [COVID-19 resource center](#) helps organizations stay abreast of the latest developments and mitigate risk during this time of uncertainty. For government organizations, the stakes are high as agencies and elected officials work overtime to flatten the curve, save lives and ensure the safety of the American people.

While circumstances are changing daily, our FAQs for the Public Sector answer the most frequently asked questions by government organizations, along with resources to help them respond and plan around each on.

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Sponsored by: Vice Mayor Molloy and City Clerk

CITY OF KENAI

ORDINANCE NO. 3224-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, REPEALING AND REENACTING KENAI MUNICIPAL CODE TITLE 6 - ELECTIONS, TO PROVIDE CLARITY, HOUSEKEEPING, AND PROCESS IMPROVEMENTS.

WHEREAS, Alaska Statute 29.26.010 provides that local governing bodies may establish their own procedures governing local elections; and,

WHEREAS, the City has traditionally collaborated with the Kenai Peninsula Borough (KPB) on the administration of the annual regular municipal elections resulting in efficiencies to the local election process; and,

WHEREAS, at their April 20, 2021 meeting the KPB Assembly authorized the Borough Clerk to purchase new election equipment to be used for local elections removing the need for the use of state equipment in local elections; and,

WHEREAS, at the July 7, 2021 meeting the City Council _____ the City Manager to enter into a Memorandum of Agreement for intergovernmental administration of KPB and City Municipal Elections; and,

WHEREAS, Kenai Municipal Code (KMC) currently references state election statutes in Title 15 for many of its election procedures which is no longer a best practice as state election equipment will no longer be used; and,

WHEREAS, it is in the best interest of the City to provide for procedures in its elections that are established locally, with local public process, and align with those of KPB; and,

WHEREAS, additionally, much of the election process is located in one chapter of Kenai Municipal Code (KMC) and this ordinance seeks to subdivide the chapter into several chapters of like topics.

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

Section 1. Repealing and Re-enacting Title 6 of the Kenai Municipal Code: That Kenai Municipal Code, Title 6 - Elections is hereby repealed and re-enacted as follows:

[CHAPTER 6.05
VOTING QUALIFICATIONS AND PROCEDURES

SECTIONS:

- 6.05.010 QUALIFICATIONS FOR VOTERS.
- 6.05.020 REGISTRATION.
- 6.05.030 PRECINCT AND POLLING PLACE.
- 6.05.040 PRECINCT BOARD.
- 6.05.050 COMPENSATION OF ELECTION PERSONNEL.
- 6.05.060 WATCHERS.
- 6.05.070 CITY CLERK TO SUPERVISE CITY ELECTIONS.
- 6.05.080 CITY CLERK TO PREPARE AND FURNISH BALLOTS.
- 6.05.090 BALLOT BOXES, VOTING BOOTHS.
- 6.05.100 NOTICE OF ELECTIONS—REGULAR AND SPECIAL.
- 6.05.110 CONDUCTING AN ELECTION—CANVASSING RETURNS.
- 6.05.120 ESTABLISHMENT OF CANVASSING BOARD AND PROCEDURES.
- 6.05.130 TIE VOTES.
- 6.05.140 ABSENTEE VOTING.
- 6.05.145 ABSENTEE VOTING IN PERSON.
- 6.05.150 ABSENTEE VOTING—APPLICATION.
- 6.05.160 ABSENTEE VOTING—BALLOTS.
- 6.05.170 ABSENTEE VOTING—BY MAIL.
- 6.05.180 VOTING—AUTHORIZED.
- 6.05.190 VOTING—BOARDS.
- 6.05.200 VOTING DEVICES AND MACHINES.
- 6.05.210 VOTING—TESTS AND SECURITY.
- 6.05.220 RECOUNT OF VOTES—APPLICATION.
- 6.05.230 APPEAL TO THE COURTS AFTER RECOUNT.
- 6.05.240 ELECTION CONTESTS.
- 6.05.250 RULES AND REGULATIONS.
- 6.05.260 CITY ELECTION TIME.
- 6.05.270 OFFENSES AND PENALTIES.
- 6.05.280 RECORD RETENTION.
- 6.05.300 VOTING BY MAIL, BALLOTS, BALLOT REVIEW, BALLOT ENVELOPES.
- 6.05.310 CASTING BALLOTS.
- 6.05.320 NOTICE OF ELECTION, ELECTION DATE, PUBLIC NOTICE.
- 6.05.330 ABSENTEE VOTING OFFICIAL AND DUTIES.
- 6.05.335 ABSENTEE VOTING—BY ELECTRONIC TRANSMISSION.
- 6.05.340 STORING BALLOTS.

6.05.010 QUALIFICATIONS FOR VOTERS.
 PERSONS WHO HAVE THE QUALIFICATIONS FOR VOTERS PRESCRIBED BY THE CITY CHARTER, SECTION 10-6, THE STATE CONSTITUTION, ARTICLE V, SECTIONS 1 AND 2, AND STATE LAW, SHALL BE QUALIFIED TO VOTE IN CITY ELECTIONS IF THEY ARE REGISTERED AS PROVIDED IN THIS TITLE. (KC 6-1)

6.05.020 REGISTRATION.

(A) THE ELECTION JUDGES SHALL KEEP AN ORIGINAL REGISTER ON WHICH EACH VOTER SHALL, BEFORE RECEIVING A BALLOT, SIGN THE VOTER'S NAME AND EITHER COMPLETE OR CORRECT BOTH THE VOTER'S RESIDENCE AND MAILING ADDRESSES. A RECORD SHALL BE KEPT ON THE REGISTER OF THE NAME OF EACH PERSON WHO OFFERED TO VOTE, BUT WAS REFUSED, AND A BRIEF STATEMENT OF THE BASIS OF THE REFUSAL. THE SIGNING OF THE REGISTER CONSTITUTES A DECLARATION BY THE VOTER THAT THE VOTER IS QUALIFIED TO VOTE.

(B) VOTERS MAY BE IDENTIFIED FROM SUCH REASONABLE SOURCES AS STATE VOTER REGISTRATION LISTS, BEING KNOWN TO THE ELECTION JUDGES AS RESIDENTS OF THE CITY OF KENAI, OR BY SUCH OTHER IDENTIFICATION AS IS ACCEPTED CUSTOMARILY FOR SCHEMES OF "PRE-REGISTRATION" QUALIFICATIONS.

(C) REGISTERS SIGNED BY VOTERS ON ELECTION DAY SHALL BE KEPT WITH THE RECORDS OF THAT ELECTION.

(D) AS USED IN THIS TITLE, "REGISTER" SHALL MEAN THE COMPUTER PRINTOUT ENTITLED "STATE OF ALASKA PRECINCT REGISTER" (OR ANY FORM SUBSEQUENTLY SUBSTITUTED THEREFOR) SUPPLIED BY THE DIVISION OF ELECTIONS OF THE STATE OF ALASKA FOR USE IN EACH PRECINCT.

(KC 6-9; ORDS. 193, 803)

6.05.030 PRECINCT AND POLLING PLACE.

(A) THE CITY OF KENAI SHALL BE COMPOSED OF SUCH ELECTION PRECINCTS AS MAY BE SET UP OR MODIFIED BY THE DIRECTOR OF ELECTIONS OF THE STATE OF ALASKA FOR ALL CITY ELECTIONS, BOTH REGULAR AND SPECIAL. THE POLLING PLACES WILL BE AS DESIGNATED BY THE STATE OF ALASKA, DIVISION OF ELECTIONS.

(B) CHANGES OF THE POLLING PLACES MAY BE ACCOMPLISHED BY THE COUNCIL BY MOTION, RESOLUTION, OR ORDINANCE.

(KC 6-12,13; ORDS. 159, 803, 1182)

6.05.040 PRECINCT BOARD.

(A) THERE SHALL BE ELECTION BOARDS FOR THE PRECINCTS IN THE CITY COMPOSED OF THREE (3) OR MORE JUDGES APPOINTED BY THE CITY COUNCIL. THE JUDGES SHALL BE QUALIFIED VOTERS OF THE CITY. THE CITY COUNCIL MAY DESIGNATE ONE OF THE JUDGES CHAIR OF THE BOARD, AND THE CHAIR SHALL BE PRIMARILY RESPONSIBLE FOR THE ADMINISTRATION OF THE ELECTION IN THE PRECINCT. THE CITY COUNCIL MAY ALSO APPOINT FROM AMONG THE QUALIFIED VOTERS OF THE CITY ONE (1) OR TWO (2) CLERKS WHERE IT DEEMS THEIR SERVICES ARE NECESSARY. THE CITY CLERK, AS THE ELECTION SUPERVISOR, MAY APPOINT NOT MORE THAN FOUR (4) ELECTION CLERKS FROM AMONG THE QUALIFIED VOTERS OF THE CITY AT ANY POLLING PLACE WHERE THEY ARE NEEDED TO CONDUCT AN ORDERLY ELECTION AND TO RELIEVE THE ELECTION JUDGES OF UNDUE HARDSHIP IF HE OR SHE THINKS THEY ARE NEEDED AND IF THE CITY COUNCIL AUTHORIZES IT.

(B) ALL CITY ELECTION PERSONNEL SHALL BE APPOINTED WITHOUT REGARD TO THEIR MEMBERSHIP IN ANY POLITICAL PARTY.

Ordinance No. 3224-2021

Page 4 of 45

(C) ALL ELECTION JUDGES AND CLERKS, BEFORE ENTERING UPON THEIR DUTIES, MUST SUBSCRIBE TO THE OATH REQUIRED OF ALL PUBLIC OFFICERS BY THE CONSTITUTION OF THE STATE OF ALASKA IN THE MANNER PRESCRIBED BY THE CLERK. IF ANY APPOINTED ELECTION OFFICIAL IS NOT ABLE OR REFUSES TO SERVE ON ELECTION DAY, THE CLERK MAY APPOINT A REPLACEMENT FOR THAT OFFICIAL.

(D) CANDIDATES SHALL NOT SERVE AS ELECTION OFFICIALS. CERTAIN FAMILIAL RELATIONSHIPS MAY NOT EXIST BETWEEN A CANDIDATE AND A PRECINCT ELECTION JUDGE, ELECTION CLERK, OR MEMBER OF A BALLOT COUNTING TEAM IN REGULAR OR SPECIAL ELECTIONS. THOSE FAMILIAL RELATIONSHIPS ARE:

- (1) MOTHER, MOTHER-IN-LAW, STEPMOTHER;
- (2) FATHER, FATHER-IN-LAW, STEPFATHER;
- (3) SISTER, SISTER-IN-LAW, STEPSISTER;
- (4) BROTHER, BROTHER-IN-LAW, STEPBROTHER;
- (5) SPOUSE; OR
- (6) PERSON SHARING THE SAME LIVING QUARTERS.

(E) IF THE ELECTION SUPERVISOR KNOWS OR LEARNS ANY OF THESE RELATIONSHIPS EXIST, THE PRECINCT ELECTION JUDGE, ELECTION CLERK, OR MEMBER OF THE BALLOT COUNTING TEAM SHALL BE NOTIFIED AND THE PERSON REPLACED.

(KC 6-12,13; ORDS. 159, 2108-2005)

6.05.050 COMPENSATION OF ELECTION PERSONNEL.

(A) THE CITY SHALL PAY ALL NECESSARY EXPENSES RELATING TO THE CONDUCT OF EACH CITY ELECTION, INCLUDING THOSE OF SECURITY POLLING PLACES, AND SHALL PROVIDE BALLOT BOXES, BALLOTS, VOTING BOOTHS OR SCREENS, NATIONAL FLAGS, AND OTHER SUPPLIES AND ANY WAGES TO ELECTION OFFICIALS UNLESS OTHERWISE PROVIDED BY THIS CODE.

(B) THE CITY SHALL PAY EACH ELECTION BOARD MEMBER AND CANVASS BOARD MEMBER AN HOURLY RATE FOR TIME SPENT AT HIS OR HER ELECTION DUTIES, INCLUDING THE RECEIVING OF INSTRUCTIONS AND POSTING OF NOTICES. THE ELECTION SUPERVISOR SHALL SET THE HOURLY COMPENSATION TO BE PAID FOR TIME SPENT BY ELECTION OFFICIALS AT A RATE COMPARABLE TO THAT PAID BY THE STATE FOR STATE ELECTIONS. THE CLERK SHALL RETAIN A RECORD FOR AUDITING AND PAYMENT OF ELECTION EXPENSES, INCLUDING THE COST OF GIVING NOTICE, RENTING POLLING PLACES, PAYING ELECTION OFFICIALS, SECURITY BALLOT BOXES, BOOTHS AND OTHER ELECTION NECESSITIES.

(KC 6-14; ORD. 2108-2005)

6.05.060 WATCHERS.

ANY CANDIDATE FOR ELECTIVE CITY OFFICE MAY APPOINT A WATCHER FOR THE PRECINCT. STATE LAW RELATING TO WATCHERS IN STATE ELECTIONS SHALL GOVERN WATCHERS IN CITY ELECTIONS INSOFAR AS IT IS APPLICABLE. (KC 6-15)

6.05.070 CITY CLERK TO SUPERVISE CITY ELECTIONS.

THE CITY CLERK, UNDER DIRECTION OF THE CITY COUNCIL AND IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER, IS THE ELECTION SUPERVISOR FOR AND SHALL ADMINISTER ALL CITY ELECTIONS. (KC 6-16; ORD. 2108-2005)

6.05.080 CITY CLERK TO PREPARE AND FURNISH BALLOTS.

(A) THE CITY CLERK SHALL PREPARE AND FURNISH ALL OFFICIAL BALLOTS IN CITY ELECTIONS. THE PROVISIONS OF STATE LAW RELATING TO THE PREPARATION AND FURNISHING OF BALLOTS IN STATE ELECTIONS SHALL GOVERN THE PREPARATION AND FURNISHING OF BALLOTS IN CITY ELECTIONS INsofar AS THEY ARE APPLICABLE AND ARE NOT IN CONFLICT WITH THE CITY CHARTER OR ORDINANCE; AND THE CITY CLERK SHALL PERFORM THE FUNCTIONS IN REGARD THERETO PRESCRIBED BY LAW FOR THE DIRECTOR OF ELECTIONS IN REGARD THERETO IN STATE ELECTIONS INsofar AS IT IS APPROPRIATE.

(B) AT THE TIME OF PREPARING, THE BALLOTS MAY BE INSPECTED BY ANY CANDIDATE WHOSE NAME IS ON THE BALLOT, OR BY HIS OR HER AUTHORIZED AGENT, AND ANY DISCOVERED MISTAKE SHALL BE CORRECTED IMMEDIATELY.

(C) THE CITY CLERK SHALL PROVIDE TINTED SAMPLE BALLOTS, OATHS OF OFFICE OF JUDGES, QUESTIONED OATHS, TALLY SHEETS WHEN REQUIRED, INSTRUCTIONS TO VOTERS, WARNING NOTICES, AND OTHER FORMS AND SUPPLIES REQUIRED FOR CITY ELECTIONS; AND HE OR SHE SHALL GIVE THE DUPLICATE REGISTRATION INDEX AND AN ADEQUATE SUPPLY OF OFFICIAL BALLOTS, SAMPLE BALLOTS, AND ALL OTHER NECESSARY SUPPLIES AND MATERIALS TO THE CHAIRS OF THE PRECINCT ELECTION BOARDS IN ADEQUATE TIME BEFORE A CITY ELECTION.

(KC 6-17; ORDS. 803, 941, 1652-95, 2108-2005)

6.05.090 BALLOT BOXES, VOTING BOOTHS.

THE CITY CLERK SHALL PROVIDE SUITABLE BALLOT BOXES AND AN ADEQUATE NUMBER OF VOTING BOOTHS OR SCREENS. REGULATIONS MADE BY THE DIRECTOR OF ELECTIONS, RELATING TO POLLING PLACES, BALLOT BOXES, VOTING BOOTHS, SCREENS, FLAGS, AND SUPPLIES FOR STATE ELECTIONS, SHALL GOVERN THESE MATTERS IN RELATION TO CITY ELECTIONS INsofar AS THEY ARE APPLICABLE AND ARE NOT SUPERSEDED BY ORDINANCE. (KC 6-18; ORD. 803)

6.05.100 NOTICE OF ELECTIONS—REGULAR AND SPECIAL.

(A) AT LEAST TEN (10) DAYS BEFORE EVERY CITY ELECTION, REGULAR OR SPECIAL, THE CITY CLERK SHALL CAUSE TO BE PUBLISHED BY POSTING ON THE OFFICIAL CITY BULLETIN BOARD IN OR ON THE CITY ADMINISTRATION BUILDING AND IN TWO (2) OTHER PLACES IN THE CITY, OR IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE CITY, A NOTICE OF SUCH ELECTION. THE NOTICE SHALL INCLUDE, BUT IS NOT LIMITED TO, THE FOLLOWING:

- (1) THE DATE OF THE ELECTION;
- (2) TIME DURING WHICH THE POLLING PLACE WILL BE OPEN;
- (3) THE LOCATION OF THE POLLING PLACE;
- (4) OFFICES TO WHICH CANDIDATES ARE TO BE ELECTED (IF ANY);
- (5) AND THE SUBJECTS OF THE PROPOSITIONS AND QUESTIONS WHICH ARE TO BE SUBMITTED TO THE VOTERS AT THE ELECTION (IF ANY).

(B) FAILURE TO PUBLISH SUCH A NOTICE OF AN ELECTION SHALL NOT AFFECT THE VALIDITY OF THE ELECTION OR OF THE VOTE FOR ANY CANDIDATE OR ON ANY PROPOSAL; BUT, IF CAUSED BY THE CITY CLERK, SHALL CONSTITUTE FAILURE TO PERFORM HIS OR HER OFFICIAL DUTIES.

(C) IN ADDITION TO THE ABOVE NOTICE, THE CITY CLERK SHALL PUBLISH IN FULL EVERY CHARTER AMENDMENT, EVERY ORDINANCE, AND EVERY OTHER QUESTION WHICH IS TO BE SUBMITTED AT AN ELECTION, EXCEPT A REFERRED ORDINANCE WHICH WAS PUBLISHED IN FULL AFTER PASSAGE, NOT MORE THAN FOUR (4) WEEKS AND AT LEAST TWO (2) WEEKS BEFORE THE ELECTION IN ACCORDANCE WITH THE CITY CHARTER, SECTIONS 1-7(4) AND 10-8.

(KC 6-19)

6.05.110 CONDUCTING AN ELECTION—CANVASSING RETURNS.
ALASKA STATUTES, CHAPTERS 15.15 THROUGH 15.20 AND ANY AMENDMENTS THERETO, SHALL APPLY TO THE CITY ELECTIONS INsofar AS THEY DO NOT CONFLICT WITH SPECIFIC CITY ORDINANCES. THE PRECINCT ELECTION BOARDS SHALL DELIVER TO THE CITY CLERK ONE (1) COPY OF THE CERTIFICATE WITH THE RESULTS OF THE VOTE IN THE PRECINCT, THE REGISTERS SIGNED BY PERSONS VOTING, ALL BALLOTS CAST, ALL BALLOTS IMPROPERLY MARKED, DAMAGED OR UNLAWFULLY EXHIBITED, AND ALL OATHS, AFFIRMATIONS AND AFFIDAVITS TO THE COUNCIL AS PROVIDED BY KMC 6.05.130. THE CHAIR OF EACH PRECINCT ELECTION BOARD SHALL RETAIN POSSESSION OF A DUPLICATE COPY OF THE RESULTS, WHICH COPY MAY BE DESTROYED BY EACH CHAIR TWENTY (20) DAYS AFTER THE ELECTION UNLESS THE CITY CLERK OR THE CITY COUNCIL REQUESTS ITS DELIVERY. (ORDS. 193, 803, 881, 1788-98, 2556-2011)

6.05.120 ESTABLISHMENT OF CANVASSING BOARD AND PROCEDURES.

(A) PURSUANT TO THE PROVISIONS OF SECTION 10-9 OF THE CHARTER OF THE CITY OF KENAI, THERE IS HEREBY ESTABLISHED A CANVASSING BOARD FOR THE CANVASSING OF ALL CITY ELECTIONS; REGULAR AND SPECIAL, AND TO ASCERTAIN AND DECLARE THE RESULTS THEREOF, AS FOLLOWS:

(1) THE CITY CLERK IS HEREBY DESIGNATED AS THE CHAIR OF THE CANVASSING BOARD.

(2) THE CANVASSING BOARD SHALL CONSIST OF THE CITY CLERK, CHAIR OF EACH PRECINCT ELECTION BOARD WITHIN THE CITY, AND UP TO FIVE (5) ADDITIONAL JUDGES SELECTED FROM AMONG THE QUALIFIED VOTERS OF THE CITY. IN THE EVENT ANY SUCH APPOINTED MEMBER OF THE BOARD IS ABSENT FROM THE CITY, ILL, OR OTHERWISE UNABLE TO ATTEND AT THE TIME SET FOR CANVASSING THE BALLOT, THE CITY CLERK IS HEREBY AUTHORIZED TO APPOINT ANOTHER ELECTION JUDGE FROM THE SAME PRECINCT TO SUBSTITUTE FOR THE APPOINTED MEMBER.

(B) THE CANVASSING BOARD SHALL MEET IN PUBLIC SESSION ON THE TUESDAY FOLLOWING EVERY CITY ELECTION, REGULAR OR SPECIAL, AT 8:30 A.M. AND, IF NECESSARY, CONTINUE THROUGH THE FOLLOWING DAY AND SHALL PROMPTLY PROCEED TO CANVASS THE RETURNS OF SAID ELECTION, MAKING DECISIONS AS TO VALIDITY OF QUESTIONED BALLOTS, COUNTING ABSENTEE BALLOTS, AND ASCERTAINING AND DECLARING THE RESULTS OF SAID ELECTION. THE CANVASS OF THE BALLOT VOTE COUNTED BY THE PRECINCT ELECTION BOARDS SHALL BE ACCOMPLISHED BY REVIEWING THE TALLIES OF THE RECORDED VOTE TO CHECK FOR MATHEMATICAL ERROR BY COMPARING TOTALS WITH THE PRECINCT'S CERTIFICATE OF RESULTS. ALL OBVIOUS ERRORS FOUND BY THE ELECTION CANVASS IN THE TRANSFER OF TOTALS FROM THE PRECINCT TALLY SHEETS TO THE

PRECINCT CERTIFICATE OF RESULTS SHALL BE CORRECTED BY THE CANVASSING BOARD. A MISTAKE THAT HAS BEEN MADE IN PRECINCT RETURNS, AND THAT IS NOT CLEARLY AN ERROR IN THE TRANSFER OF THE RESULTS FROM THE TALLIES TO THE CERTIFICATE OF RESULTS, EMPOWERS THE CANVASSING BOARD TO RECOMMEND A RECOUNT OF THE RESULTS OF THE PRECINCT OR PRECINCTS FOR THAT PORTION OF THE RETURNS IN QUESTION.

(C) IN ORDER TO BE COUNTED, ABSENTEE BALLOTS THAT ARE MAILED MUST BE MAILED ON OR BEFORE THE DATE OF THE ELECTION, AND IF THE ENVELOPE CONTAINING THE BALLOT IS POSTMARKED, THE POST MARK DATE MUST BE ON OR BEFORE THE DATE OF ELECTION, AND SAID BALLOT MUST BE RECEIVED IN THE CITY OF KENAI'S MAIL BY NOON ON THE SEVENTH (7TH) DAY AFTER THE ELECTION. BALLOT ENVELOPES RECEIVED BY UNITED STATES POSTAL SERVICE WITHOUT A POSTMARK SHALL BE COUNTED, PROVIDED THE BALLOT ENVELOPE MEETS ALL OTHER REQUIREMENTS (SIGNATURES, REGISTRATION, ETC.) AND THE RECEIPT BY THE CITY INDICATES THE BALLOT WAS MAILED ON OR BEFORE THE DATE OF THE ELECTION AND THE BALLOT WAS RECEIVED IN THE CITY OF KENAI'S MAIL BY NOON ON THE SEVENTH (7TH) DAY AFTER THE ELECTION.

(D) THE CITY CLERK, AS CHAIR OF THE CANVASSING BOARD, SHALL REPORT THE RESULTS OF THE ELECTION TO THE CITY COUNCIL AS THE FIRST ORDER OF BUSINESS FOLLOWING THE ROLL CALL AT THE NEXT REGULAR COUNCIL MEETING FOLLOWING THE MEETING OF THE CANVASSING BOARD.

(KC 6-12; ORDS. 707, 1652-95, 2108-2005, 2488-2010, 2556-2011)

6.05.130 TIE VOTES.

IN CASE OF FAILURE TO ELECT BECAUSE OF A TIE VOTE, THE COUNCIL SHALL IMMEDIATELY PROCEED TO RECOUNT THE VOTES. IF THERE IS STILL A FAILURE TO ELECT BECAUSE OF A TIE AFTER COMPLETION OF THE RECOUNT, THE ELECTION SHALL BE DETERMINED FAIRLY BY LOT FROM AMONG THE CANDIDATES TYING, IN A MEETING OF THE COUNCIL AND UNDER ITS DIRECTION, IN ACCORDANCE WITH THE CITY CHARTER, SECTION 10-4. (KC 6-22)

6.05.140 ABSENTEE VOTING.

ANY QUALIFIED VOTER WHO MAY SECURE AND CAST AN ABSENTEE BALLOT IN A STATE ELECTION MAY SECURE AND CAST AN ABSENTEE BALLOT IN A CITY ELECTION. THE CITY CLERK SHALL SUPERVISE ABSENTEE VOTING, AND SHALL ISSUE NECESSARY INSTRUCTIONS REGARDING THE PROCEDURE FOR ABSENTEE VOTING TO QUALIFIED APPLICANTS FOR ABSENTEE BALLOTS. THE CITY CLERK SHALL PROVIDE THE ABSENTEE BALLOTS, THE SECRECY ENVELOPES FOR THE BALLOTS, AND THE POSTAGE-PAID RETURN ENVELOPES THEREFOR, AND ANY OTHER FORMS AND SUPPLIES REQUIRED FOR THE USE OF ABSENTEE VOTERS. (KC 6-23; ORD. 2488-2010)

6.05.145 ABSENTEE VOTING IN PERSON.

(A) A QUALIFIED VOTER MAY APPLY IN PERSON FOR AN ABSENTEE BALLOT AT THE OFFICE OF THE CITY CLERK DURING REGULAR OFFICE HOURS, OR THE VOTER MAY APPLY TO THE BOROUGH CLERK'S OFFICE OR ABSENTEE VOTING OFFICIAL IN HIS OR HER AREA DURING REGULAR OFFICE HOURS.

Ordinance No. 3224-2021

Page 8 of 45

(B) ON RECEIPT OF AN APPLICATION IN PERSON FOR AN ABSENTEE BALLOT AND EXHIBITION OF PROOF OF IDENTIFICATION AS REQUIRED IN THIS TITLE, THE CLERK SHALL ISSUE THE BALLOT TO THE APPLICANT.

(C) THE VOTER SHALL PROCEED TO MARK THE BALLOT IN SECRET, TO PLACE THE BALLOT IN THE SMALL ENVELOPE, TO PLACE THE SMALL ENVELOPE IN THE LARGER ENVELOPE IN THE PRESENCE OF THE ELECTION OFFICIAL WHO SHALL SIGN AS ATTESTING OFFICIAL AND DATE OF HIS OR HER SIGNATURE. THE ELECTION OFFICIAL SHALL THEN ACCEPT THE BALLOT.

(D) THE ELECTION OFFICIAL MAY NOT ACCEPT A MARKED BALLOT THAT HAS BEEN EXHIBITED BY AN ABSENTEE VOTER WITH INTENT TO INFLUENCE OTHER VOTERS. IF THE ABSENTEE VOTER IMPROPERLY MARKS OR OTHERWISE DAMAGES A BALLOT, THE VOTER MAY REQUEST, AND THE ELECTION OFFICIAL SHALL PROVIDE HIM OR HER WITH ANOTHER BALLOT UP TO A MAXIMUM OF THREE (3). EXHIBITED, IMPROPERLY MARKED, OR DAMAGED BALLOTS SHALL BE DESTROYED. THE NUMBERS OF ALL BALLOTS DESTROYED SHALL BE NOTED ON THE BALLOT STATEMENT.

(E) EACH ABSENTEE VOTING OFFICIAL SHALL KEEP A RECORD OF THE NAMES AND THE SIGNATURES OF VOTERS WHO CAST ABSENTEE BALLOTS BEFORE HIM OR HER AND THE DATES ON WHICH THE BALLOTS WERE CAST.

(ORD. 1799-98)

6.05.150 ABSENTEE VOTING—APPLICATION.

ANY QUALIFIED VOTER WHO IS ENTITLED TO SECURE AND CAST AN ABSENTEE BALLOT MAY APPLY TO THE CITY CLERK IN PERSON, BY A PERSONAL REPRESENTATIVE, BY MAIL, OR BY ELECTRONIC TRANSMISSION, FOR AN ABSENTEE BALLOT. AN APPLICATION FOR AN ABSENTEE BALLOT RECEIVED BY THE CITY BY MAIL OR ELECTRONIC TRANSMISSION SHALL INCLUDE THE NAME OF THE APPLICANT AND BOTH THE LOCATION, I.E., ELECTRONIC, FACSIMILE, OR MAILING ADDRESS TO WHICH THE ABSENTEE BALLOT IS TO BE RETURNED AND HIS OR HER FULL RESIDENTIAL ADDRESS IN THE CITY. THE DATES FOR MAKING SUCH APPLICATIONS FOR ABSENTEE BALLOTS IN CITY ELECTIONS SHALL BE NOT LESS THAN SEVEN (7) DAYS PRIOR TO THE ELECTION. THE CITY CLERK SHALL FOLLOW THE PROCEDURE PRESCRIBED BY STATE LAW FOR ELECTION OFFICIALS IN DETERMINING WHETHER AN APPLICANT IS ENTITLED TO SECURE AND CAST AN ABSENTEE BALLOT. (KC 6-24; ORDS. 1652-95, 2556-2011)

6.05.160 ABSENTEE VOTING—BALLOTS.

VOTERS CASTING ABSENTEE BALLOTS SHALL MARK THE BALLOT, PLACE THE BALLOT IN THE SECRECY ENVELOPE AND THEN PLACE THE SECRECY ENVELOPE WITH THE MARKED BALLOT INSIDE THE POSTAGE-PAID RETURN ENVELOPE, AND RETURN THE DOCUMENTS TO THE CITY CLERK IN THE SAME MANNER AND UNDER THE SAME REGULATIONS, AS NEARLY AS MAY BE, AS REQUIRED BY LAW IN STATE ELECTIONS. (KC 6-25; ORD. 2488-2010)

6.05.170 ABSENTEE VOTING—BY MAIL.

(A) A QUALIFIED VOTER MAY APPLY FOR AN ABSENTEE BALLOT BY MAIL IF THE APPLICATION IS POSTMARKED NOT EARLIER THAN THE FIRST OF THE YEAR IN WHICH THE ELECTION IS TO BE HELD NOR LESS THAN SEVEN (7) DAYS BEFORE AN

ELECTION. A VOTER MAY REQUEST HIS OR HER NAME BE PLACED ON PERMANENT ABSENTEE BY MAIL STATUS. THE APPLICATION SHALL INCLUDE THE ADDRESS TO WHICH THE ABSENTEE BALLOT IS TO BE RETURNED, THE APPLICANT'S FULL ALASKA RESIDENCE ADDRESS, AND THE APPLICANT'S SIGNATURE.

(B) AFTER RECEIPT OF AN APPLICATION BY MAIL, THE CITY CLERK SHALL SEND THE ABSENTEE BALLOT AND OTHER ABSENTEE VOTING MATERIAL TO THE APPLICANT BY FIRST CLASS MAIL. THE MATERIALS SHALL BE SENT AS SOON AS THEY ARE READY FOR DISTRIBUTION. THE POSTAGE PAID RETURN ENVELOPE SENT WITH THE MATERIALS SHALL BE ADDRESSED TO THE CITY CLERK.

(C) UPON RECEIPT OF AN ABSENTEE BALLOT BY MAIL, THE VOTER, IN THE PRESENCE OF A NOTARY PUBLIC, COMMISSIONED OFFICER OF THE ARMED FORCES INCLUDING THE NATIONAL GUARD, DISTRICT JUDGE OR MAGISTRATE, UNITED STATES POSTAL OFFICIAL, OR OTHER PERSON QUALIFIED TO ADMINISTER OATHS, MAY PROCEED TO MARK THE BALLOT IN SECRET, TO PLACE THE BALLOT IN THE SECRECY ENVELOPE, TO PLACE THE SECRECY ENVELOPE IN THE POSTAGE PAID ENVELOPE, AND TO SIGN THE VOTER'S CERTIFICATE ON THE BACK OF THE POSTAGE-PAID RETURN ENVELOPE IN THE PRESENCE OF AN OFFICIAL LISTED IN THIS SUBSECTION WHO SHALL SIGN AS ATTESTING OFFICIAL AND SHALL DATE HIS OR HER SIGNATURE. IF NONE OF THE OFFICIALS LISTED IN THIS SUBSECTION ARE REASONABLY ACCESSIBLE, AN ABSENTEE VOTER SHALL HAVE THE BALLOT WITNESSED BY A PERSON OVER THE AGE OF EIGHTEEN (18) YEARS.

(D) AN ABSENTEE BALLOT MUST BE MARKED AND ATTESTED ON OR BEFORE THE DATE OF THE ELECTION. IF THE VOTER RETURNS THE BALLOT BY MAIL, HE OR SHE SHALL USE A MAIL SERVICE AT LEAST EQUAL TO FIRST CLASS AND MAIL THE BALLOT NOT LATER THAN THE DAY OF THE ELECTION TO THE CITY CLERK. THE BALLOT ENVELOPE MUST BE POSTMARKED ON OR BEFORE MIDNIGHT OF ELECTION DAY AND RECEIVED BY THE CITY CLERK NO LATER THAN NOON ON THE SEVENTH DAY AFTER THE ELECTION. BALLOT ENVELOPES RECEIVED AFTER THAT TIME SHALL NOT BE OPENED BUT SHALL BE MARKED "INVALID," WITH THE DATE OF RECEIPT NOTED THEREON, AND SHALL BE PRESERVED WITH OTHER BALLOTS OF THE ELECTION.

(E) THE CITY CLERK MAY REQUIRE A VOTER CASTING AN ABSENTEE BALLOT BY MAIL TO PROVIDE PROOF OF IDENTIFICATION OR OTHER INFORMATION TO AID IN THE ESTABLISHMENT OF HIS OR HER IDENTITY.

(F) THE CITY CLERK SHALL MAINTAIN A RECORD OF THE NAME OF EACH VOTER TO WHOM AN ABSENTEE BALLOT IS SENT BY MAIL. THE RECORD MUST LIST THE DATE ON WHICH THE BALLOT IS MAILED AND THE DATE ON WHICH THE BALLOT IS RECEIVED BY THE CITY CLERK AND THE DATES ON WHICH THE BALLOT WAS EXECUTED AND POSTMARKED.

(ORDS. 2488-2010, 2556-2011)

6.05.180 VOTING—AUTHORIZED.

THE ELECTION OFFICIAL MAY PROVIDE FOR VOTING AT ONE (1) OR MORE VOTING PLACES FOR ONE (1) OR MORE QUESTIONS OR OFFICES ON A BALLOT. (ORDS. 881, 1788-98)

6.05.190 VOTING—BOARDS.

THE ELECTION OFFICIAL SHALL APPOINT A RECEIVING BOARD AND A DATA PROCESSING CONTROL BOARD, EACH CONSISTING OF THREE (3) MEMBERS. THE ELECTION OFFICIAL SHALL APPOINT A CHAIR OF EACH BOARD AND ADMINISTER THE OATH PRESCRIBED FOR ELECTION JUDGES TO BOTH CHAIR WHO SHALL ADMINISTER THE OATH TO THE REMAINING MEMBERS OF THEIR RESPECTIVE BOARDS. A VACANCY ON A BOARD SHALL BE FILLED BY THE ELECTION OFFICIAL. (ORDS. 881, 1788-98)

6.05.200 VOTING DEVICES AND MACHINES.

(A) VOTING DEVICES AND MACHINES WILL BE USED FOR ALL REGULAR AND SPECIAL ELECTIONS UNLESS DETERMINED NOT TO BE PRACTICAL BY THE CLERK. THE LAWS OF THE STATE CONCERNING VOTING DEVICES AND MACHINES ARE INCORPORATED IN THIS CHAPTER AS IF FULLY SET OUT IN THIS CHAPTER EXCEPT FOR PROVISIONS IN CONFLICT WITH THIS CHAPTER.

(B) THE ELECTION OFFICIAL SHALL DESIGNATE THE COMPUTERS TO BE USED IN COUNTING THE BALLOTS AND MAY NEGOTIATE AND CONTRACT WITH THE KENAI PENINSULA BOROUGH OR A PRIVATE COMPUTER SERVICE FOR THE NEEDED COMPUTER SERVICES.
(ORDS. 881, 941, 1788-98)

6.05.210 VOTING—TESTS AND SECURITY.

NO LATER THAN ONE (1) WEEK BEFORE THE ELECTION, THE COMPUTER VOTE COUNTING PROGRAM MUST BE TESTED IN THE PRESENCE OF, AND TO THE SATISFACTION OF, THE DATA PROCESSING CONTROL BOARD. (ORDS. 881, 1788-98)

6.05.220 RECOUNT OF VOTES—APPLICATION.

(A) ANY DEFEATED CANDIDATE OR ANY TEN (10) QUALIFIED VOTERS, WHO BELIEVE THAT A MISTAKE HAS BEEN MADE BY AN ELECTION OFFICIAL OR BY THE COUNCIL IN COUNTING THE VOTES IN ANY ELECTION, MAY MAKE AN APPLICATION IN WRITING TO THE COUNCIL FOR A RECOUNT OF THE VOTES FROM THE PRECINCT FOR ANY PARTICULAR OFFICE OR ON ANY PARTICULAR QUESTION. THE APPLICATION MUST BE FILED WITH THE MAYOR, THE CITY CLERK, OR IN THE OFFICE OF THE CITY CLERK WITHIN TWENTY-FOUR (24) HOURS, EXCLUDING ANY SATURDAY, SUNDAY, OR HOLIDAY AFTER THE COUNCIL DECLARES THE RESULTS OF THE VOTE BEING QUESTIONED. IN CASE OF A TIE VOTE BETWEEN TWO (2) OR MORE CANDIDATES, THE COUNCIL SHALL RECOUNT THE VOTES WITHOUT AN APPLICATION THEREFOR.

(B) THE PERSON OR PERSONS APPLYING FOR A RECOUNT SHALL DEPOSIT ONE HUNDRED DOLLARS (\$100.00) IN CASH, BY CERTIFIED CHECK, OR BY BOND WITH SURETY APPROVED BY THE COUNCIL, EXCEPT IN THE CASE OF A TIE VOTE FOR CANDIDATES (WHEN NO DEPOSIT SHALL BE REQUIRED). IF ON THE RECOUNT A CANDIDATE OTHER THAN THE CANDIDATE WHO WAS FIRST DECLARED ELECTED IS DECLARED ELECTED, OR IF THE RESULT OF THE VOTE ON A QUESTION IS REVERSED, OR IF THE VOTE ON RECOUNT IS DETERMINED TO BE FOUR PERCENT (4%) OR MORE IN EXCESS OF THE VOTE REPORTED AFTER THE FIRST CANVASS FOR THE CANDIDATE APPLYING FOR THE RECOUNT OR IN FAVOR OF THE OPPOSED TO THE

QUESTION STATED IN THE APPLICATION, THE DEPOSIT SHALL BE REFUNDED; OTHERWISE, IT SHALL BE PLACED IN THE GENERAL FUND OF THE CITY.

(C) THE COUNCIL SHALL BEGIN THE RECOUNT WITHIN FORTY-EIGHT (48) HOURS AFTER RECEIVING THE APPLICATION, EXCLUDING ANY SATURDAY, SUNDAY, OR HOLIDAY, SHALL PROCEED WITH IT AS FAST AS PRACTICABLE, AND, SHALL DECLARE THE RESULTS THEREOF. THE CITY CLERK SHALL PROMPTLY ISSUE ANOTHER ELECTION CERTIFICATE IF A CHANGE IN THE RESULTS REQUIRE IT.
(KC 6-27; ORD. 2108-2005)

6.05.230 APPEAL TO THE COURTS AFTER RECOUNT.

ANY CANDIDATE OR A MAJORITY OF THE PERSONS WHO REQUESTED A RECOUNT WHO HAVE REASON TO BELIEVE THAT AN ERROR HAS BEEN MADE IN THE RECOUNT INVOLVING ANY CANDIDATE OR QUESTION, MAY APPEAL TO THE SUPERIOR COURT IN ACCORDANCE WITH APPLICABLE COURT RULES GOVERNING APPEALS IN CIVIL MATTERS. THE FILING OF THE APPEAL AND THE PROCEEDINGS SHALL BE, AS NEARLY AS MAY BE, AS IN CASE OF SUCH AN APPEAL MADE AFTER A RECOUNT IN A STATE ELECTION. (KC 6-28)

6.05.240 ELECTION CONTESTS.

ANY DEFEATED CANDIDATE OR TEN (10) QUALIFIED VOTERS, BY ACTION BROUGHT IN THE SUPERIOR COURT, MAY CONTEST THE ELECTION OF ANY PERSON OR THE APPROVAL OR REJECTION OF ANY QUESTION UPON THE SAME GROUNDS AND IN THE SAME MANNER, AS NEARLY AS MAY BE, AS IN ELECTION CONTESTS ARISING OUT OF STATE ELECTIONS. THE CITY CLERK SHALL PROMPTLY ISSUE ANY NEW ELECTION CERTIFICATE REQUIRED TO REFLECT THE JUDGMENT OF THE COURT. (KC 6-29)

6.05.250 RULES AND REGULATIONS.

RULES AND REGULATIONS MADE BY THE DIRECTOR OF ELECTIONS PURSUANT TO LAW REGULATING STATE ELECTIONS SHALL ALSO APPLY TO CITY ELECTIONS INSOFAR AS THEY ARE APPLICABLE. THE CITY CLERK SHALL HAVE THE POWERS AND DUTIES PRESCRIBED FOR THE DIRECTOR OF ELECTIONS IN SAID RULES AND REGULATIONS, WITH REGARD TO CITY ELECTIONS, INSOFAR AS IT WOULD BE APPROPRIATE IN CITY ELECTIONS. (KC 6-31; ORD. 803)

6.05.260 CITY ELECTION TIME.

NOTHING IN THIS CHAPTER SHALL PROHIBIT HOLDING A CITY ELECTION ON THE SAME DAY AND BY THE SAME ELECTION PERSONNEL AS A STATE, BOROUGH, OR OTHER PUBLIC ELECTION, OR SUBMITTING A CITY QUESTION AT SUCH AN ELECTION, AS AUTHORIZED BY THE CITY CHARTER, SECTION 10-8. (KC 6-32)

6.05.270 OFFENSES AND PENALTIES.

(A) IT IS UNLAWFUL FOR ANY PERSON, FIRM, OR CORPORATION TO DO ANY OF THE FOLLOWING ACTS, AND ANY PERSON, FIRM, OR CORPORATION WHO DOES ANY OF THE FOLLOWING ACTS SHALL BE GUILTY OF A VIOLATION:

- (1) DIRECTLY OR INDIRECTLY USES OR THREATENS TO USE FORCE, COERCION, VIOLENCE, RESTRAINT, INFLICTS, OR THREATENS TO INFLICT DAMAGE, HARM, OR LOSS UPON OR AGAINST ANY PERSON TO INDUCE OR COMPEL THE PERSON TO

VOTE OR REFRAIN FROM VOTING FOR ANY CANDIDATE IN ANY ELECTION OR FOR ANY ELECTION PROPOSITION OR QUESTION.

(2) GIVES OR PROMISES TO GIVE, OR OFFERS ANY MONEY OR VALUABLE THING TO ANY PERSON, WITH THE INTENT TO INDUCE HIM OR HER TO VOTE FOR OR RESTRAIN HIM OR HER FROM VOTING FOR ANY CANDIDATE AT ANY ELECTION OR ANY ELECTION PROPOSITION OR QUESTION.

(3) KNOWINGLY PRINTS OR CIRCULATES, OR CAUSES TO BE WRITTEN, PRINTED, OR CIRCULATED, ANY LETTER, CIRCULAR, BILL, PLACARD, POSTER, OR OTHER PUBLICATION RELATING TO ANY ELECTION OR TO ANY CANDIDATE AT ANY ELECTION OR TO ANY ELECTION PROPOSITION OR QUESTION WITHOUT THE SAME BEARING ON ITS FACE THE NAME AND ADDRESS OF THE AUTHOR, PRINTER, AND PUBLISHER THEREOF.

(4) WRITES, PRINTS, OR CIRCULATES, OR WHO SHALL CAUSE TO BE WRITTEN, PRINTED, OR CIRCULATED, ANY LETTER, CIRCULAR, BILL, PLACARD, OR POSTER, OR WHO CAUSES ANY PAID ADVERTISEMENT TO BE PLACED IN A NEWSPAPER OR ANY OTHER PUBLICATION, OR WHO PAYS OR CONTRIBUTES TO THE PAYMENT FOR ANY SUCH ADVERTISEMENT, OR WHO MAKES ANY RADIO BROADCAST, WILLFULLY KNOWING THE LETTER, CIRCULAR, BILL, PLACARD, POSTER, PUBLICATION, PAID ADVERTISEMENT, OR RADIO BROADCAST TO CONTAIN ANY FALSE STATEMENT, CHARGE, OR COMMENT RELATING TO ANY CANDIDATE TO ANY ELECTION OR TO ANY ELECTION PROPOSITION OR QUESTION.

(5) HAS IN HIS OR HER POSSESSION OUTSIDE OF THE VOTING ROOM ANY OFFICIAL BALLOT, PROVIDED THAT THIS SHALL NOT APPLY TO ELECTION OFFICIALS OR OTHER PROPERLY AUTHORIZED PERSONS HAVING SUCH POSSESSION IN LINE OF DUTY.

(6) MAKES OR KNOWINGLY HAS IN HIS OR HER POSSESSION ANY COUNTERFEIT OF AN OFFICIAL BALLOT.

(7) REFUSES TO ALLOW AN EMPLOYEE REASONABLE TIME OFF FOR THE PURPOSE OF VOTING WHEN THE EMPLOYEE DOES NOT HAVE A REASONABLE AMOUNT OF TIME TO VOTE BEFORE OR AFTER WORK, OR WHO, AFTER ALLOWING THE TIME OFF, DEDUCTS THE TIME FROM THE COMPENSATION OF THE EMPLOYEE.

(8) BEING AN ELECTION OFFICIAL WHILE THE POLLS ARE OPEN, OPENS ANY BALLOT RECEIVED FROM A VOTER AT AN ELECTION, OR MARKS A BALLOT BY FOLDING OR OTHERWISE SO AS TO BE ABLE TO RECOGNIZE IT, OR OTHERWISE ATTEMPTS TO LEARN HOW ANY VOTER MARKED HIS OR HER BALLOT, OR ALLOWS THE SAME TO BE DONE BY ANY OTHER PERSON.

(9) WRITES, PRODUCES, OR ASSISTS IN WRITING OR PRODUCING ANY PUBLISHED LETTER, CIRCULAR, POSTER, BILL, PUBLICATION, OR PLACARD, KNOWING THAT IT CONTAINS ANY FALSE STATEMENT OR FALSE CHARGE REFLECTING ON THE CHARACTER, MORALITY, OR INTEGRITY OF ANY CANDIDATE AT ANY ELECTION.

(10) VOTES OR ATTEMPTS TO VOTE IN THE NAME OF ANOTHER PERSON OR IN ANY NAME OTHER THAN HIS OR HER OWN.

(11) BY FORCE, THREAT, INTIMIDATION, OR OFFER OF REWARD, INDUCES OR ATTEMPTS TO INDUCE ANY ELECTION OFFICIAL TO FAIL IN HIS OR HER DUTY.

(12) WILLFULLY CHANGES OR CAUSES TO BE CHANGED ANY OFFICIAL ELECTION DOCUMENTS, INCLUDING BALLOTS, TALLIES, AND RETURNS, OR ATTEMPTS TO DO THE SAME.

(13) WILLFULLY DELAYS OR CAUSES TO BE DELAYED THE ELECTION RETURNS, OR ATTEMPTS TO DO SO.

(14) WILLFULLY VOTES OR ATTEMPTS TO VOTE MORE THAN ONCE AT THE SAME ELECTION.

(15) SIGNS ANY NAME OTHER THAN HIS OR HER OWN TO A PETITION PROPOSING AN INITIATIVE, REFERENDUM, OR RECALL, OR KNOWINGLY SIGNS HIS OR HER NAME MORE THAN ONCE FOR THE SAME PROPOSITION OR QUESTION AT ONE (1) ELECTION, OR SIGNS THE PETITION KNOWING THAT HE OR SHE IS NOT A QUALIFIED VOTER.

(16) HAVING BEEN CONTRACTED OR EMPLOYED BY THE CITY TO PRINT OR REPRODUCE IN ANY MANNER ANY OFFICIAL BALLOT, WILLFULLY APPROPRIATES TO HIM OR HERSELF, OR GIVES OR DELIVERS TO, OR KNOWINGLY PERMITS TO BE TAKEN BY ANYONE OTHER THAN A PERSON AUTHORIZED BY THE CITY CLERK, ANY OFFICIAL BALLOTS, OR KNOWINGLY PRINTS, REPRODUCES, OR CAUSES TO BE PRINTED OR REPRODUCED ANY OFFICIAL BALLOTS IN ANY OTHER FORM OR WITH ANY OTHER CONTENT THAN THAT PRESCRIBED BY THE CHARTER, ORDINANCE, OR AS DIRECTED BY THE CITY CLERK.

(17) WILLFULLY MAKES A FALSE AFFIDAVIT OR SWEARS FALSELY UNDER ANY OATH REQUIRED IN CONNECTION WITH ANY ELECTION OR REGISTRATION FOR VOTING OR FALSELY AFFIRMS IN LIEU OF SO SWEARING.

(18) WILLFULLY FAILS TO PERFORM ANY ELECTION DUTY OR KNOWINGLY DOES ANY UNAUTHORIZED ACT WITH THE INTENT TO AFFECT THE ELECTION OR ITS RESULTS.

(19) WILLFULLY PERMITS, MAKES, OR ATTEMPTS TO MAKE ANY FALSE COUNT OR REPORT OF THE ELECTION RETURNS.

(20) BEING AN ELECTION OFFICIAL, WILLFULLY CONCEALS, WITHHOLDS, WRONGFULLY CHANGES, MUTILATES, OR DESTROYS THE ELECTION RETURNS, OR ATTEMPTS TO DO SO.

(B) ANY PERSON, FIRM, OR CORPORATION WHO IS GUILTY OF A VIOLATION AS DEFINED HEREINABOVE SHALL BE PUNISHED UPON CONVICTION THEREOF AS PROVIDED FOR MISDEMEANORS IN KMC 13.05.010.

(KC 6-30; ORDS. 1240, 1858-2000)

6.05.280 RECORD RETENTION.

(A) THE CERTIFICATE OF RETURNS OF THE CANVASSING BOARD SHALL BE MAINTAINED PERMANENTLY, AND DESCRIPTIONS OF ELECTION BOUNDARIES, PRECINCTS, AND POLLING PLACES SHALL BE MAINTAINED UNTIL THEY ARE REVISED.

(B) OTHER ELECTION RECORDS SHALL BE MAINTAINED FOR THE PERIOD SET FORTH BELOW:

FINANCIAL	SIX YEARS
DISCLOSURE FORM	

CANDIDATE AFFIDAVIT OF EXPENSE AND CONTRIBUTIONS	FIVE YEARS
ELECTION REGISTERS	FOUR YEARS
NOMINATING PETITIONS	THREE YEARS
DECLARATION OF CANDIDACY	THREE YEARS
REJECTED BALLOTS	ONE YEAR, UNLESS ELECTION CONTESTED
CERTIFICATES OF ELECTION RETURN REPORTS	PERMANENTLY

(C) THE CITY CLERK SHALL INFORM THE CITY COUNCIL PRIOR TO DESTRUCTION OF ANY RECORDS, SPECIFYING THE TYPE OF RECORD AND THE DATE OF THE ELECTION TO WHICH IT RELATES.

(ORDS. 2488-2010, 2556-2011)

6.05.300 VOTING BY MAIL, BALLOTS, BALLOT REVIEW, BALLOT ENVELOPES.

(A) THE CITY CLERK MAY CONDUCT A SPECIAL ELECTION BY MAIL.

(B) WHEN THE CLERK CONDUCTS A SPECIAL ELECTION BY MAIL, THE CLERK SHALL SEND A BALLOT TO EACH PERSON WHOSE NAME APPEARS ON THE OFFICIAL VOTER REGISTRATION LIST PREPARED UNDER AS 15.07.125 FOR THAT ELECTION. THE CLERK SHALL SEND THE BALLOT TO THE ADDRESS STATED ON THE OFFICIAL REGISTRATION LIST UNLESS THE VOTER HAS NOTIFIED THE CLERK IN WRITING OF A DIFFERENT ADDRESS TO WHICH THE BALLOT SHOULD BE SENT. THE CLERK SHALL SEND BALLOTS BY FIRST CLASS, NONFORWARD-ABLE MAIL ON OR BEFORE THE TWENTY-SECOND (22ND) DAY BEFORE THE ELECTION.

(C) THE CLERK SHALL REVIEW BALLOTS VOTED UNDER THIS SECTION UNDER PROCEDURES ESTABLISHED FOR THE REVIEW OF ABSENTEE BALLOTS.

(D) THERE SHALL BE A SMALL BLANK ENVELOPE AND A POSTAGE-PAID RETURN ENVELOPE SUPPLIED TO EACH BY-MAIL VOTER. THE POSTAGE-PAID RETURN ENVELOPE SHALL HAVE PRINTED ON IT AN AFFIDAVIT BY WHICH THE VOTER SHALL DECLARE THE VOTER'S QUALIFICATION TO VOTE, FOLLOWED BY PROVISION FOR ATTESTATION BY ONE (1) ATTESTING WITNESS, WHO IS AT LEAST EIGHTEEN (18) YEARS OF AGE. SPECIFIC INSTRUCTIONS FOR VOTING A BY-MAIL BALLOT AND A LIST OF THE APPOINTED ABSENTEE VOTING OFFICIALS, THEIR HOURS AND LOCATIONS, SHALL BE MAILED TO EACH VOTER WITH THE BALLOT.

(ORDS. 1800-98, 2488-2010)

6.05.310 CASTING BALLOTS.

(A) UPON RECEIPT OF A MAIL-IN BALLOT, THE VOTER SHALL CAST HIS OR HER BALLOT IN THE MANNER SPECIFIED IN KMC 6.05.140 THROUGH 6.05.160. IF THE BALLOT IS CAST IN THE CLERK'S OFFICE, THE CLERK SHALL RETAIN IT FOR DELIVERY TO THE CANVASSING BOARD. IF THE BALLOT IS CAST IN ANOTHER LOCATION, THE VOTER SHALL RETURN IT BY MAIL TO THE CLERK IMMEDIATELY FOR DELIVERY TO THE CANVASSING BOARD.

(B) A VOTER WHO DOES NOT RECEIVE A MAIL-IN BALLOT MAY CAST HIS OR HER BALLOT IN PERSON AS SPECIFIED IN KMC 6.05.145.

(C) A VOTER MAY RETURN THE MAIL-IN BALLOT TO THE CITY CLERK AS PROVIDED IN KMC 6.05.160.

(ORD. 1800-98)

6.05.320 NOTICE OF ELECTION, ELECTION DATE, PUBLIC NOTICE.

(A) THE NOTICE OF ELECTION CALLING FOR THE ELECTION MUST STATE THAT THE ELECTION IS TO BE CONDUCTED BY MAIL AND THAT THERE WILL BE NO POLLING PLACE OPEN FOR REGULAR IN-PERSON VOTING ON ELECTION DAY. IN A BY-MAIL ELECTION, ELECTION DAY IS THE DEADLINE BY WHICH A VOTER'S BALLOT MUST BE RECEIVED BY THE CLERK.

(B) FOR EACH ELECTION CONDUCTED BY MAIL, THE PUBLIC NOTICE WILL BE GIVEN AS SET FORTH IN KMC 6.05.100.

(ORD. 1800-98)

6.05.330 ABSENTEE VOTING OFFICIAL AND DUTIES.

(A) THE CITY CLERK, OR DESIGNEE, SHALL ACT AS ABSENTEE VOTING OFFICIAL.

(B) THE DUTIES OF THE ABSENTEE VOTING OFFICIAL SHALL BE AS FOLLOWS:

(1) PROVIDE ABSENTEE VOTING IN PERSON ON ANY DATE, INCLUDING THE DAY OF THE ELECTION, AND ABSENTEE VOTING THROUGH A PERSONAL REPRESENTATIVE ON ANY DATE, INCLUDING THE DAY OF THE ELECTION, AND HAVE UNTIL THE DAY OF THE ELECTION TO RETURN THE BALLOTS;

(2) SIGN A VOTER'S BY-MAIL OATH AND AFFIDAVIT ENVELOPE AS AN AUTHORIZED ATTESTING OFFICIAL, EXCEPT THAT THE ABSENTEE VOTING OFFICIAL MAY NOT ATTEST HIS OR HER OWN BALLOT;

(3) ACCEPT RECEIPT OF A BY-MAIL VOTER'S HAND-DELIVERED VOTED BALLOT, WHICH HAS BEEN SWORN TO, ATTESTED AND SEALED IN THE BY-MAIL RETURN ENVELOPE;

(4) PROVIDE GENERAL VOTER ASSISTANCE, INCLUDING, BUT NOT LIMITED TO, ASSISTANCE TO A QUALIFIED VOTER WHO CANNOT READ, MARK THE BALLOT, OR SIGN HIS OR HER NAME, AND PROVIDING REPLACEMENT BALLOTS TO VOTERS WHO HAVE IMPROPERLY MARKED OR DAMAGED THEIR BALLOTS;

(5) DATE-STAMP ALL BALLOTS RECEIVED;

(6) PROVIDE FOR THE SECURITY AND SAFEKEEPING OF ALL BALLOTS RECEIVED AND PRESENT THOSE BALLOTS TO THE CLERK FOR CANVASSING.

(ORD. 1800-98)

6.05.335 ABSENTEE VOTING—BY ELECTRONIC TRANSMISSION.

(A) A QUALIFIED VOTER MAY APPLY TO THE CITY CLERK FOR AN ABSENTEE BALLOT TO BE SENT TO THE VOTER BY ELECTRONIC TRANSMISSION. SUCH APPLICATION MUST BE MADE BY THE VOTER NOT LESS THAN THE DAY IMMEDIATELY PRECEDING THE ELECTION. ABSENTEE BALLOTS WILL BE TRANSMITTED ELECTRONICALLY TO THE LOCATION (FACSIMILE NUMBER, E-MAIL ADDRESS, OR SIMILAR DESIGNATION) DESIGNATED IN THE APPLICATION. IF NO LOCATION IS DESIGNATED, AND IF THE APPLICATION IS RECEIVED NO LATER THAN SEVEN (7) DAYS PRIOR TO THE ELECTION, THE BALLOT WILL BE MAILED IN THE MANNER PROVIDED IN KMC 6.05.140 FOR DELIVERING ABSENTEE BALLOTS BY MAIL. THE CLERK WILL PROVIDE REASONABLE CONDITIONS FOR TRANSMITTING ABSENTEE BALLOTS ELECTRONICALLY.

(B) THE VOTER MAY RETURN THE BALLOT BY MAIL OR BY ELECTRONIC TRANSMISSION. AN ELECTRONICALLY-TRANSMITTED BALLOT SHALL CONTAIN A COPY OF THE BALLOT TO BE USED AT THE ELECTION IN A FORM SUITABLE FOR TRANSMISSION. A PHOTOCOPY OF THE COMPUTERIZED BALLOT CARD TO BE USED BY PERSONS VOTING IN PERSON AT THE POLLING PLACES IS ACCEPTABLE.

(C) AN ABSENTEE BALLOT THAT IS COMPLETED AND RETURNED BY THE VOTER BY ELECTRONIC TRANSMISSION MUST:

(1) CONTAIN THE FOLLOWING STATEMENT: "I UNDERSTAND THAT BY USING ELECTRONIC TRANSMISSION TO RETURN MY MARKED BALLOT, I AM VOLUNTARILY WAIVING A PORTION OF MY RIGHT TO A SECRET BALLOT TO THE EXTENT NECESSARY TO PROCESS MY BALLOT, BUT EXPECT THAT MY VOTE WILL BE HELD AS CONFIDENTIAL AS POSSIBLE." FOLLOWED BY THE VOTER'S SIGNATURE AND DATE OF SIGNATURE; AND

(2) BE ACCOMPANIED BY A STATEMENT EXECUTED UNDER OATH AS TO THE VOTER'S IDENTITY; THE STATEMENT UNDER OATH MUST BE WITNESSED BY ONE

(1) UNITED STATES CITIZEN WHO IS EIGHTEEN (18) YEARS OF AGE OR OLDER.

(D) THE VOTER MAY RETURN THE BALLOT BY MAIL. THE BALLOT MUST BE MARKED, ATTESTED, AND RETURNED IN ACCORDANCE WITH KMC 6.05.170(D) IF THE VOTER RETURNS THE BALLOT BY MAIL.

(E) IF THE VOTER RETURNS THE BALLOT BY ELECTRONIC TRANSMISSION, THE VOTER MUST COMPLY WITH THE SAME DEADLINES AS FOR VOTING IN PERSON ON OR BEFORE THE CLOSING HOUR OF THE POLLS.

(F) WHEN A COMPLETED ABSENTEE BALLOT IS RECEIVED BY THE CITY THROUGH ELECTRONIC TRANSMISSION, THE CLERK WILL NOTE THE DATE OF RECEIPT ON THE ABSENTEE BALLOT APPLICATION LOG AND, IF THE BALLOT IS RECEIVED ON ELECTION DAY, THE TIME OF RECEIPT. THE CLERK WILL THEN:

(1) REMOVE THE BALLOT PORTION OF THE TRANSMISSION FROM THE PORTION THAT IDENTIFIES THE VOTER;

(2) PLACE THE BALLOT PORTION IN A SECRECY SLEEVE;

(3) SEAL THE SECRECY SLEEVE IN AN OUTER ENVELOPE OF THE TYPE USED FOR ABSENTEE BALLOTS RETURNED BY MAIL, AND SEAL THAT ENVELOPE;

(4) ATTACH THE VOTER IDENTIFICATION PORTION TO THE OUTER ENVELOPE;
AND

(5) FORWARD THE OUTER SEALED ENVELOPE TO THE CANVASSING BOARD FOR REVIEW.

(G) AN ELECTRONICALLY-TRANSMITTED BALLOT SHALL BE COUNTED IN THE SAME MANNER AS OTHER ABSENTEE BALLOTS, EVEN THOUGH THIS PROCEDURE MAY REVEAL TO ONE (1) OR MORE ELECTION OFFICIALS THE MANNER IN WHICH A PARTICULAR ABSENTEE VOTER CAST HIS OR HER BALLOT. HOWEVER, IT SHALL BE UNLAWFUL TO DISPLAY AN ELECTRONIC BALLOT IN A MANNER REVEALING THE WAY IN WHICH A PARTICULAR VOTER CAST HIS OR HER BALLOT TO ANY PERSON OTHER THAN THE CITY CLERK, A MEMBER OF THE CLERK’S STAFF, AN INFORMATION TECHNOLOGIES TECHNICIAN RETAINED BY THE CITY, AN ELECTION OFFICIAL IN THE COURSE OF HIS OR HER DUTIES, OR AN ATTORNEY ADVISING THE CLERK ON LEGAL QUESTIONS CONCERNING THE BALLOT.

(ORDS. 2108-2005, 2556-2011)

6.05.340 STORING BALLOTS.

THE CLERK SHALL PROVIDE FOR THE SECURE STORAGE OF THE MAIL-IN BALLOTS RECEIVED FROM THE VOTERS AND BY-MAIL OFFICIALS UNTIL THE DATE SET BY THE CLERK FOR THE COUNTING OF THE BALLOTS. (ORD. 1800-98)

CHAPTER 6.10
FILING FOR OFFICE

SECTIONS:

- 6.10.010 NOMINATING PETITIONS.
- 6.10.020 SUFFICIENCY OF PETITION—NEW PETITION.
- 6.10.030 WITHDRAWAL OF CANDIDACY.
- 6.10.040 PETITION AND STATEMENT TO BE PRESERVED.

6.10.010 NOMINATING PETITIONS.

(A) ANY QUALIFIED PERSON MAY HAVE HIS OR HER NAME PLACED ON THE BALLOT FOR THE ELECTION AS A CANDIDATE FOR MAYOR OR COUNCIL BY FILING WITH THE CITY CLERK, BETWEEN AUGUST 1ST, AND AUGUST 15TH, A SWORN STATEMENT OF HIS OR HER CANDIDACY. IF AUGUST 15TH IS NOT A REGULAR CITY WORKDAY, THE FILING PERIOD SHALL BE EXTENDED TO THE CLOSE OF BUSINESS OF THE NEXT REGULAR CITY WORKDAY. SUCH SWORN STATEMENT SHALL BE ACCOMPANIED BY A NOMINATING PETITION SIGNED BY TWENTY (20) OR MORE REGISTERED, QUALIFIED CITY VOTERS AS REQUIRED BY THE CITY CHARTER, SECTION 10-3.

(B) NO VOTER SHALL SIGN MORE THAN ONE (1) PETITION EXCEPT THAT A VOTER MAY SIGN AS MANY NOMINATING PETITIONS FOR COUNCILMEMBERS AS THERE ARE VACANCIES TO BE FILLED; AND IF A VOTER SIGNS MORE PETITIONS THAN HEREBY AUTHORIZED, HIS OR HER SIGNATURE SHALL BE VOID EXCEPT AS TO THE AUTHORIZED NUMBER OF PETITIONS FIRST FILED.

(C) NOMINATION PETITIONS SHALL BE SUBSTANTIALLY IN THE FOLLOWING FORM:

NOMINATING PETITION

WE, THE UNDERSIGNED TWENTY (20)
ELECTORS OF THE CITY OF KENAI, HEREBY
NOMINATE AND SPONSOR
_____, WHOSE ADDRESS

IS _____, FOR THE OFFICE OF _____, TO BE VOTED FOR AT THE ELECTION TO BE HELD ON _____; AND WE INDIVIDUALLY CERTIFY THAT OUR NAMES PRESENTLY APPEAR ON THE ROLLS OF REGISTERED VOTERS OF THE CITY OF KENAI, AND THAT WE ARE QUALIFIED TO VOTE FOR A CANDIDATE FOR AN ELECTIVE MUNICIPAL OFFICE, AND THAT WE HAVE NOT SIGNED ANY OTHER NOMINATING PETITION FOR THE PARTICULAR OFFICE THIS CANDIDATE SEEKS. CHECK TERM OF OFFICE CANDIDATE IS SEEKING: _____ ONE YEAR; _____ TWO YEARS; THREE YEARS.

(HERE PLACE LINES FOR SIGNATURES, ADDRESSES, AND DATES OF SIGNING.)

ACCEPTANCE OF NOMINATION

I HEREBY ACCEPT THE NOMINATION FOR _____ AND AGREE TO SERVE _____ YEARS IF ELECTED.

DATE _____ BY: _____
FILED: _____

RECEIVED: _____

CITY CLERK _____ SIGNATURE OF CANDIDATE _____

(KC 6-33; ORDS. 247, 803, 995; AMENDED DURING 11-17-01 SUPPLEMENT; ORDS. 2067-2004, 2562-2011)

6.10.020 SUFFICIENCY OF PETITION—NEW PETITION.
WITHIN THREE (3) DAYS AFTER THE FILING OF THE STATEMENT OF CANDIDACY AND NOMINATING PETITION, THE CITY CLERK SHALL DETERMINE WHETHER THE NOMINATING PETITION IS SIGNED BY THE REQUIRED NUMBER OF REGISTERED VOTERS, AND SO NOTIFY THE CANDIDATE. IF INSUFFICIENT, THE CITY CLERK SHALL RETURN THE PETITION IMMEDIATELY TO THE CANDIDATE WITH A STATEMENT AS TO WHY THE PETITION IS INSUFFICIENT. WITHIN THE REGULAR TIME FOR FILING PETITIONS AND STATEMENTS OF CANDIDACY, A NEW PETITION AND STATEMENT OF CANDIDACY MAY BE FILED BY THE CANDIDATE. THE ABOVE NOTICE TO THE

CANDIDATE AND THE RETURN OF AN INSUFFICIENT PETITION MAY BE IN PERSON, BY DELIVERY BY POLICE, OR BY MAIL. (KC 6-34; ORD. 803)

6.10.030 WITHDRAWAL OF CANDIDACY.
ANY CANDIDATE FOR OFFICE MAY WITHDRAW HIS OR HER CANDIDACY AT ANY TIME BEFORE THE EXPIRATION OF THE TIME WHEN CANDIDATES MAY FILE STATEMENTS OF CANDIDACY, BY FILING A WRITTEN NOTICE OF WITHDRAWAL WITH THE CITY CLERK DURING SUCH TIME. (KC 6-35)

6.10.040 PETITION AND STATEMENT TO BE PRESERVED.
THE PETITION AND STATEMENT OF CANDIDACY OF EACH CANDIDATE SHALL BE PRESERVED BY THE CITY CLERK UNTIL THE EXPIRATION OF THE TERM OF OFFICE FOR WHICH HE OR SHE WAS A CANDIDATE. (KC 6-36)

CHAPTER 6.20
INITIATIVE AND REFERENDUM

SECTIONS:

6.20.010 PROVISIONS OF CHARTER TO GOVERN.

6.20.010 PROVISIONS OF CHARTER TO GOVERN.
THE INITIATIVE AND REFERENDUM SHALL BE GOVERNED BY THE CITY CHARTER, SECTIONS 11-1 TO 11-5. THE PROVISIONS OF THIS CHAPTER OF THIS CODE SHALL GOVERN ELECTIONS AT WHICH INITIATED AND REFERRED PROPOSALS ARE SUBMITTED TO THE VOTERS, AS WELL AS OTHER ELECTIONS, INsofar AS THEY ARE APPLICABLE. (KC 6-37)

CHAPTER 6.30
RECALL

SECTIONS:

6.30.010 PROCEDURES AND GROUNDS.

6.30.010 PROCEDURES AND GROUNDS.
PROCEDURES AND GROUNDS FOR RECALL OF INCUMBENTS OF ELECTIVE OFFICES OF THE CITY SHALL BE SUCH AS MAY BE PRESCRIBED BY LAW, AS PROVIDED BY THE CITY CHARTER, SECTION 11-6. THE PROVISIONS OF THIS TITLE OF THIS CODE SHALL GOVERN RECALL ELECTIONS, AS WELL AS OTHER ELECTIONS, INsofar AS THEY ARE APPLICABLE. (KC 6-38)]

Chapter 6.05
General Provisions

6.05.010 – Definitions

When used in this Title, the following words and phrases have the meaning set forth in this section, except where the context clearly indicates a different meaning:

"Clerk" and "City Clerk" mean the Clerk of the City, any properly authorized assistant or designee.

Ordinance No. 3224-2021

Page 20 of 45

"Day" means a calendar day including Saturday, Sunday and holidays.

"Election" includes a regular or special City election.

"Election official" means the City Clerk, Clerk's office staff, Kenai Peninsula Borough Clerk, Borough Clerk's office staff, and members of all election boards.

"Election supervisor" means the City Clerk.

"Oath" includes affirmation on penalty of perjury.

"Precinct" means the geographical area within which resident voters may cast votes at one polling place.

"Precinct register" means the register maintained by the Director of the State Division of Elections.

"Proposition" means an initiative, referendum, recall, or other question submitted to the public at an election.

"Qualified voter" means a person who is qualified to vote in City elections under KMC 6.10.010.

"Questioned voter" means any person whose name does not appear on the register in the precinct where the voter attempts to vote, a voter who has received an absentee ballot and does not turn it in when voting at his/her precinct on election day, a voter who does not bear identification or is not personally known to an election official though his/her name appears on the precinct register, or a voter who is questioned for good cause at the polls in writing.

"Registration" or "registered" refers to the form of registration required by the state election statute. For City elections, a person is registered if registered to vote in state elections in the precinct in which that person seeks to vote 30 days prior to the City election.

"Regular election" means the City election held on the first Tuesday of October annually as prescribed by Kenai Charter section 10-1.

"Signature" and "subscription" both include any mark intended as a signature or subscription.

"Special election" means any election held at a time other than when a regular election is held.

"Swear" includes "Affirm".

"Voter" means any person who presents themselves for the purpose of registering to vote or voting, either in person or by absentee application or ballot.

6.05.020 – Powers and Duties of the Clerk

The Clerk shall supervise all City elections and shall determine whether candidates for City office are qualified in accordance with this Title and City Charter.

6.05.030 – Election Times.

- (a) Regular Election. Annually, on the first Tuesday of October, a regular election shall be held in the City for the election of vacant City offices and for the determination of other propositions and matters as may be placed on the ballot as authorized by the City Charter, Section 10-1.
- (b) Special Election. The Council, by resolution or ordinance, may call a special election at any time at least 75 days prior to the date of the election and may submit questions to the qualified voters of the City as authorized by the City Charter, Section 10-8. Unless the Council has set a date for a required special election, the election supervisor shall call a special election when required by law or ordinance to place an initiative, referendum, recall, or other question before the voters.
- (c) Nothing in this chapter shall prohibit holding a City election on the same day and by the same election personnel as a State, Borough, or other public election, or submitting a City question at such an election, as authorized by the City Charter, Section 10-8.

6.05.040 – Votes Required for Election to Office.

- (a) Each City office shall be filled by the candidate receiving the greatest number of votes as authorized by the City Charter, Section 10-4.
- (b) Tie votes. In case of a failure to elect because of a tie vote, the Council shall immediately order a recount of ballots pursuant to KMC 6.45.030. If there is still a failure to elect because of a tie after completion of the recount, the election shall be determined fairly by lot from among the candidates tying, in a meeting of the Council and under its direction, in accordance with the City Charter, Section 10-4.

6.05.050 – Preservation of Election Ballots, Papers, and Materials.

- (a) The certificate of returns of the canvassing board shall be maintained permanently, and descriptions of election boundaries, precincts, and polling places shall be maintained until they are revised.
- (b) Financial disclosure forms shall be maintained for a period of six years and then may be destroyed.
- (c) Election registers, nominating petitions, declaration of candidacy, and rejected ballots shall be retained for one year after the certification of the election. These materials may be destroyed after their retention period has lapsed unless their destruction is stayed by an order of the court.

6.05.060 – Election Expenses.

- (a) The City shall pay all necessary expenses relating to the conduct of each City election. Necessary expenses shall include those associated with conducting the election. The Clerk shall retain a record for auditing and payment of election expenses.
- (b) The City shall pay each election official and canvass board member an hourly rate for time spent at his or her election duties, including the receiving of instructions. The election supervisor shall set the hourly compensation to be paid for time spent by election officials.

6.05.070 – Initiative, Referendum, and Recall.

- (a) The initiative and referendum process shall be governed by the City Charter, Sections 11-1 to 11-5. The provisions of this chapter of this Code shall govern elections at which initiated and referred proposals are submitted to the voters, as well as other elections, insofar as they are applicable.
- (b) As set forth by the City Charter, Section 11-6, all incumbents of elective offices of the City, including persons chosen to fill vacancies in such offices, shall be subject to recall from office by the qualified voters of the City. Procedures and grounds for recall shall be such as may be prescribed by law. The Council, by ordinance, may further regulate the recall insofar as such regulation is not in conflict with the State Constitution or law.

6.05.080 – Proposition and Questions.

A resolution or ordinance brought forward by the City Council placing a proposition before the voters must be adopted at least 53 days or more before a regular election, and at least 60 days or more before a special election.

Chapter 6.10
Voter Qualifications

6.10.010 – Voter Qualifications

A person is qualified to vote in a City election only if the person:

- (1) is qualified to vote in state elections under AS 15.05.010;
- (2) has been a resident of the City for 30 days immediately preceding the election;
- (3) is registered to vote in state elections at a residence address within the City at least 30 days before the City election at which the person seeks to vote; and
- (4) is not disqualified under article V of the state constitution.

6.10.020 – Rules for Determining Residence of Voters.

For the purpose of determining residence for voting, the place of residence is governed by the following rules:

- (a) A person may not be considered to have gained a residence solely by reason of presence nor may a person lose it solely by reason of absence while in the civil or military service of this state or of the United States or by absence because of marriage to a person engaged in the civil or military service of this state or the United States, while a student at an institution of learning, while in an institution or asylum at public expense, while confined in public prison, while engaged in the navigation of waters of this state or the United States or of the high seas, while residing upon an Indian or military reservation, or while residing in the Alaska Pioneers' Home or the Alaska Veterans' Home.
- (b) The residence of a person is that place in which the person's habitation is fixed, and to which, whenever absent, the person has the intention to return. If a person resides in one

place, but does business in another, the former is the person's place of residence. Temporary work sites do not constitute a dwelling place.

- (c) A change of residence is made only by the act of removal joined with the intent to remain in another place. There can only be one place of residence.
- (d) A person does not lose residence if the person leaves home and goes to another country, state, or place in this state for temporary purposes only and with the intent of returning.
- (e) A person does not gain residence in any place to which the person comes without the present intention to establish a permanent dwelling at that place.
- (f) A person loses residence in this City if the person votes in another City's or borough's election or another state's election, either in person or by absentee ballot, and will not be eligible to vote in this state again until qualifying under provisions of state law.
- (g) The term of residence is computed by including the day on which the person's residence begins and excluding the day of election.
- (h) The address of a voter as it appears on the official voter registration record is presumptive evidence of the person's voting residence. This presumption is negated only if the voter notifies the Division of Elections in writing of a change of voting residence.

6.10.030 - Notice of voter registration.

Before each election, the Clerk shall post on the City website and publish at least twice in a newspaper of general circulation, a notice of voter registration. The posting and first publication shall occur not less than 60 days before the election. The notice shall include the qualifications required to vote and the deadline for registering to vote in the election.

Chapter 6.15 **Filing for Office**

6.15.010 – Candidate Qualifications

A candidate for elective City office:

- (a) Shall have the qualifications required in City Charter, Section 2-1(b), as of the date of the declaration of candidacy,
- (b) Shall provide proof of qualifications for office as required by the Clerk, and
- (c) Shall submit a nominating petition, on a form provided by the Clerk, signed by twenty (20) or more registered qualified City voters, in accordance with City Charter, Section 10-3.

6.15.020 – Nomination and Declaration of Candidacy.

- (a) Any qualified person may have their name placed on the ballot for the election as a candidate for Council or Mayor by filing with the Clerk, between August 1st and August 15th, 4:30 p.m., a nominating petition with sufficient signatures and a sworn statement of his or her candidacy, on a form or forms provided by the Clerk, accompanied by the public financial disclosure statement required by KMC 1.85.010(a). If August 15th is not a regular City workday, then candidates shall have until noon on the first workday following to file their candidacy paperwork.
- (b) A nominating petition shall include:
 1. The full name of the candidate the petitioners are sponsoring; and

2. The full residence address of the candidate; and
 3. The office for which the petitioners are nominating the candidate; and
 4. The length of the term of office for which the petitioners are nominating the candidate; and
 5. Certification that the petitioners' names appear on current voter registration rolls for the City of Kenai, are qualified to vote for a candidate for elective municipal office, and have not signed any other nominating petition for the particular office the named candidate seeks.
- (c) No voter shall sign more than one (1) petition except that a voter may sign as many nominating petitions for Councilmembers as there are vacancies to be filled; and if a voter signs more petitions than hereby authorized, his or her signature shall be void except as to the authorized number of petitions first filed.
- (d) A sworn statement of candidacy and certification of qualification shall include:
1. The office for which the candidate accepts nomination; and
 2. A statement that the candidate agrees to serve, if elected; and
 3. A statement that the candidate is qualified for the office as provided by law; and
 4. The date and signature of the candidate; and
 5. Attestation and date by the Clerk; and
- (e) A candidate shall provide any other information the Clerk reasonably requires to determine whether the candidate is qualified for the office as provided by law.
- (f) Within three (3) days after the filing of the declaration of candidacy and nominating petition, the Clerk shall determine whether the nominating petition is signed by the required number of registered voters, and so notify the candidate. If insufficient, the Clerk shall return the petition immediately to the candidate with a statement as to why the petition is insufficient. Within the regular time for filing petitions and declarations of candidacy, a new petition and declaration of candidacy may be filed by the candidate. The above notice to the candidate and the return of an insufficient petition may be in person or by mail.
- (g) Any candidate for office may withdraw their candidacy at any time before the expiration of the time when candidates may file statements of candidacy, by filing a written notice of withdrawal with the City Clerk.

6.15.030 – Review of Candidate Qualifications.

- (a) In determining residence within the City, for the purposes of this chapter, the Clerk shall apply the following rules:
1. A person establishes residence within the City by:
 - (A) Actual physical presence at a specific location within the City; and
 - (B) Maintaining a habitation at the specific location;
 2. A person may maintain a place of residence at a specific location within the City while away from the location for purposes of employment, education, military service, medical treatment or vacation if the person does not establish residency at another location; and
 3. A qualified voter loses residence by voting in another City or borough or in another state's election.
- (b) The Clerk shall determine whether each candidate is qualified as provided by law. At any time before the election the Clerk may disqualify any candidate whom the Clerk finds is not qualified. A candidate who is disqualified may request a hearing before the Clerk. The hearing

- shall be held no later than 5 business days after the request unless the candidate agrees in writing to a later date.
- (c) Any person may question the eligibility of a candidate who has filed a declaration of candidacy by filing a complaint with the Clerk. A complaint regarding the eligibility of a candidate must be received by the Clerk not later than the close of business on the 10th calendar day after the filing deadline for the office for which the candidate seeks election.
- (d) The complaint must be in writing and include the name, mailing address, contact phone number, and signature of the person making the complaint, and a statement in 200 words or less specifying the grounds for the complaint, described in particular, on which the candidate's eligibility is being questioned.
- (e) The Clerk will review only those issues cited in the complaint related to candidate qualifications established by this chapter.
- (f) Upon receipt of a complaint, the Clerk will review any evidence relevant to the issues identified in the complaint which is in the custody of the municipal Clerk's office including evidence provided with the complaint, the candidate's registration record, declaration of candidacy, and, in the discretion of the Clerk, any other public record. Following review of all relevant evidence in the case, and within 20 days of receiving the complaint, the Clerk will determine whether a preponderance of evidence supports or does not support the eligibility of the candidate. The process for issuing a final determination will be as follows:
1. The Clerk will send notification in writing to the candidate whose eligibility is being questioned that a complaint has been received. The notification will include a copy of the complaint, supporting relevant evidence, a statement as to whether a preponderance of evidence reviewed as of that notice supports or does not support the eligibility of the candidate, and a request that the candidate provide a sworn response statement along with any relevant supporting evidence.
 2. The Clerk must also notify the challenger that all relevant evidence must be submitted within 7 calendar days of the date of the Clerk's notice to the candidate that a complaint has been filed. If the Clerk receives additional evidence during this 7-day period, such evidence must be provided to the candidate with an opportunity to respond. Absent extraordinary circumstances, the Clerk shall not consider evidence received after the challenger's deadline to submit evidence.
 3. The candidate's response statement and any supporting evidence must be received within 10 calendar days of the date of the Clerk's notice to the candidate that a complaint has been filed. Absent extraordinary circumstances, the Clerk shall not consider evidence received after the candidate's deadline to submit evidence.
 4. For purposes of this section, "extraordinary circumstances" must be specified in writing, documenting a serious circumstance or event beyond the control of the individual providing the late evidence.
 5. Following review of all relevant evidence in the case, and within 20 days of receiving the complaint, the Clerk will issue a final determination based on a preponderance of evidence standard for review
 6. A final determination must be issued in writing within 20 days of the Clerk receiving the complaint.
- (g) The Clerk must send the final written decision to the person making the complaint and to the candidate. The Clerk's decision shall be sent by certified mail and by electronic mail (email), if an email address is known. The determination of the Clerk constitutes a final administrative decision. An appeal of the Clerk's decision shall be filed with the State of Alaska Superior Court at Kenai, Alaska in conformance with the Rules of Appellate Procedure of the State of Alaska, Part VI.

6.15.040 – Campaign Reporting.

All candidates for elective City office shall comply with the Alaska Public Offices Commission campaign reporting requirements in Alaska Statute Chapter 15.13.

6.15.050 – Notice of Vacancy.

At least ten (10) days before nominations are open for each regular or special election, the Clerk shall publish at least twice in a newspaper of general circulation, a notice of offices to be filled at the election and the procedure for filing a nomination petition and statement of candidacy for the offices.

Chapter 6.20
Administration of Elections

6.20.010 – Election Notices.

- (a) Notice of Election. Before every City election, regular or special, the Clerk shall cause a notice of election to be published at least twice in a newspaper of general circulation. The Clerk shall also post a notice of election on the official City bulletin board and in two (2) other public places in the City limits. The posting and first publication shall occur at least 20-days before an election. Each notice of election shall include:
1. The type of election, whether regular or special;
 2. The date of the election;
 3. The location of the polling place(s) and the hours the polling place(s) shall be open;
 4. The offices to which candidates are to be elected;
 5. The subjects of propositions to be voted upon;
 6. Voter qualifications and instructions for registration; and
 7. Instructions for application for absentee voting.
- (b) Failure to publish such a notice of an election shall not affect the validity of the election or of the vote for any candidate or on any proposal; but, if caused by the Clerk, shall constitute failure to perform his or her official duties.
- (c) In addition to the above notice, the Clerk shall publish in full, every charter amendment, every ordinance, and every other question which is to be submitted at an election, except a referred ordinance which was published in full after passage, not more than four (4) weeks and at least two (2) weeks before the election in accordance with the City Charter, Sections 1-7(4) and 10-8.
- (d) Notice of Bonded Indebtedness. Before a general obligation bond issue election, the Clerk shall publish notice of total existing bonded indebtedness at least once a week for three consecutive weeks. The first notice shall be published at least 20-days before the date of the election. The notice must include:
1. The current total general obligation bonded indebtedness, including authorized but unsold bonds, of the City;
 2. The cost of the debt service on the current indebtedness; and
 3. The total assessed valuation within the City.

6.20.020 – Election Officials.

- (a) Before each election, the Clerk, subject to approval by the Council, shall appoint an election board of at least four judges in a precinct. A judge shall be a voter of the City. The Clerk shall designate one election judge from each precinct as the chairperson, who shall be primarily responsible for administering the election in the precinct. After Council approval, the Clerk may assign additional officials if deemed necessary for proper conduct of the election.
- (b) All City election personnel shall be appointed without regard to their membership in any political party.
- (c) If any appointed election official is not able or refuses to serve, the Clerk may appoint a replacement for that official.
- (d) All election officials, before entering upon their duties, must subscribe to the oath required of all public officers by the Constitution of the State of Alaska in the manner prescribed by the Clerk.
- (e) Candidates shall not serve as election officials. Certain familial relationships may not exist between a candidate and an election official in regular or special elections. Those familial relationships are:

 - 1. Mother, mother-in-law, stepmother;
 - 2. Father, father-in-law, stepfather;
 - 3. Sister, sister-in-law, stepsister;
 - 4. Brother, brother-in-law, stepbrother;
 - 5. Spouse; or
 - 6. Person sharing the same living quarters.
- (e). If the Clerk knows or learns that any of these relationships exist, the election official shall be notified and replaced.

6.20.030 – Ballot Form.

- (a) The ballot shall be designed with the position of names of the candidates set out in the same order in each section on each ballot used in that election. However, the order of placement of the names of the candidates for each office shall be randomly determined by the Clerk.
- (b) The title of the office to be filled shall be followed by the printed names of the candidates for such office, below which shall be blank lines equal in number to the candidates to be elected to such office, upon which the voter may write the names of persons not listed on the ballot. The words "Vote for no more than _____" with the appropriate number replacing the blank, shall be placed before the list of candidates for each office. The names of the candidates shall be printed as they appear upon the declaration filed with the Clerk, except that any honorary or assumed title or prefix shall be omitted. However, the candidate's name appearing on the ballot may include a nickname or familiar form of a proper name. The names of candidates shall be set out in order as provided in subsection A. of this section.
- (c) The propositions to be voted on shall follow the candidates for office or shall be on separate ballots, as the Clerk may determine. The words "yes" and "no" shall appear below each proposition.
- (d) Each ballot shall bear the words "Official Ballot," and the date of the election.
- (e) A ballot shall be printed either on paper or on card stock as provided in this title.
- (f) The ballots shall be consecutively numbered.

6.20.040 – Ballot Preparation and Distribution.

- (a) The Clerk shall have ballots printed for each election. The Clerk may contract for the preparation and printing of ballots without competitive bidding.
- (b) The Clerk shall possess the printed ballots at least 15 days before each regular election and at least 10 days before each special election. At that time, the ballots may be inspected by any candidate whose name is on the ballot, or by his or her authorized agent, and any discovered mistake shall be corrected immediately.
- (c) The Clerk shall arrange for delivery of ballots to each election board prior to or on the date of the election before the opening of the polls. The ballots shall be delivered in separate containers, with the number of ballots enclosed in each container clearly marked on the outside. A receipt for each package shall be taken from the election board to which it was delivered.
- (d) No ballots shall be taken from the precinct before the closing of the polls unless the Clerk for good cause directs that the ballots be removed. A record shall be kept by the election official of the ballots removed from the precinct.
- (e) The Clerk shall have sample ballots available to voters which are identical in form to the official ballot, and which are printed on colored paper and marked "sample." Sample ballots shall be made available at all absentee in person and polling locations.

6.20.050 – Ballot Shortage

- (a) Under no circumstance shall a precinct close due to ballot shortage. The election board chairperson for the precinct shall monitor the ballot supply at the precinct throughout Election Day and apprise the Clerk of any projected shortage in the number of available ballots.
- (b) Upon being informed by an election official that there is a projected shortage of ballots, the Clerk shall promptly supply the precinct with additional printed ballots. If sufficient additional printed ballots are not available, the Clerk shall supply the precinct with copies of the original ballot marked "Alternate Ballot."

6.20.060 – Reporting Voting Information to the State.

Within 60 days after each election held in the City, the Clerk shall send to the State of Alaska Division of Elections the official precinct register, questioned voter register, absentee in person voter register and special needs voting register containing the names, residence address, and the voter identification of all persons who voted in that election.

Chapter 6.25 **Polling Site Procedures**

6.25.010 - Prohibitions.

- (a) During the hours that the polls are open, no election official may discuss any political party, candidate or issue while on duty.

- (b) During the hours the polls are open, no person who is in the polling place or within 200 feet of any entrance to the polling place may attempt to persuade a person to vote for or against a candidate, proposition or question. Nor may any person conduct other political activities that may pertain to any future election or potential ballot proposition. For the purposes of this section, the entrance to a polling place is the entrance to the building. The election board shall post warning notices in the form and manner prescribed by the Clerk.
- (c) No voter may exhibit a ballot to an election official or any other person so as to enable any person to ascertain how the voter marked the ballot, except as provided in KMC 6.25.080.
- (d) While the polls are open no election official may open any ballot received from a voter, mark a ballot by folding or otherwise so as to be able to recognize it, or otherwise attempt to learn how a voter marked a ballot, or allow the same to be done by another person.
- (e) No person may leave the polling place with the official ballot that the person received to mark.

6.25.020 - Opening of Polling Place.

On the day of the election, each election board shall open the polls for voting at 7:00 a.m., shall close the polls for voting at 8:00 p.m., and shall keep the polls continuously open during the time between those hours. The election board shall report to the polling place by 6:30 a.m. so that voting will start promptly at 7:00 a.m. The chair of the election board shall rotate times at which election judges, board members, and Clerks may be relieved for breaks or meals; provided, however, that at all times at least two judges from the election board are present at the polling place.

6.25.030 – Watchers.

- (a) Each candidate, or organized group that sponsors or opposes a proposition, may designate one person at a time to be a poll watcher in each precinct.
- (b) A person wishing to serve as a poll watcher shall request authorization from the city clerk no later than 5:00 p.m. the Tuesday prior to the election. The authorization must include:
1. The name of the person to act as a poll watcher;
 2. The name of the candidate, group, or organization the poll watcher is representing;
 3. The date of the election; and
 4. The precinct the poll watcher wishes to observe.
- (c) The poll watcher must present authorization as defined in subsection (b) of this section to the election official upon request. The poll watcher will be provided an area to view all actions of the election board. If the poll watcher does not provide the requested authorization, an election official may require the poll watcher to leave the poll watcher area.
- (d) The poll watcher observing may:
1. Observe the conduct of the election; and
 2. Check the polling booths after each voter to make sure campaign materials have not been left in the booth.
 3. Remain in the polling place until all procedures are completed.
 - a. Request the election board to print an additional copy of the results tape for the poll watcher.

(e) The poll watcher may not:

1. Have any duties in the conduct of the election;
2. Be allowed to touch any of the election materials; and
3. Interfere or disturb the orderly conduct of the election.

(f) If the poll watcher violates this section or any regulations adopted by the city clerk, the election official may require the poll watcher to leave the poll watcher area.

6.25.040 - Ballot Box Security.

Before issuing any ballots, the election board must, in the presence of any persons assembled at the polling place, open and exhibit the ballot box to be used at the polling place. The ballot box then shall be closed and not opened again or removed from the polling place until the polls have closed.

6.25.050 - Voter Register.

- (a) The Clerk shall order from the State of Alaska Division of Elections an official voter register showing all persons registered to vote in state elections at a residence address within the City at least 30 days before the date of the election.
- (b) The election board shall keep a register in which each voter's signature, residence and mailing address shall be entered before the voter receives a ballot. A record shall be kept in the register in the space provided of the names of persons who offered to vote but who actually did not vote and a brief statement of explanation. A voter's signing of the register shall constitute a declaration that the voter is qualified to vote.
- (c) If a person's name does not appear on the official registration list in the precinct in which the person seeks to vote, the person may vote a questioned ballot.

6.25.060 - Voter Identification.

- (a) Before being allowed to vote, each voter shall exhibit to an election official one form of identification, including but not limited to an official voter registration card, driver's license, passport, hunting or fishing license.
- (b) An election official may waive the identification requirement if the election official knows the identity of the voter.
- (c) A voter who cannot exhibit a satisfactory form of identification shall be allowed to vote a questioned ballot.

6.25.070 - Providing Ballot to Voter.

When a voter has qualified to vote, the election official shall give the voter an official ballot. The voter shall retire to a booth or private place to mark the ballot.

6.25.080 - Questioned Voting.

- (a) If the polling place of a voter is in question, the voter shall vote a questioned ballot after complying with Subsection C of this section.
- (b) Every election official and any other person qualified to vote may question a person attempting to vote if the questioner has good reason to suspect that the person is not qualified to vote. All questions regarding a person's qualification to vote shall be made in writing, setting out the reason that the person has been questioned.
- (c) Before voting, a person whose qualification to vote is questioned or whose name does not appear on the official voter register shall subscribe to an oath or affirmation on a form provided by the election official attesting to the fact that in each particular the person meets all the qualifications of a voter, is not disqualified, and has not voted in the same election.
- (d) A voter who casts a questioned ballot shall vote his/her ballot in the same manner as prescribed for other voters. After the election judge removes the numbered stub from the ballot, the voter shall vote the ballot then insert the voted ballot into a small envelope and put the small envelope into a larger envelope on which the statement he/she previously signed is located.

6.25.090 - Assistance to Voters.

A qualified voter who cannot read, mark the ballot or sign his/her name may request an election official or not more than two persons of his/her choice assist him/her. If the election official is requested, he/she shall assist the voter. If any other person is requested, the person shall state upon oath before the election official that he/she will not divulge the vote cast by the person whom he/she assists.

6.25.100 - Spoiled Ballots.

If a voter mutilates, improperly marks, spoils or otherwise damages the voter's ballot, the voter may request the election official provide another ballot upon the voter returning the damaged ballot to the election official. Without examining the spoiled ballot, the election official shall tear the ballot in half and place half in an envelope provided by the Clerk for a portion of each spoiled ballot and discard the remaining half. The election official shall then issue a new ballot of the same type to the voter. A voter may obtain a maximum of three replacement ballots under this section.

6.25.110 - Alternate ballots.

If the use of alternate ballots is required as prescribed in KMC 6.20.050(b) the voter shall vote his/her ballot in the same manner as prescribed for other voters. The voter shall then place his/her voted ballot in the side compartment of the ballot box.

6.25.120 - Placing Ballots in Ballot Box.

When the voter has marked the ballot, the voter shall inform the election official. The Clerk may require that the voter return the ballot to the election official temporarily so that any stub which may be part of the ballot may be removed by the election official. Any such requirement shall

protect the secrecy of the ballot. In all cases the ballot shall be deposited in the ballot box by the voter in the presence of the election official unless the voter requests the election official to deposit the ballot.

6.25.130 - Closing of Polls.

- (a) Fifteen minutes before the closing of the polls, and at the time of closing the polls, an election official shall announce both the designated closing time and the actual time at which the announcement is made. Failure to make the announcement fifteen minutes before closing time shall not in any way invalidate the election or extend the time for closing the polls. After closing, no person will be allowed to enter the polling place for purposes of voting. Every qualified voter present and in line at the time prescribed for closing the polls may vote.
- (b) When the polls are closed and the last vote has been cast, the election board shall account for all ballots by completing a ballot statement containing, in a manner prescribed by the Clerk, the number of official ballots supplied.
- (c) The election board shall count the number of questioned ballots and shall compare that number to the number of questioned voters in the register. Discrepancies shall be noted on the ballot statement.

6.25.140 - Unused Ballots.

The number of ballots not issued shall be recorded and then all such ballots shall be disposed of as instructed by the Clerk. The number of ballots damaged by voters and replaced by election officials shall also be recorded. The record of ballots not issued and ballots damaged shall be preserved for 30 days unless the election is contested.

Chapter 6.30 **Absentee Voting**

6.30.010 - Administration of Absentee Voting.

The Clerk shall provide general administrative supervision over the conduct of absentee voting. The Clerk shall make available instructions to absentee voters regarding the procedure for absentee voting.

6.30.020 - Eligibility.

Any qualified voter may vote an absentee ballot for the precinct in which they reside and are registered.

6.30.030 - Materials for Absentee Voting.

The Clerk shall provide ballots for use as absentee ballots; shall provide a small envelope in which the voter shall initially place the marked ballot; and shall provide a large envelope, with the prescribed voter's certificate on the back, in which the smaller envelope with the ballot enclosed, shall be placed. The Clerk shall provide the form of and prepare the voter's certificate which shall include an oath that the voter is qualified in all aspects, a blank for the voter's signature, a certification that the affiant properly executed the marking of the ballot and identified himself or herself, blanks for the attesting official or witness, and a place for recording the date the envelope was sealed and witnessed.

6.30.040 - Absentee Voting in Person.

- (a) A qualified voter may apply in person for an absentee ballot at the location designated for absentee voting by the Clerk during regular office hours.
- (b) On receipt of an application in person for an absentee ballot and exhibition of proof of identification as required in this title, the absentee voting official shall issue the ballot to the applicant.
- (c) The voter shall proceed to mark the ballot in secret, place the ballot in the secrecy sleeve and place the secrecy sleeve in the larger envelope in the presence of the election official who shall sign as attesting official and date of his/her signature. The election official shall then accept the ballot.
- (d) The election official may not accept a marked ballot that has been exhibited by an absentee voter with the intent to influence other voters. If the absentee voter improperly marks or otherwise damages the ballot, the voter may request, and the election official shall provide, him/her with another ballot up to a maximum of three. Exhibited, improperly marked or damaged ballots shall be destroyed. The number of ballots destroyed shall be noted on the ballot statement.
- (e) If the qualifications of the absentee voter is subject to question, the voter shall vote a questioned ballot as provided in KMC 6.25.070.
- (f) Each absentee voting official shall keep a record of the names and signatures of voters who cast absentee ballots before him/her and the dates on which the ballots were cast.

6.30.050 – Absentee Voting – By Mail.

- (a) A qualified voter may apply for an absentee ballot by mail if postmarked not earlier than the first of the year in which the election is to be held nor less than seven (7) days before an election. A voter may request their name be placed on permanent absentee by mail status. The application shall include the address to which the absentee ballot is to be returned, the applicant's full Alaska residence address, a voter identifier such as a voter number, social security number or date of birth, and the applicant's signature.
- (b) After receipt of an application for an absentee ballot by mail, the Clerk shall send the absentee ballot and other absentee voting material to the applicant by first class mail. The materials shall be sent as soon as they are ready for distribution. The postage paid return envelope sent with the materials shall be addressed to the Clerk.

- (c) Upon receipt of an absentee ballot by mail, the voter may proceed to mark the ballot in secret, to place the ballot in the small envelope, to place the small envelope in the larger envelope, and to sign the voter's certificate on the back of the larger envelope in the presence of an official who shall sign as attesting official and shall date their signature. Officials recognized to attest to the veracity of signatures listed in this subsection are: a notary public, a commissioned officer of the armed forces, including the National Guard, state court judge, state court clerk, United States postal official, or other person qualified to administer oaths. If none of the officials listed in this subsection are reasonably accessible, an absentee voter shall have the ballot witnessed by a person over the age of 18 years.
- (d) An absentee ballot must be marked and attested on or before the date of the election. If the voter returns the ballot by mail, they shall use the most expeditious mail service and mail the ballot not later than the day of the election to the Clerk. It must be postmarked on or before midnight of Election Day and received by the Clerk no later than noon on the seventh day following the election. Ballot envelopes received after that time shall not be opened but shall be marked "invalid", with the date of receipt noted thereon, and shall be preserved with other ballots of the election.
- (e) The Clerk shall, as soon as practicable, make a reasonable effort to contact each absentee by mail voter, whose absentee ballot would be rejected under KMC 6.40.030(a), explain why the ballot would be rejected, and provide a reasonable opportunity, until 5:00 p.m. on the sixth day after Election Day, to cure the ballot.
- (f) The Clerk may require a voter casting an absentee ballot by mail to provide proof of identification or other information to aid in the establishment of their identity.
- (g) The Clerk shall maintain a record of the name of each voter to whom an absentee ballot is sent by mail. The record must list the date on which the ballot is mailed and the date on which the ballot is received by the Clerk and the dates on which the ballot was executed and postmarked.

6.30.060 – Absentee Voting – By Electronic Transmission.

- (a) A qualified voter may apply for an absentee ballot to be sent by electronic transmission. Such request must be made not less than the day immediately preceding the election. Absentee ballots will be electronically transmitted to the location designated in the application. If no location is designated, and if the request is received no later than seven (7) days prior to the election, the ballot will be mailed in the manner provided in KMC 6.30.050 for absentee ballots by mail. The Clerk will provide reasonable conditions for electronically transmitting absentee ballots.
- (b) A ballot electronically transmitted shall contain a copy of the ballot to be used at the election in a form suitable for transmission. A photocopy of the computerized ballot card to be used by persons voting in person at the polling place is acceptable.
- (c) An absentee ballot that is completed and returned by the voter by electronic transmission must:
1. Contain the following statement: "I understand that by using electronic transmission to return my marked ballot, I am voluntarily waiving a portion of my right to a secret ballot to the extent necessary to process my ballot, but expect that my vote will be held as confidential as possible.", followed by the voter's signature and date of signature; and

2. Be accompanied by a statement executed under oath as to the voter's identity; the statement under oath must be witnessed by one United States citizen who is 18 years of age or older.
- (d) The voter shall mark the ballot on or before the date of the election and may use a mail service at least equal to first class and mail the ballot not later than the day of the election to the Clerk. The ballot may not be counted unless it is received by noon on the seventh (7th) day after the election.
- (e) A voter who returns the absentee ballot by electronic transmission must comply with the same deadlines as for voting in person on or before the closing of the polls.
- (f) When a completed absentee ballot is received by electronic transmission, the Clerk will note the date of receipt on the absentee ballot application log and, if the ballot is received on Election Day, the time of receipt. The Clerk will then:
1. Remove the ballot portion of the transmission from the portion that identifies the voter;
 2. Place the ballot portion in a secrecy sleeve;
 3. Seal the secrecy sleeve in an outer envelope of the type used for absentee ballots returned by mail, and seal that envelope;
 4. Attach the voter identification portion to the outer envelope; and
 5. Forward the outer sealed envelope to the canvas board for review.
- (g) The Clerk shall, as soon as practicable, make a reasonable effort to contact each absentee by electronic transmission voter, whose absentee ballot would be rejected under KMC 6.40.030(a), explain why the ballot would be rejected, and provide a reasonable opportunity, until 5:00 p.m. on the sixth day after Election Day, to cure the ballot.
- (h) An electronically transmitted ballot shall be counted in the same manner as other absentee ballots, even though this procedure may reveal to one or more election officials the manner in which a particular absentee voter cast his or her ballot. However, it shall be unlawful to display a telefax ballot in a manner revealing the way in which a particular voter cast his or her ballot to any person other than the Clerk, a member of the Clerk's staff, an election official in the course of his or her duties, or an attorney advising the Clerk on legal questions concerning the ballot.

6.30.070 – Special Needs Voting.

A qualified voter with a disability who, because of that disability, is unable to go to a polling place to vote may vote a special needs ballot. Special needs ballots shall be issued and accounted for in accordance with the rules adopted by the state for use in state elections and in effect at the time of the local election.

6.30.080 – Prohibitions.

- (a) During the hours that the absentee voting locations are open, no election official may discuss any political party, candidate or issue while on duty.
- (b) During the hours the absentee voting locations are open, no person who is in the absentee voting location or within 200 feet of any entrance to the absentee voting location may attempt to persuade a person to vote for or against a candidate, proposition or question. Nor may any person conduct other political activities that may pertain to any future election or potential ballot proposition. The election official shall post warning notices in the form and manner prescribed by the Clerk.

- (c) No voter may exhibit a ballot to an election official or any other person so as to enable any person to ascertain how the voter marked the ballot, except as provided in this chapter.
- (d) While the absentee voting locations are open no election official may open any ballot received from a voter, mark a ballot by folding or otherwise so as to be able to recognize it, or otherwise attempt to learn how a voter marked a ballot, or allow the same to be done by another person.
- (e) No person may leave the absentee voting location with the official ballot that the person received to mark.

6.30.090 - Assistance to Voters.

A qualified voter who cannot read, mark the ballot or sign his/her name may request an election official or not more than two persons of his/her choice assist him/her. If the election official is requested, he/she shall assist the voter. If any other person is requested, the person shall state upon oath before the election official that he/she will not divulge the vote cast by the person whom he/she assists.

6.30.100 - Counting of Absentee Ballots.

To be counted in the election, an absentee ballot must be postmarked or electronically submitted on or before Election Day and be received by the Clerk no later than noon the Tuesday following the election. Ballot envelopes received after the canvass board has completed absentee ballot counting shall not be opened, but shall be marked "invalid" with the date of receipt noted thereon. Such envelopes shall be retained with the other election records and destroyed with them as provided by the City's records retention schedule. Absentee ballot envelopes shall be examined by the canvass board who shall determine whether the absentee voter is qualified to vote at the election or whether the ballot has been properly cast.

6.30.110 - Names of Absentee Voters.

The Clerk shall maintain a record of the name of each voter whom an absentee ballot is sent under this section. The record must list the date on which the ballot is mailed or provided by electronic transmission, the date on which the ballot is received by the Clerk and the dates on which the ballot was executed and, if by mail, postmarked. The record shall be available for public inspection. The absentee voting officials shall provide the Clerk the names and addresses of those persons who voted or attempted to vote absentee in person.

Chapter 6.35 **Ballot Counting Procedures.**

6.35.010 – Commencement of Ballot Count.

- (a) For counting of paper ballots, when the polls are closed and the last vote has been cast, the election board shall immediately proceed to open the ballot box, separate the questioned ballot envelopes from other ballots and then proceed to count the votes cast. In all cases the election board shall cause the count to be continued without adjournment until the count is complete. The Clerk may authorize the appointment of counters to assist in the counting of

ballots. Before undertaking the duties of the office, each counter shall subscribe to an oath to honestly, faithfully, impartially and promptly carry out the duties of the position. An election judge may administer the oath. If an appointed counter fails to appear and subscribe to the oath at the time designated by the Clerk, the election board may appoint any qualified voter to fill the vacancy.

- (b) In optical scan or other computer-read precincts, when the polls have closed and the last vote has been cast, the election board shall immediately transmit election results to the Borough Clerk following the written instructions provided to each precinct. Once the election results have been transmitted, the election board shall open the ballot box, separate questioned and write-in ballots from other ballots cast, place all ballots in the tamper proof containers provided, and proceed with the ballot accountability and poll closing procedures provided by the Clerk.

6.35.020 – General Procedure for Ballot Count.

- (a) The election supervisor may issue rules prescribing the manner in which the precinct ballot count is accomplished so as to assure accuracy in the count and to expedite the process. The election board shall account for all ballots by completing a ballot statement containing:
1. The number of official ballots received; and
 2. The number of official ballots voted; and
 3. The number of official ballots spoiled; and
 4. The number of official ballots unused and destroyed.
- (b) The board shall count the number of questioned ballots and shall compare that number to the number of questioned voters in the register. Discrepancies shall be noted and the numbers included in the certificate prescribed by the election supervisor.
- (c) When hand counting ballots, the election board shall count the ballots in a manner that allows watchers to see the ballots when opened and read. No person handling the ballot after it has been taken from the ballot box and before it is placed in the envelope may have a marking device in hand or remove a ballot from the immediate vicinity of the polls.
- (d) Ballots may not be counted before 8:00 p.m., local time, on the day of the election.

6.35.030 – Rules for Counting Hand-Marked Ballots.

- (a) The election officials shall count hand marked ballots according to the following rules:
1. A voter may mark his or her ballot with a cross mark, "X" mark, diagonal, horizontal or vertical mark, solid mark, star, circle, asterisk, check or plus sign using the parking device provided at the polling place or with any black-inked marker. The marks will be counted only if they are clearly spaced in the square opposite the name of the candidate the voter desires to designate.
 2. A failure to properly mark a ballot as to one or more candidates does not itself invalidate the entire ballot.
 3. If a voter marks fewer names than there are persons to be elected to the office, a vote shall be counted for each candidate properly marked.
 4. If a voter marks more names than there are persons to be elected to the office, the votes for candidates for that office shall not be counted.

5. The mark specified in subsection 1 of this section shall be counted only if it is substantially inside the square provided, or touching the square so as to indicate clearly that the voter intended the particular square marked.
 6. Improper marks on the ballot shall not be counted and shall not invalidate marks for candidates properly marked.
 7. An erasure or correction invalidates only that section of the ballot in which it appears.
- (b) The rules set out in this section are mandatory and there shall be no exceptions to them. A ballot may not be counted unless marked in compliance with these rules.

6.35.040 – Write-in Votes.

- (a) Write-in votes are not invalidated by writing in the name of a candidate whose name is printed on the ballot unless the election board determines, on the basis of other evidence, that the ballot was so marked for the purpose of identifying the ballot.
- (b) In order to vote for a write-in candidate, the voter must write a candidate's name in the space provided and, in addition, mark the square opposite the candidate's name in accordance with KMC 6.35.030(a). Stickers may not be used. Use of stickers can cause that portion of the ballot to be invalidated.
- (c) Write-in votes shall only be tabulated by person if the total number of write-in votes for an office exceeds the smallest number of votes cast for a candidate for that office whose name is printed on the ballot.

6.35.050 – Disqualified Candidate.

Votes cast for a candidate who is disqualified shall not be counted for any purpose.

6.35.060 – Tally of Votes.

Tally of votes cast by paper ballots. The Clerk shall issue instructions and shall provide forms and supplies for the tally of votes cast by paper ballot so as to assure accuracy and to expedite the process. The election board shall canvass and count the votes according to the rules for determining marks on ballots prescribed in KMC 6.30.030. The election board shall canvass the ballots in a manner that allows watchers to see the ballots when opened and read. No person handling the ballot after it has been taken from the ballot box and before it is placed in the envelope for delivery to the election supervisor may remove a ballot from the immediate vicinity of the polls or have a marking device in hand.

6.35.070 – Completion of Ballot Count.

When the tally of hand counted ballots is completed, and in no event later than the day after the election, the election board shall make a certificate in duplicate of the results. The certificate includes the number of votes cast for each candidate, for and against each proposition, yes or no on each question, and any additional information prescribed by the election supervisor. The election board shall, immediately upon completion of the certificate or as soon thereafter as the local mail service permits, send in one sealed package to the election supervisor one copy of the certificate and the register. In addition, all ballots properly cast shall be mailed or hand delivered

to the election supervisor. The package shall clearly indicate the precinct from which it came. To assure adequate protection the election supervisor shall prescribe the manner in which the ballots, registers and all other election records and materials are thereafter preserved, transferred and destroyed.

6.35.080 – Other Ballot Counting Systems.

Nothing in this title prohibits the use of other ballot counting systems which have been approved for use in state or borough elections. The election supervisor, subject to any further approval as may be required by law, may prescribe rules for the use of these systems or may adopt such rules, regulations and procedures as have been adopted by the state for use in state elections or adopted by the borough in borough elections.

Chapter 6.40 **Canvassing and Certification of Election Results.**

6.40.010 – Canvass Board.

(a) Pursuant to the provisions of Section 10-9 of the Charter of the City of Kenai, there is hereby established a Canvassing Board for the canvassing of all City elections; regular and special, and to ascertain and declare the results thereof, as follows:

- (1) The City Clerk is hereby designated as the Chair of the Canvassing Board.
- (2) The Canvassing Board shall consist of the City Clerk and up to five (5) additional judges selected from among the qualified voters of the City. In the event any such appointed member of the Board is absent from the City, ill, or otherwise unable to attend at the time set for canvassing the ballot, the City Clerk is hereby authorized to appoint another election judge from the same precinct to substitute for the appointed member.

(b) All members of the election canvass board, before entering upon their duties, must subscribe to the oath required of all public officers by the Constitution of the State of Alaska in the manner prescribed by the Clerk.

6.40.020 – Canvass of Returns.

- (a) The canvassing board shall meet on the Tuesday following each election, the election canvass board shall meet in public session and canvass all election returns. In full view of those present, the election canvass board shall judge the applicability of by mail and absentee ballots, shall open and tally those accepted, and shall compile the total votes cast in the election. The canvass of the ballot vote counted by the precinct election boards shall be accomplished by reviewing the tallies of the recorded vote to check for mathematical error by comparing totals with the precinct's certificate of results. All obvious errors found by the election canvass in the transfer of totals from the precinct tally sheets to the precinct certificate of results shall be corrected by the canvass board. A mistake which has been made in precinct returns that is not clearly an error in the transfer of the results from the tallies to the certificate of results empowers the canvass board to recommend a recount of the results of the precinct or precincts for that portion of the returns in question. Upon completion of the canvass, the canvassing board shall prepare a final certificate of the results of votes cast by absentee ballot and of votes cast by mail

ballot, and shall prepare a written report of the results.

- (b) The Clerk, as chair of the canvassing board, shall report the results of the election to the Council at the next regular Council meeting following the meeting of the canvassing board.

6.40.030 – Procedures for Handling Questioned Ballots.

The canvass board by majority vote may refuse to accept the question and count the ballot of a person properly questioned. If the ballot is refused, the Clerk shall return a copy of the statement questioning the ballot to the voter, and shall enclose all rejected ballots in a separate envelope with statements of the basis for the question. The envelope shall be labeled with "rejected ballots" and shall be preserved with other voted ballots. If the ballot is not refused, the large envelope shall be opened; the smaller inner envelope shall be placed in a container and mixed with other absentee ballot envelopes or, in the case of counting questioned ballots, with other questioned ballot envelopes. The mixed smaller envelopes shall be drawn from the container and opened, and the ballots shall be counted according to the rules for determining properly marked ballots.

6.40.040 – Voters Not on Official Registration List.

A person whose registration has been canceled under AS 15.07.130(b) shall not have their ballot counted.

6.40.050 – Certification of the Election Results.

- (a) At the next regular Council meeting following the meeting of the canvassing board, the Council shall meet in public session to receive the report of the Canvass Board. If, after considering the report, the Council determines that the election was validly held, the election shall be certified by majority vote and entered upon the minutes of the meeting, together with the total number of votes cast for each candidate and for or against each proposition or question.
- (b) If the canvass board reports that a failure to comply with provisions of state law and City ordinances, or an illegal election practice has occurred, and that such failure is sufficient to change the outcome of the election, then the Council may exclude the votes cast in one or more precincts where such failure or illegal practices occurred from the total returns, or may declare the entire election invalid and order a new election.
- (c) If the canvass board reports an apparent discrepancy in the returns of one or more precincts, the Council may order a recount of votes cast in said precinct or precincts. Such recount shall be conducted immediately by the canvass board and the results shall be reported to the Council. The Council shall meet as soon as possible to certify the results of the election recount.
- (d) Upon certification of a valid election, the Clerk shall deliver to each person elected to office a certificate of election, signed by the Clerk and authenticated by the seal of the City, in accordance with City Charter, Section 10-9.

Chapter 6.45 **Election Recount.**

6.45.010 – Recount Application.

- (a) Any defeated candidate or any ten (10) qualified voters, who believe that a mistake has been made by an election official or by the canvass board in counting the votes in any election, may make an application in writing to the Clerk for a recount of the votes for any particular office or on any particular question. The application must be filed in the office of the City Clerk within twenty-four (24) hours, excluding any Saturday, Sunday, or holiday after the Council certifies the results of the vote being questioned. In case of a tie vote between two (2) or more candidates, to which only one candidate is to be elected, the Clerk shall initiate a recount.
- (b) The application shall include a deposit in cash or by certified check for the amount listed in the most current City of Kenai Schedule of Rates, Charges and Fees. The deposit shall be applied against any costs incurred or refunded if there is no liability for recount costs.
- (c) A recount application shall state in substance the basis of the belief that a mistake has been made and shall identify the particular precinct, office, proposition or question for which the recount is to be held and shall state that the person making the application is a candidate or that the ten persons making the application are qualified voters. The candidate or person making the application shall designate by full name and mailing address two persons who shall represent the applicant during the recount. Any person may be named representative, including the candidate or any person signing the application. Applications by ten qualified voters shall also include the designation of one of the number as chairman. The candidate or persons making the application shall sign the application and shall print or type their full name and mailing address.

6.45.020 – Date of Recount – Notice.

- (a) If the Clerk determines that the application is substantially in the required form, the Clerk shall fix the date of the recount to be held within forty-eight (48) hours, excluding any Saturday, Sunday, or holiday, after the receipt of an application requesting a recount of the votes in a City election after it has been initiated under KMC 6.45.010.
- (b) The Clerk shall give the recount applicant and other directly interested parties notice of the time and place of the recount by telephone or electronic transmission.

6.45.030 – Procedure for Recount.

- (a) If a recount of ballots is demanded, the Clerk shall appoint a recount board of four or more qualified voters to conduct the recount of ballots or those precincts cited in the application for recount.
- (b) In conducting the recount, the recount board shall review all ballots to determine which ballots or parts of ballots, were properly marked and which ballots are to be counted in the recount, and shall check the accuracy of the original count, the precinct certificate, and the review. For administrative convenience, the Clerk may join and include two or more applications in a single review and count of votes. The rules governing the counting of marked ballots shall be followed in the recount.
- (c) The ballots and other election materials shall remain in the custody of the Clerk during the recount and the highest degree of care shall be exercised to protect the ballots against alteration or mutilation. The recount shall be completed within ten (10) days.

6.45.040 – Certification of Recount Result.

Upon completion of the recount, the recount board shall meet and adopt a report of the results of the recount for submission to the Council. The Council shall abide by procedures for issuing a certificate of the election as set forth in this title. The Clerk shall promptly issue another election certificate if a change in the results requires it.

6.45.050 – Return of Deposit and Apportionment of Expenses Upon Recount.

If, upon recount, a different candidate or position on a proposition or question is certified or if the vote on recount is four percent (4%) or more in excess of the vote originally certified for the candidate or position on a proposition or question supported by the recount application, the entire deposit shall be refunded to the recount applicant; otherwise, it shall be placed in the general fund of the City. If this section does not require that the entire deposit be refunded, the Clerk shall refund any money remaining after the cost of the recount has been paid from the deposit. If it is determined that the contestant shall bear the costs of the recount pursuant to this section, and the deposit is insufficient to cover the costs, the City may recover the excess costs from the contestant. If the recount is obtained by voters, each of them shall be individually liable for the whole amount of such expense.

6.45.060 – Appeal to the Courts After Recount.

Any candidate or a majority of the persons who requested a recount who have reason to believe that an error has been made in the recount involving any candidate or question, may appeal to the Superior Court in accordance with applicable court rules governing appeals in civil matters. The filing of the appeal and the proceedings shall be, as nearly as may be, as in case of such an appeal made after a recount in a State election.

Chapter 6.50
Contest of Election.

6.50.010 – Grounds for Election Contest.

A candidate or any ten (10) qualified voters of the City may contest the election of any person or the approval or rejection of any question or proposition upon one or more of the following grounds:

- (a) Malconduct, fraud or corruption by an election official sufficient to change the result of the election;
- (b) The person elected is not qualified under law or ordinance; or
- (c) Existence of a corrupt election practice, as defined by the laws of the State of Alaska, sufficient to change the result of the election.

6.50.020 – Contest Procedure.

- (a) Notice of contest of an election shall be submitted in writing to the Clerk before five (5) o'clock p.m. on the day of the certification of the election or to the Council at its meeting to certify the election returns. The notice of contest shall specify the election being contested, the grounds of the contest, and shall bear the notarized signatures of the candidate or qualified voters bringing the contest. The notice shall be in substantially the following form:

NOTICE OF ELECTION CONTEST

The undersigned contest the regular (or special) election of the City of Kenai held on the _____ day of _____ . The grounds for the contest are as follows:

Signature and date

(Notarization)

- (b) Upon receiving a notice of contest, the Council shall order an investigation be conducted by the Clerk and City Attorney. Those contesting the election, those whose election is contested, and the public shall be allowed to attend all investigation and recounting proceedings.
- (c) If the contest involves the eligibility of voters, the Council shall direct the Clerk to recheck the most current state registration lists. After considering the reports of the investigating officials and any other proof, the Council shall determine whether any illegally cast votes could have affected the election results. If they could not have, the Council may so declare and determine the election valid and certify the results pursuant to this title.
- (d) If the contest involves other prohibited election practices which are shown to have taken place, the Council, in certifying the election returns, shall exclude the vote of the precincts where such practices occurred. If it is determined that such exclusion could not affect the election results, the Council shall declare the election valid and certify the results pursuant to this title.
- (e) The contestants shall pay all costs and expenses incurred in a recount of an election as provided by KMC 6.45.010.

6.50.030 – Appeal or Judicial Review.

A person may not appeal or seek judicial relief of an election for any cause or reason unless the person is qualified to vote in the City, has exhausted all administrative remedies before the Council, and has commenced within ten (10) days after the Council has finally declared the election results, an action in the superior court. If an action under this section is not commenced within the ten-day period, the election and the election result shall be conclusive, final, and valid in all respects.

Chapter 6.55 **Special Elections.**

6.55.010 – Voting by mail—Ballots—Ballot review—Ballot envelopes.

- (a) The Clerk may conduct a special election by mail.
- (b) When the Clerk conducts a special election by mail, the Clerk shall send a ballot to each person whose name appears on the official voter registration list prepared under Alaska Statute 15.07.125 for that election. The ballot shall be sent to the address stated on the official registration list unless the voter has notified the Clerk in writing of a different address to which the ballot should be sent. The Clerk shall send ballots by first class, nonforwardable mail no less than 22 days before the election.
- (c) The Clerk shall review ballots voted under this section under procedures established for the review of absentee ballots.
- (d) There shall be a small blank envelope and a return envelope supplied to each by-mail voter. The return envelope shall have printed upon it an affidavit by which the voter shall declare his/her qualifications to vote, followed by provision for attestation by a person qualified to

administer oaths or one attesting witness who is at least 18 years of age. Specific instructions for voting a by-mail ballot and a list of the appointed absentee voting officials, their hours and locations, will be mailed to each voter with the ballot.

6.55.020 - Casting ballots.

- (a) Upon receipt of a mail-in ballot, the voter shall cast their ballot in the manner specified in KMC 6.30.050. If the ballot is cast in the Clerk's office, the Clerk shall retain it for delivery to the Canvassing Board. If the ballot is cast in another location, the voter shall return it by mail to the Clerk immediately for delivery to the Canvassing Board.
- (b) A voter who does not receive a mail-in ballot may cast their ballot in person as specified in KMC 6.30.040.
- (c) A voter may return the mail-in ballot to the City Clerk as provided in KMC 6.55.040.
- (d) The Clerk shall immediately make a reasonable effort to contact each voter, whose absentee ballot would be rejected under KMC 6.40.030, explain why the ballot would be rejected, and provide a reasonable opportunity, until 5:00 p.m. on the sixth day after Election Day, to cure the ballot.

6.55.030 - Notice of election—Election date—Public notice.

- (a) The notice of election calling for the election must state that the election is to be conducted by mail and that there will be no polling place open for regular in-person voting on election day. In a by-mail election, Election Day is the deadline by which a voter's ballot must be received by the Clerk.
- (b) For each election conducted by mail, the public notice posted in each precinct and the notice published in newspapers of general circulation in the area of the election jurisdiction will include the information specified in KMC 6.20.020.

6.55.040 - Absentee voting official—Duties.

- (a) The City Clerk, or designee, shall act as absentee voting official. The Clerk shall supply adequate voting supplies and ballots to the absentee voting officials. The Clerk shall provide moderate compensation to the absentee voting official to cover added expenses of the administration of this service, which shall be agreed to by the absentee voting official.
- (b) The duties of the absentee voting officials shall be as follows:
 1. Provide absentee voting in person on any date including the day of the election following the procedures in KMC 6.30.040 and special needs voting on any date including the day of the election following the procedures in KMC 6.30.070; and
 2. Sign a voter's by-mail oath and affidavit envelope as an authorized attesting official, except that the absentee voting official may not attest his/her own ballot; and
 3. Accept receipt of a by-mail voter's hand-delivered ballot, which has been sworn to, attested and sealed in the by-mail return envelope; and
 4. Provide general voter assistance, including but not limited to, assistance to a qualified voter who cannot read, mark the ballot, or sign his/her name, and providing

replacement ballots to voters who have improperly marked or damaged their ballots;
and

5. Date-stamp all ballots received; and

6. Provide for the security and safekeeping of all ballots received and present those
ballots to the Clerk for canvassing. The Clerk will specify the means of returning the
voted ballots and all other election supplies to the City.

6.55.050 - Storing ballots.

The Clerk shall provide for the secure storage of the mail-in ballots received from the voters and
by-mail officials until the date set by the Clerk for counting of ballots.

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

Section 3. Effective Date: That this ordinance shall take effect on January 1, 2022.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4th day of August, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Introduced: July 7, 2021
Enacted: August 4, 2021
Effective: January 1, 2022



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
FROM: Jamie Heinz, City Clerk
DATE: June 28, 2021
SUBJECT: Ordinance No. 3224-2021

Because the City has traditionally collaborated with the Kenai Peninsula Borough (KPB) on the administration of the annual regular municipal elections and is considering entering into a Memorandum of Agreement (MOA) to memorialize that collaboration along with utilizing KPB's new equipment, to include ADA Accessible equipment, and no longer using State election equipment, I felt it was in the best interest of the City to re-write our election code, Title 6, to align our election practices with the Borough's.

This ordinance also makes the following policy changes:

- 1) Incorporate the opportunity for absentee voters who can, to cure their envelope in what would have previously been a rejection situation. This feature was appreciated during the work session in June 2020 when considering a vote by mail method of voting and seeks to include as many ballots as possible instead of to reject them.
- 2) Makes the clarification that the Clerk determines qualifications of candidates (Charter provides that Council determine qualifications of its members which would be after election). This matches KPB, Soldotna, and the Municipality of Anchorage.
- 3) Adds a process for determining qualifications of candidates which matches KPB and Municipality of Anchorage. This provides for an administrative process without the person getting elected, Council having to conduct the process, and leaving a vacancy for Council to appoint.
- 4) Amends the retention for election records. I recommend retaining for one year instead of the three and four years currently required due to the personally identifiable information included in these records. Election contests and appeals must be brought within ten days of certification so the records will certainly be available for those actions. One year is consistent with KPB.
- 5) Provides a timeline for adoption of legislation to place a proposition on a ballot which coincides with KPB. This has been our practice in order for us to collaborate with the KPB, this spells it out in code.
- 6) Requires publication of a notice of voter registration as a reminder to voters to update their registration; this has been past practice and will be added to code.
- 7) Requires compliance with APOC requirements for campaign reporting. This has been past practice to notify the candidates of their requirement; now it will be in code.

- 8) Requires a public notice announcing vacancies for offices to be filled at the election and procedures for filing. This is consistent with past practices.
- 9) Requires noticing of bonded indebtedness before a General Obligation Bond election. This is consistent with KPB, Soldotna, and Municipality of Anchorage noticing requirements.
- 10) Spells out requirements for ballot form consistent with KPB given the likely transition to utilizing their equipment instead of the State's.
- 11) Reporting voter information to the State. This has also been a past practice.
- 12) Added clarifications to poll watchers; this is consistent with State policy and Fairbanks North Star Borough.

The above additions and addressing our ADA needs provides value added to our election processes in a way that honors the wishes of the majority of the voters.

Following is a section by section analysis of what is proposed to be new in our election code and why, how our current election code was incorporated into this ordinance, and highlights potential policy changes.

Chapter 6.05 – General Provisions. This chapter compiles the sections containing general provisions of elections.

6.05.010 – Definitions. This section is new and helps the user understand terms we regularly use in administration of elections. The definitions are consistent with state and borough law.

6.05.020 – Powers and Duties of the Clerk. This is similar to what is in current code (6.05.070); matches the Municipality of Anchorage and City of Soldotna. A new policy in this section provides that the Clerk determines whether a candidate for City office is qualified based on the qualifications provided in Charter and Title 6. City Charter provides that the Council judges qualifications of its members; this proposed code would provide for an administrative process to take place prior to a name being placed on the ballot, before a candidate becomes a member.

6.05.030 – Election Times. This section restates Charter.

6.05.040 – Votes Required for Election to Office. This section restates Charter.

6.05.050 – Preservation of Election Ballots, Papers, and Materials. This section is similar to what is in current code. A modification to the policies being proposed here is a reduction in the length of retention of registers, nominating petitions, and declarations of candidacy is from three or four years to one year. The reason is due to personally identifiable information included in these records to include dates of birth and/or social security numbers. An election contest can be brought within ten days after certification. Beyond that, we need to balance the security risk with the benefit to keeping the records. One year matches the length of time that the Kenai Peninsula Borough retains their records.

6.05.060 – Election Expenses. This section is similar to what is in current code (6.05.050).

6.05.070 – Initiative, Referendum, and Recall. This section restates charter and is similar to what is in current code (Chapters 6.20 and 6.30).



6.05.080 – Proposition and Questions. This is a new add and coincides with the borough's requirements for ballot preparation.

Chapter 6.10 – Voter Qualifications. This chapter compiles the sections pertaining to voter qualifications.

6.10.010 – Voter Qualifications. This section fleshes out Kenai Charter and the Alaska Constitution; it is copied from AS 29.26.050 which indicates that it applies to home rule municipalities.

6.10.020 – Rules for Determining Residence of Voters. This section would be new to our code; restates Alaska Statute 15.05.020 regarding residency.

6.10.030 – Notice of voter registration. This section would be new in our code but has been our practice for several years. We publish this ad jointly with the City of Soldotna, each city publishing twice, for a total of four publications in the newspaper to reach a bigger audience.

Chapter 6.15 – Filing for Office. This chapter compiles the sections pertaining to candidates filing for office.

6.15.010 – Candidate Qualifications. This section is new to code; restates charter.

6.15.020 – Nomination and Declaration of Candidacy. This section restates what is in current code (6.10.010, 6.10.020, and 6.10.030).

6.15.030 – Review of Candidate Qualifications. This section goes with the new policy that the Clerk determines qualifications of candidates. These are the rules the Clerk is to use for determining candidate qualifications and also includes a process for challenging the Clerk's determination. These are the administrative processes mentioned in the analysis of 6.05.020 and are materially the same as KPB's and Municipality of Anchorage's procedures.

6.15.040 – Campaign Reporting. This section adds that candidates are to comply with APOC's campaign reporting requirements. Our practice has been to provide the information to candidates in the candidate filing packet. Adding this section memorializes the requirement.

6.15.050 – Notice of Vacancy. This section is new to code; has been past practice for many years.

Chapter 6.20 – Administration of Elections. This chapter compiles the sections pertaining to election administration.

6.20.010 – Election Notices. This section is what is in current code (6.05.100) and adds a few provisions which has been past practice (type of election, voter qualifications, and instructions for absentee voting). It also lengthens what is in current code from ten days to twenty days to provide voters ample time to navigate absentee voting, if needed.

6.20.020 – Election Officials. This section is in current code (6.05.040).

6.20.030 – Ballot form. This section spells out what the ballot needs to look like and was taken from the borough. Our current code (6.05.080(a)) says the provisions of state law should be followed; however, given we will be using KPB equipment, we should follow KPB requirements.



6.20.040 – Ballot Preparation and Distribution. Much of this section is current code (6.05.080). Some is new in code but is current practice and aligns with KPB code.

6.20.050 – Ballot Shortage. This is new in the code. It is common in codes as a safety net and is also in State law (AS 15.15.140).

6.20.060 – Reporting Voting Information to the State. This is new in the code but has been common practice to assist with keeping voter history records accurate.

Chapter 6.25 – Polling Site Procedures. This chapter compiles the sections pertaining to procedures at the polling places.

6.25.010 – Prohibitions. This was copied from KPB and City of Soldotna code and has been past practice; had been incorporated into our current code by reference (6.05.110) where it says Alaska Statutes 15.15 –15.20 should be followed in conducting an election. The provisions specific to this section were AS 15.15.160 and AS 15.15.170.

6.25.020 – Opening of Polling Place. This section is new in our code and was copied from KPB, has been past practice, and should remain given the city and borough are cooperatively administering elections.

6.25.030 – Watchers. We traditionally allow for poll watchers in current code (6.05.060); this section now clarifies what poll watchers may do and provides a registration process similar to state law and Fairbanks North Star Borough.

6.25.040 – Ballot Box Security. This section is new in our code and was copied from KPB. It has been past practice in local and state elections and is a part of the instructions manuals.

6.25.050 – Voter Register. This section restates current code (6.05.080(c) and 6.05.020(a)).

6.25.060 – Voter Identification. This section restates current code (6.05.020(b)) and also State law, AS 15.15.225.

6.25.070 – Providing Ballot to Voter. This section is newly spelled out in our code; it was incorporated by reference in current code (6.05.110). The procedure has been practice. The language is similar to KPB's code and is also in State law, AS 15.15.230.

6.25.080 – Questioned Voting. This section is newly spelled out in our code; it was incorporated by reference in current code (6.05.110) as it is in State law, AS 15.15.198 and AS 15.15.210. The procedure has been past practice and the language is similar to KPB's code.

6.25.090 – Assistance to Voters. This section is newly spelled out in our code; it was incorporated by reference in current code (6.05.110) as it is in State law, AS 15.15.240. The procedure has been past practice and the language is similar to KPB's code.

6.25.100 – Spoiled Ballots. This section is newly spelled out in our code; it was incorporated by reference in current code (6.05.110) as it is in State law, AS 15.15.250. The procedure has been past practice and the language is similar to KPB's code.

6.25.110 – Alternate Ballots. This section is newly spelled out in our code. The procedure has been past practice and the language is similar to KPB's code.



6.25.120 – Placing Ballots in Ballot Box. This section is newly spelled out in our code; it was incorporated by reference in current code (6.05.110) as it is in State law, AS 15.15.260. The procedure has been past practice and the language is similar to KPB's code.

6.25.130 – Closing of Polls. This section is newly spelled out in our code; it was incorporated by reference in current code (6.05.110) as it is in State law, AS 15.15.310 – AS 15.15.330 and AS15.15.350. The procedure has been past practice and the language is similar to KPB's code.

6.25.140 – Unused Ballots. This section is newly spelled out in our code; it has been past practice in state and local elections. The language of this section is similar to KPB's code.

Chapter 6.30 – Absentee Voting. This chapter compiles the sections pertaining to absentee voting.

6.30.110 – Administration of Absentee Voting. This section is similar to current code (6.05.140).

6.30.020 – Eligibility. This section is similar to current code (6.05.140 and 6.05.150).

6.30.030 – Materials for Absentee Voting. This section is similar to current code (6.05.160).

6.30.040 – Absentee Voting in Person. This section is similar to current code (6.05.145).

6.30.050 – Absentee Voting - By Mail. A portion of this section is similar to current code (6.05.150). The remainder of it was incorporated by reference as it is in State law, AS 15.20.081. The procedure has been past practice and the language is similar to KPB's code.

6.30.060 – Absentee Voting - By Electronic Transmission. This section is the same as current code (6.05.335).

6.30.070 – Special Needs Voting. This section is newly spelled out in our code, referencing state law. It was incorporated by reference in current code (6.05.110) as it is in State law, AS 15.20.072. The procedure has been past practice and the language is similar to KPB's code.

6.30.080 – Prohibitions. This section was modified the previous section specific to in person voting; they are the same prohibitions specific to absentee voting. This was copied from KPB and City of Soldotna code and has been past practice; had been incorporated into our current code by reference (6.05.110) where it says Alaska Statutes 15.15 –15.20 should be followed in conducting an election. The provisions specific to this section were AS 15.15.160 and AS 15.15.170.

6.30.090 – Assistance to Voters. This section was modified the previous section specific to in person voting; it is the same assistance information specific to absentee voting. This was incorporated by reference in current code (6.05.110) as it is in State law, AS 15.15.240. The procedure has been past practice and the language is similar to KPB's code.

6.30.100 – Counting of Absentee Ballots. This section is, for the most part, in current code (6.05.120(c)). It has been adapted to match KPB code.

6.30.110 – Names of Absentee Voters. This section is new in code, has been past practice, and was copied from KPB code.



Chapter 6.35 – Ballot Counting Procedures This chapter compiles the sections pertaining to procedures for counting ballots.

6.35.010 – Commencement of Ballot Count. This section is new in code, has been past practice, and was copied from KPB code to align with cooperative administration of elections.

6.35.020 – General Procedure for Ballot Count. This section is newly spelled out in our code; it was incorporated by reference in current code (6.05.110) as it is in State law, AS15.15.350. The procedure has been past practice and the language is similar to KPB's code.

6.35.030 – Rules for Counting Hand-Marked Ballots. This section is newly spelled out in our code; it was incorporated by reference in current code (6.05.110) as it is in State law, AS15.15.360. This section provides guidance for ballots which the optical scanner or other computer read ballot was unable to read.

6.35.040 – Write-in Votes. This section would be newly spelled out in our code; it was incorporated by reference in current code (6.05.110) as it is in State law, AS 15.15.365 and AS 15.15.361.

6.35.050 – Disqualified Candidates. This section would be newly spelled out in our code; it goes along with the new policy that the Clerk determines qualifications of candidates. Because it is possible for the candidate to be disqualified after the ballots have been ordered, this section addresses not counting those votes. The language in this section is similar to KPB.

6.35.060 – Tally of Votes. This section would be new in our code. It is copied from KPB code. It gives provisions for counting ballots in the event of an equipment failure or power outage.

6.35.070 – Completion of Ballot Count. This section is newly spelled out in our code; it was incorporated by reference in current code (6.05.110) as it is in State law, AS 15.15.370. This section provides guidance for returning the completed election materials to the clerk.

6.35.080 – Other Ballot Counting Systems. This section would be new in our code. It is copied from KPB code. It gives provides for using equipment approved for use in state and borough elections.

Chapter 6.40 – Canvassing and Certification of Election Results. This chapter compiles the sections pertaining to canvassing and certifying the election.

6.40.010 – Canvass Board. This section is in current code (6.05.120(a)(1&2)). I've added that they must take an oath which is consistent with past practice and was copied from KPB code.

6.40.020 – Canvass of Returns. This section restates current code (6.05.120(b))

6.40.030 – Procedures for Handling Questioned Ballots. This section is newly spelled out in our code; it was incorporated by reference in current code (6.05.110) as it is in State law, AS 15.20.207. This section provides guidance for counting or rejecting questioned ballots.

6.40.040 – Voters Not on Official Registration List. This section is newly spelled out in our code; it was incorporated by reference in current code (6.05.110) as it is in State law, AS 15.15.198. This section provides guidance for rejecting ballots of voters whose registrations have been canceled.



6.40.050 – Certification of the Election Results. This section would be new in our code. It fleshes out Charter and was copied from KPB; it provides guidance on Council action after receipt of the report of the Canvass Board.

Chapter 6.45 – Election Recount. This chapter compiles the sections pertaining to an election recount.

6.45.010 – Recount Application. This section, for the most part, is in current code (6.05.220). It has been expanded to include additional details about the recount request on the application which has been modified from AS 15.20.440 and KPB code.

6.45.020 – Date of Recount – Notice. This section is substantially the same as current code (6.05.220(c)). It adds provisions for notifying the applicant for recount and interested parties of the time and place the recount will be taking place.

6.45.030 – Procedure for Recount. This section is newly spelled out in our code and is similar to KPB code. It was incorporated by reference in current code (6.05.110) as it is in State law, AS 15.20.480.

6.45.040 – Certification of Recount Result. This section is newly spelled out in our code and is similar to KPB code. It was incorporated by reference in current code (6.05.110) as it is in State law, AS 15.20.490.

6.45.050 – Return of Deposit and Apportionment of Expenses Upon Recount. This section expands on current code (6.05.220(b)). It is similar to KPB code and addresses partial refunds and recovering excess costs should the recount not change the results by 4% or more.

6.45.060 – Appeal to the Courts After Recount. This section is in current code (6.05.230)

Chapter 6.50 – Contest of Election. This chapter compiles the sections pertaining to an election contest and is addressed in current code (6.05.240) where guidance is to use same grounds and in the same manner, as nearly as may be, as in election contests arising out of State elections. State law has been written into this chapter of the ordinance as adapted from State law, AS 15.20.540 - 550. Also, pursuant to AS 29.26.070, which provides that governing bodies may, by ordinance, set the procedure for the contest of an election, provisions similar to KPB, Ketchikan Gateway Borough, Mat-Su Borough, and City of Soldotna, related to a local investigation process were incorporated prior to the matter being elevated to superior court.

Chapter 6.55 - Special Elections. This chapter compiles the sections pertaining to a special election and is in this ordinance as it is in current code (6.05.300 – 6.05.340).

To the extent possible, all current sections of code were incorporated into this ordinance while retaining the ability to share resources with the borough and attempting to improve processes and provide clarity. Sections in current code that were not incorporated in some way were:

- 6.05.190 which addresses a receiving board which has traditionally been the members of the Clerk's Office, and a data processing control board which KPB has traditionally provided for and is incorporated in the MOA considered in Resolution No. 2021-46;
- 6.05.210 which speaks to computer testing which KPB has traditionally provided for and is incorporated in the MOA considered in Resolution No. 2021-46; and,



- 6.05.250 which speaks to rules and regulations developed by the Director of Elections at the state level also applying to City elections, however, by collaborating with KPB, we should match KPB as much as possible.
- 6.05.270 which addressed offenses and penalties; those offenses and penalties are addressed in state law, carry heavier penalties in state law, and we can prosecute those offenses.

Your consideration is appreciated.





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
FROM: Jamie Heinz, City Clerk
DATE: July 27, 2021
SUBJECT: Ordinance No. 3224-2021 – Title 6 Rewrite

On July 7, 2021 you introduced Ordinance No. 3224-2021. Also at your July 7 2021 meeting, you authorized entering into a Memorandum of Agreement with the Borough regarding election administration. This memorandum requests the following amendment to Ordinance No. 3224-2021.

Move to insert the word authorized in the blank in fourth whereas clause.

Thank you for your consideration.

PURCHASE ORDERS BETWEEN \$2,500.00 AND \$15,000.00 FOR COUNCIL REVIEW
COUNCIL MEETING OF: AUGUST 18, 2021

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
CENTRAL PENINSULA HOSPITAL	STRESS TESTS	FIRE	PROFESSIONAL SERVICES	4,080.00
STAMPS.COM	POSTAGE	NON-DEPARTMENTAL	POSTAGE	3,000.00
OSHKOSH CORP.	ANNUAL TRUCK INSPECTIONS	SHOP	REPAIR & MAINTENANCE	5,040.00
AIRPORT EQUIPMENT RENTALS	EXCAVATOR RENTAL	STREETS	RENTALS	4,500.00
KENAI PENINSULA BOROUGH	EMD & CAD LICENSES	FIRE & COMMUNICATIONS	REPAIR & MAINTENANCE	8,264.23
HACH COMPANY	LABORATORY SUPPLIES	WATER & WWTP	OPERATING SUPPLIES	9,000.00
PENINSULA PUMPING	WASTEWATER MATERIAL	SEWER	PROFESSIONAL SERVICES	3,000.00
ALASKA OIL SALES	FLOAT PLANE FUEL	AIRPORT	OPERATING SUPPLIES	5,000.00