



Kenai City Council - Regular Meeting

May 21, 2025 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Agenda

A. CALL TO ORDER

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

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

B. SCHEDULED ADMINISTRATIVE REPORTS

C. SCHEDULED PUBLIC COMMENTS (*Public comments limited to ten (10) minutes per speaker; twenty (20) minutes aggregated*)

1. Alaska Christian College Update, Dr. Keith Hamilton, President of Alaska Christian College.
2. Kenai Peninsula Children's Advocacy Centers, Request for Funding, Executive Director & Children's Advocacy Center Director Lindsey Collins, Kenai Child Advocacy Center Manager Morgan Lyons, and Ryan Grimm.

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

E. PUBLIC HEARINGS

1. **Ordinance No. 3470-2025** - Amending the Official Zoning Map and Land Use Table by Rezoning Twenty-Eight Properties Located Near the Intersection of the Kenai Spur Highway and Wildwood Drive from Suburban Residential (RS) to General Commercial (CG) Zoning District. (Administration)
2. **Resolution No. 2025-32** - Declaring a Right-Of-Way for a 60' by 156' Portion of the Unnamed Road Along Wildwood Drive as Dedicated on Lots 11& 12, Block 8, Black Gold Estates 2025 Replat (Plat K1399), Not Needed for a Public Purpose and Consenting to Its Vacation. (Administration)
3. **Resolution No. 2025-33** - Authorizing Award of the City-Owned Lands Appraisal Contract. (Administration)
4. **Resolution No. 2025-34** - Authorizing the City Manager to Enter into an Agreement for Janitorial Services at the Kenai Municipal Airport Terminal. (Administration)

F. MINUTES

1. *Regular Meeting of May 7, 2025. (City Clerk)

G. UNFINISHED BUSINESS

1. **Ordinance No. 3469-2025** - Amending KMC 1.85.060-Conflicts of Interest Prohibited, to Allow Municipal Officers and City Employees to Participate in Certain Sales Open to the Public Through a Public Process and Narrowing the Existing Prohibition on Purchases to Personal Property Items. (Douthit) *[On 05/07/25 this item was postponed to 05/21/25]*
 - **Ordinance No. 3469-2025 Substitute** - Amending KMC 1.85.060-Conflicts of Interest Prohibited, to Allow City Employees to Participate in Certain Sales Open to the Public Through a Public Process and Narrowing the Existing Prohibition on Purchases to Personal Property Items. (Douthit)

H. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Ordinance No. 3471-2025** - Adopting the Annual Budget, Salary Schedule and Employee Classification Plan for the Fiscal Year Commencing July 1, 2025 and Ending June 30, 2026 and Committing \$2,850,457 of General Fund, Fund Balance for Future Capital Improvements. (Administration)
3. ***Ordinance No. 3472-2025** - Accepting and Appropriating Grant Funds from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)
4. ***Ordinance No. 3473-2025** - Accepting and Appropriating a Grant Received Through the American Society for the Prevention of Cruelty to Animals to the Kenai Animal Shelter for Attendance at the Alaska Animal Control Association 2025 Training Conference. (Administration)
5. ***Ordinance No. 3474-2025** - Increasing Estimated Revenues and Appropriation in the Wastewater, Water & Sewer, and Municipal Roadway Improvements Capital Project Funds to Transfer Residual Balance from Completed Projects Back to their Original Funding Sources. (Administration)
6. ***Ordinance No. 3475-2025** - Increasing Estimated Revenues and Appropriations in the General Fund – Legislative Department and Increasing the Purchase Order Amount to BDO USA, P.C. for the FY2024 and FY2025 Financial Audits. (Administration)
7. **Action/Approval** - Extension to Memorandum of Understanding with the Kenai Historical Society. (Administration)

I. COMMISSION REPORTS

1. Council on Aging Commission
2. Airport Commission
3. Harbor Commission
4. Parks and Recreation Commission
5. Planning and Zoning Commission
6. Beautification Commission

J. REPORT OF THE MAYOR

K. ADMINISTRATION REPORTS

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

L. ADDITIONAL PUBLIC COMMENTS

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

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

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

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

https://us02web.zoom.us/meeting/register/6h_KpazeR6y0erc4TOOqnQ



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3470-2025**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND LAND USE TABLE BY REZONING TWENTY-EIGHT PROPERTIES LOCATED NEAR THE INTERSECTION OF THE KENAI SPUR HIGHWAY AND WILDWOOD DRIVE FROM SUBURBAN RESIDENTIAL (RS) TO GENERAL COMMERCIAL (CG) ZONING DISTRICT.

WHEREAS, the properties located near the intersection of the Kenai Spur Highway and Wildwood Drive, as listed below:

<u>Parcel No.</u>	<u>Address</u>	<u>Lot Size</u>	<u>Legal Description</u>
03902122	14383 Kenai Spur Hwy	1.96-acre	BUSH LANES SUB NO 2
03903308	14320 Kenai Spur Hwy	0.52-acre	BLACK GOLD EST SUB AMD
03903310	14288 Kenai Spur Hwy	0.52-acre	BLACK GOLD EST SUB AMD
03903312	2807 Windflower Dr.	0.17-acre	BLACK GOLD EST SUB AMD
03903313	2809 Windflower Dr.	0.17-acre	BLACK GOLD EST SUB AMD
03903314	2811 Windflower Dr.	0.17-acre	BLACK GOLD EST SUB AMD
03903315	2813 Windflower Dr.	0.17-acre	BLACK GOLD EST SUB AMD
03903316	2815 Windflower Dr.	0.17-acre	BLACK GOLD EST SUB AMD
03904001	14260 Kenai Spur Hwy	0.26-acre	BLACK GOLD EST SUB AMD
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03904016	2715 Windflower Dr.	0.21-acre	BLACK GOLD EST SUB AMD
03904017	2717 Windflower Dr.	0.21-acre	BLACK GOLD EST SUB AMD
03908108	2726 Augustine Way	0.40-acre	CARL F. AHLSTROM SUB

03908109	2724 Augustine Way	0.61-acre	CARL F. AHLSTROM SUB
03908111	2722 Augustine Way	0.28-acre	CARL F. AHLSTROM SUB
03908113	2720 Augustine Way	0.26-acre	CARL F. AHLSTROM SUB
03908115	2718 Augustine Way	0.26-acre	CARL F. AHLSTROM SUB
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03908110	2723 Wildwood Dr.	0.34-acre	CARL F. AHLSTROM SUB

are currently zoned Suburban Residential (RS); and,

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

WHEREAS, the current RS zoning district is for low to medium density residential development; and,

WHEREAS, the proposed rezone to CG zoning district would allow for a wide range of commercial uses; and,

WHEREAS, the land use classification on properties immediately to the south and west is General Commercial, which envisioned a mix of commercial uses; and,

WHEREAS, the proposed rezone would eliminate conditional use permits initiated in 1999 to allow for low-impact commercial operations; and,

WHEREAS, the rezone is consistent with the Imagine Kenai 2030 Comprehensive Plan and aligns with the Land Use Plan and addresses Goal 1 – *Quality of Life: Promote and encourage quality of life in Kenai*; and,

WHEREAS, at their regularly scheduled meeting held on April 23, 2025, the City of Kenai Planning and Zoning Commission voted to approve that the subject properties be rezoned from Suburban Residential to General Commercial zoning district.

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

Section 1. Amendment of City of Kenai Official Zoning Map: That City of Kenai, Official Zoning Map is hereby amended as follows: Rezone parcels 03902122, 03903308, 03903310, 03903312, 03903313, 03903314, 03903315, 03903316, 03904001, 03904002, 03904010, 03904011, 03904012, 03904015, 03904016, 03904017, 03908108, 03908109, 03908111, 03908113, 03908115, 03904009, 03904008, 03904007, 03908116, 03908114, 03908112, and 03908110 from Suburban Residential (RS) to General Commercial (CG) zoning district.

Section 2. Amendment of City of Kenai Land Use Map: That City of Kenai, Land Use Map is hereby amended as follows: Rezone parcels 03902122, 03903308, 03903310, 03903312, 03903313, 03903314, 03903315, 03903316, 03904001, 03904002, 03904010, 03904011, 03904012, 03904015, 03904016, 03904017, 03908108, 03908109, 03908111, 03908113, 03908115, 03904009, 03904008, 03904007, 03908116, 03908114, 03908112, and 03908110 from Suburban Residential to General Commercial.

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF MAY, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced:	May 7, 2025
Enacted:	May 21, 2025
Effective:	June 20, 2025



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Kevin Buettner, Planning Director

DATE: April 24, 2025

SUBJECT: **Ordinance No. 3470-2025 - Amending the Official Zoning Map and Land Use Table by Rezoning Twenty-Eight Properties Located Near the Intersection of the Kenai Spur Highway and Wildwood Drive from Suburban Residential (RS) to General Commercial (CG) Zoning District.**

The applicants are seeking to rezone properties located primarily north and east of the Kenai Spur Highway and north of Wildwood Drive in the Black Gold Estates Subdivision (Amended) from Suburban Residential (RS) to General Commercial (CG) zoning district. One parcel is located to the west of the Kenai Spur Highway (KPB Parcel 03902122), which is currently split zoned as RS and CG. The new zoning for this parcel would be wholly CG. Parcels south of Wildwood Drive in the Carl F. Ahlstrom Subdivision are also included due to their proximity to other CG zoned parcels and common ownership.

The purpose of the rezone is to allow commercial uses to be developed on the subject parcels. Due to the proximity of the Kenai Spur Highway, it is anticipated that commercial uses are more likely to develop along the corridor, acting as a buffer to the proposed suburban residential subdivision beyond the affected parcels.

The Kenai Spur Highway is classified as a Principal Arterial in this location by the Alaska Department of Transportation and as such, it is used to convey a high volume of traffic to Nikiski and points north. A Principal Arterial route often has higher annual average daily traffic counts than surrounding city streets, and generally results in higher associated road noise. This noise often deters substantial residential development directly on the route.

These parcels were originally platted in the 1960s. As development priorities within the City have changed over time, the preferred use of the land has also changed. Land use along this corridor and similar corridors in the City are commercial or light industrial in nature. Expanding the CG Zoning District will allow for additional development along the Kenai Spur Highway, as it is anticipated that it would be developed in junction with the surrounding commercial uses to the south and west.

The existing land use classification states that the area is to be Suburban Residential. Due to the Kenai Spur being a Principal Arterial route, there is reason to anticipate that this area will become a mix of commercial uses, as traffic is higher along the Kenai Spur Highway and the

associated road noise make residential uses less desirable. The proposed rezone to CG zone would be consistent as a natural extension of the General Commercial land use classification that is immediately south of the subject properties as identified in the Comprehensive Plan.

An amendment to the land use map in the Comprehensive Plan is required, as all the proposed uses are not allowable in Suburban Residential zones. The City anticipates updating the Comprehensive Plan within a couple years, and a new Land Use Plan may be developed as a part of this process.

The Comprehensive Plan supports this rezoning in the following identified goal:

Goal 1 – Quality of Life: Promote and encourage quality of life in Kenai.

- *Q-4: Promote the siting and design of land uses that are in harmony and scale with surrounding uses.*

On April 23, 2025, the City of Kenai Planning and Zoning Commission voted to recommend the subject properties be rezoned from Suburban Residential to General Commercial zoning district.

Attachments

Location Map
 Proposed Zoning Map
 Bush Lanes Subdivision (Plat No. 94-54)
 Carl F. Ahlstrom (Plat No. KN-216)
 Black Gold Estates Subdivision Amended
 P&Z Resolution PZ2025-14
 Staff Report PZ2025-14







NOTARY'S ACKNOWLEDGEMENT

FOR: JAMES H. DOYLE

Subscribed and sworn before me this

9th day of AUGUST, 1994.My commission expires 11-20-95Patricia S. Dine
Notary Public for the State of Alaska

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

We further certify that the Deed of Trust affecting this property does not contain restrictions which would prohibit this replat; or require signature and approval of beneficiary.

James H. Doyle
Authorized Representative
Doyle's Fuel Service, Inc.

LEGEND

- ⊕ GLO survey monument of record not recovered.
- Found 6" x 6" conc. R/W marker
- Set 1/2"x24" rebar w/ McLane & Assoc. cap
- Found 1" Al. cap 610-S
- Found 5/8" rebar
- () Record data K 1028
- ▨ Indicates that portion of 20' alleyway vacated by this plat.

NOTES

- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 70, 18 AAC 72, and 18 AAC 80.
- 2) No direct access to state maintained ROWS permitted unless approved by State of Alaska Department of Transportation.
- 3) No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- 4) The survey information shown hereon was derived from data of record and a partial boundary survey performed at this date to determine the boundaries of this parcel.
- 5) The Kenai Peninsula Planning Commission approved the vacation of that portion of a 20' Alley shown hereon at the meeting of January 10, 1994.

RECORDED 20-
KENAI REC. DIST

DATE Oct 7 1994
TIME 12:09 P.M.
REQUESTED BY McLANE & ASSOC
ADDRESS P.O. BOX 468
SOLDOTNA, AK 99669

WASTEWATER DISPOSAL

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

Scott Ingers
Signature

EEAT

3/3/94

Title Date

PLAT APPROVAL

This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of

January 10, 1994.

KENAI PENINSULA BOROUGH by

Scott Ingers
Authorized Official

BUSH LANES SUBDIVISION NO. 2

(A REPLAT OF LOTS 7,8,9,10,11 & 12 BLOCK 1 AND LOTS 1,2 & 3 BLOCK 2 BUSH LANES SUBDIVISION & THE VACATION OF A 20' ALLEY)

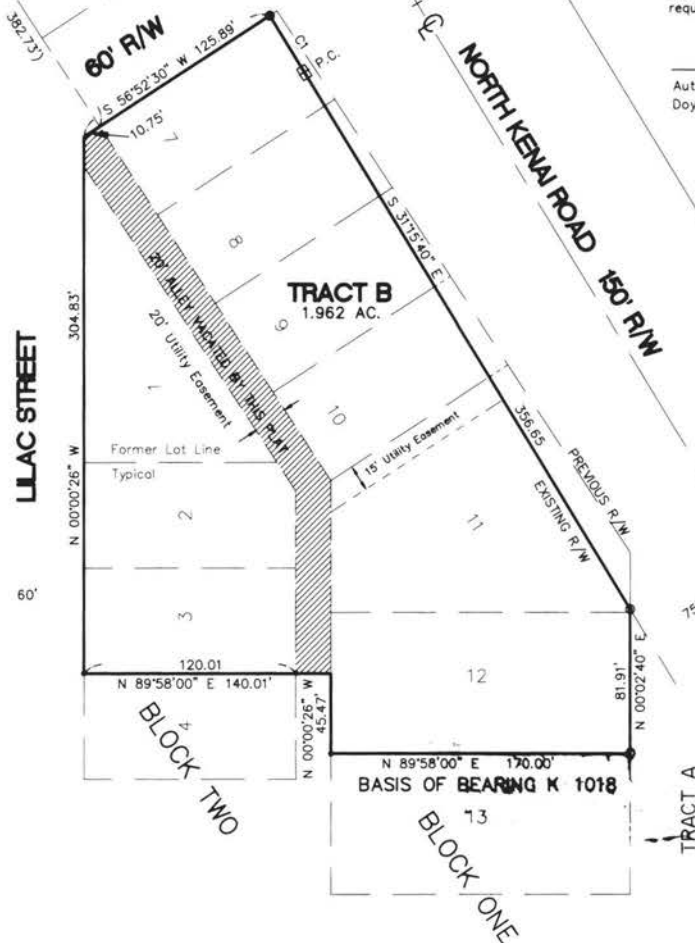
Doyle's Fuel Service, Inc.
Box 582
Kenai, AK 99611

LOCATION

1.962 AC. M/L SITUATED IN THE SW 1/4 SECTION 25, T. 6 N., R. 12 W., S.M., AK. WITHIN THE CITY OF KENAI, KENAI PENINSULA BOROUGH AND KENAI RECORDING DISTRICT.

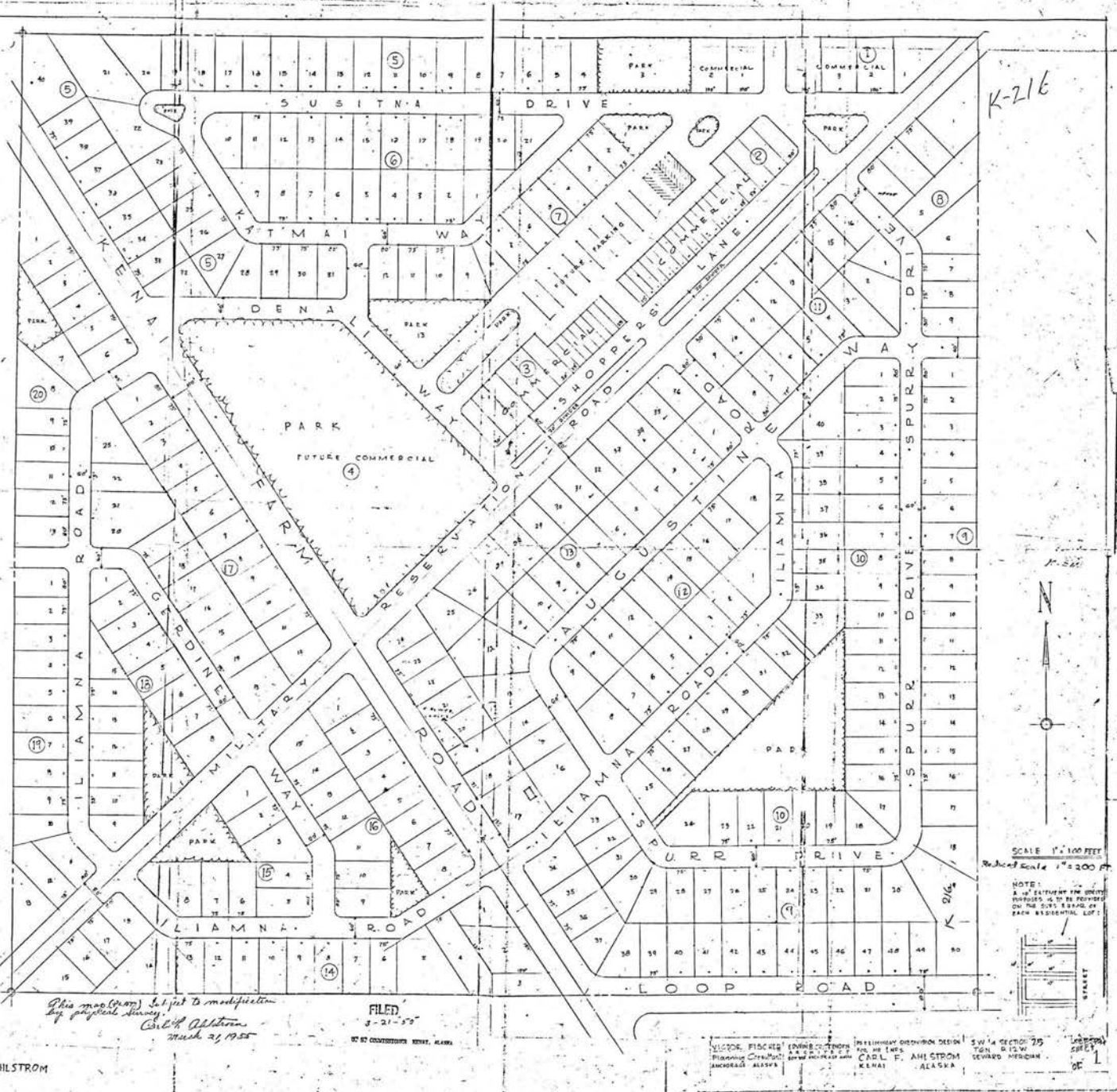
Surveyed by: McLANE & ASSOCIATES
P.O. BOX 468
Soldotna, AK 99669

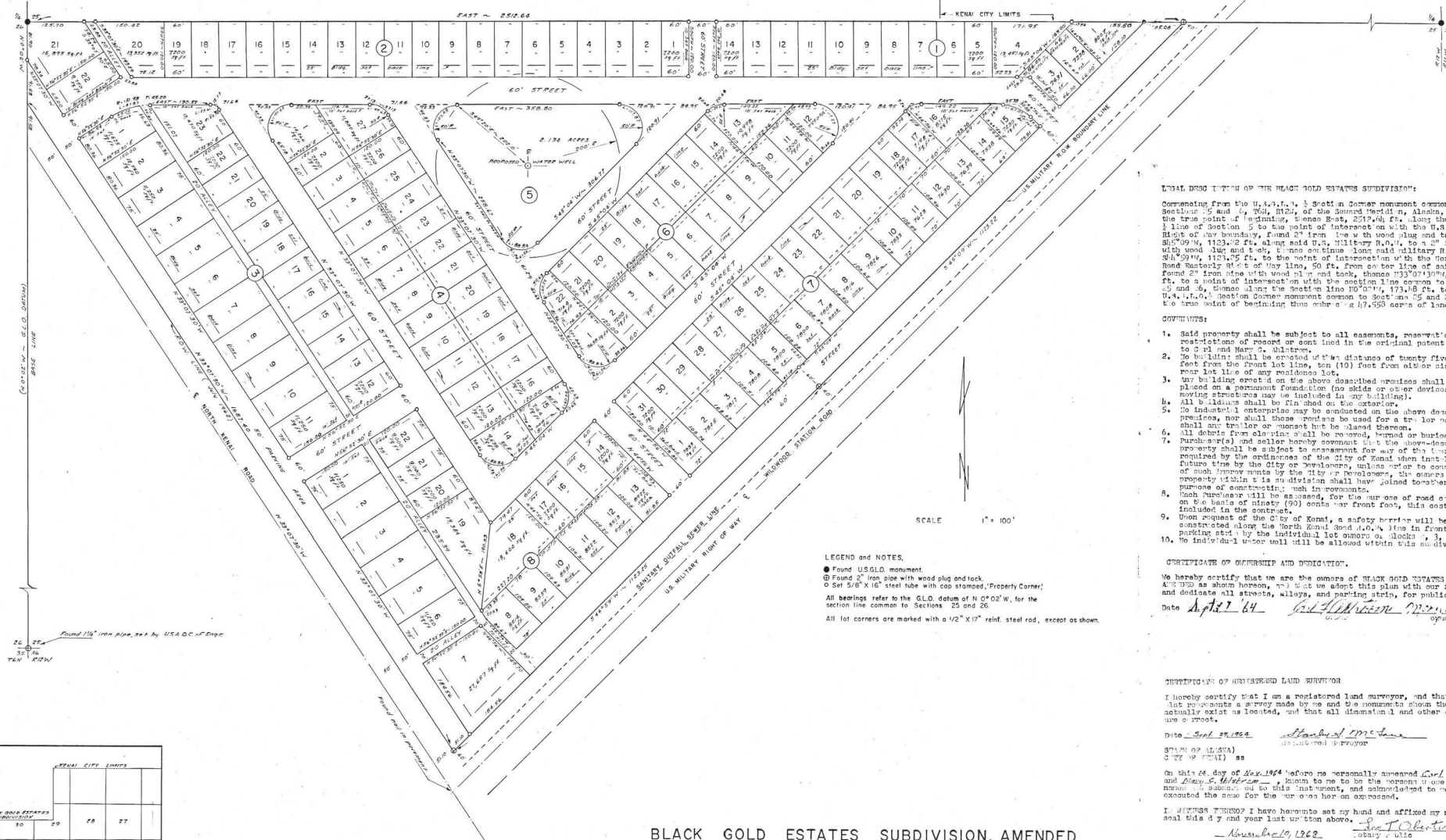
Date: Nov. 27, 1993	Book No. 90-22	Dwg. No. 932033
Drawn by msm	Scale 1" = 50'	K.P.B. File No. 93-186



LOT	CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
BDY	C1	9083.82	37.64	18.82	37.64	N 31°22'48" W	00°14'15"

K-21k





LEGEND AND NOTES.

● Found U.S.G.O. monument.

⊙ Found 2" iron pipe with wood plug and lock.

⊙ Set 5/8" x 16" steel tube with cap stamped 'Property Corner'.

All bearings refer to the G.L.O. datum of N 0° 02' W, for the

section line common to Sections 25 and 26.

All lot corners are marked with a 1/2" x 17" reinf. steel rod, except as shown.

SCALE 1" = 100'

Found 1/2" iron pipe, set by U.S.G.O. at base
TEN' HIGH

REVISIONS.

1. The addition of a 60 ft. street in front of lots 8 thru 13, in block 8, and lots 1 thru 15, in block 7, and eliminating the 20 ft. alley to the back of these lots.
2. The addition of a 60 ft. street in front of lots 1, 2, 3, in block 1, and eliminating the 20 ft. alley to the back of these lots.
3. The frontage on lots 11, 12, 13, 14, & 15, in block 7, and lots 1, 2, & 3, in block 1, has been revised.
4. These revisions were necessary to fill covenant No. 9, as shown on the original plat, and have been completed this date, Sept. 23, 1964, by Stanley S. McLane, R.L.S.

BLACK GOLD ESTATES SUBDIVISION, AMENDED

CARL F. AHLSTROM and MARY C. AHLSTROM
OWNERSRICHARD and JOAN WILLIAMS
DEVELOPERSA PORTION OF THE CARL F. AHLSTROM, HOMESTEAD LOCATED WITHIN THE SW 1/4 OF SECTION 25,
T6N, R12W, OF THE SEWARD MERIDIAN, ALASKA, CONTAINING 47.558 ACRES OF LAND.

SURVEYED BY

STANLEY S. McLane, R.L.S.

REVISIONS

Date: Begin July 19, 1962
End Oct. 24, 1962
Sept. 10, 1964



LEGAL DESCRIPTION OF THE BLACK GOLD ESTATES SUBDIVISION:

Commencing from the U.S.G.O. monument corner to Sections 25 and 26, T6N, R12W, of the Seward Meridian, Alaska, this is the true point of beginning, thence S 8° 15' E, 257.74 ft., along the corner line of Section 25 to the point of intersection with the U.S. Military Right of Way boundary, found 2" from line with wood plug and lock, thence S 8° 09' W, 113.02 ft., along said R.W. boundary, to a 2" iron pipe with wood plug and lock, thence S 8° 09' W, 113.02 ft., to the point of intersection with the North Kani Road, found 2" from line with wood plug and lock, thence S 8° 09' W, 113.02 ft., to a point of intersection with the section line common to Sections 25 and 26, thence along the section line N 0° 02' W, 173.06 ft., to the U.S.G.O. monument corner to Section 25 and 26, and to the true point of beginning, thus enclosing 47.558 acres of land.

Covenants:

1. Said property shall be subject to all easements, reservations and restrictions of record or contained in the original plat issued to Carl and Mary C. Ahlstrom.
2. No building shall be erected at a distance of twenty five (25) feet from the front lot line, ten (10) feet from either side or rear lot line of any residence lot.
3. Any building erected on the above described premises shall be placed on a permanent foundation (no skids or other devices for moving structures may be included in any building).
4. All buildings shall be finished on the exterior.
5. No industrial enterprises may be conducted on the above described premises, nor shall these premises be used for a trailer park, nor shall any trailer or monument be placed thereon.
6. All debts from electric bills shall be cleared, burned or buried.
7. Purchaser(s) and seller hereby covenants that the above-described property shall be subject to assessment for any of the improvements required by the ordinances of the City of Kani when installed at a future time by the City or Developer, the owners of property within this subdivision shall have joined together for the purpose of constructing such improvements.
8. Each purchaser will be assessed, for the purpose of road construction on the basis of ninety (90) cents per front foot, this cost will be included in the contract.
9. Upon request of the City of Kani, a safety barrier will be constructed along the North Kani Road, N 0° 02' W line in front of the parking strip by the individual lot owners on blocks 1, 3, and 8.
10. No individual owner will be allowed within this subdivision.

CERTIFICATE OF OWNERSHIP AND DEDICATION.

We hereby certify that we are the owners of BLACK GOLD ESTATES SUBDIVISION, AMENDED as shown hereon, and that we adopt this plan with our free consent, and dedicate all streets, alleys, and parking strips, for public use.

Date: Sept. 23, 1964 Carl F. Ahlstrom Mary C. Ahlstrom
Richard Williams Joan Williams
 Owners Developers

CERTIFICATE OF REGISTERED LAND SURVEYOR

I hereby certify that I am a registered land surveyor, and that this plat represents a survey made by me and the comments shown thereon actually exist as located, and that all dimensions and other details are correct.

Date: Sept. 23, 1964 Stanley S. McLane
 Registered Land Surveyor

STATE OF ALASKA

COUNTY OF KANI

CITY OF KANI

AS

On this 24 day of May, 1964 before me personally appeared Carl F. Ahlstrom and Mary C. Ahlstrom, known to me to be the persons whose names are subscribed to this instrument, and acknowledged to me that they executed the same for the purposes hereon expressed.

I, JAMES T. BRIDGES, have hereunto set my hand and affixed my notarial seal this 24 day of May, 1964.

James T. Bridges Notary Public

City Planning Commission

Received 11/14/64Approved 11/14/64Chairman Edgar C. Carr

MEMBER

This is to certify that the within plat was duly submitted to and approved by the Council of Kani City, Alaska, by Resolution Number 601 dated Sept. 23, 1964.

James T. Bridges
 City Clerk

BLACK GOLD ESTATES, AMENDED

607



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION PZ2025-14**

A RESOLUTION **RECOMMENDING** THE KENAI CITY COUNCIL APPROVE THE REZONE FROM SUBURBAN RESIDENTIAL (RS) TO GENERAL COMMERCIAL (CG) ZONING DISTRICT FOR THE FOLLOWING PROPERTIES AND AS DEPICTED ON THE ATTACHED BOUNDARY MAP.

<u>Parcel No.</u>	<u>Address</u>	<u>Lot Size</u>	<u>Legal Description</u>
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Resolution No. PZ2025-14

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WHEREAS, the City of Kenai received a rezone application and supporting documentation from the majority of property owners in accordance with Kenai Municipal Code (KMC) Section 14.20.270 *Amendment procedures*; and,

WHEREAS, the area proposed to be rezoned contains a minimum of one (1) acre (excluding street or alley rights-of-way); and,

WHEREAS, the proposed amendment to the zoning ordinance is not substantially the same as any other unapproved proposed amendment submitted within the previous nine (9) months; and,

WHEREAS, a map has been included of the proposed rezone area; and,

WHEREAS, the City of Kenai Planning and Zoning Department conducted a duly advertised public hearing, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

1. The current zoning district, Suburban Residential (RS) is intended to provide for medium density residential development. The existing RS zone is not the preferred land use for this area as there are existing commercial uses to the south and west of the proposed rezone area and the subject properties are located within 600 feet of the Kenai Spur Highway.
2. The rezone to General Commercial (CG) zone would increase the adjacent CG zoning district, which it is anticipated that it would be developed in conjunction with the surrounding

Resolution No. PZ2025-14

Page 3 of 4

commercial uses along the Kenai Spur Highway, therefore minimizing potential impacts of commercial development on existing residential uses.

3. Kenai Spur Highway has a Functional Classification as a Primary Arterial, as designated by the Alaska Department of Transportation, which infers a higher annual average daily traffic volume than surrounding neighborhood streets and therefore less desirable for residential uses due to vehicle noise.
4. The existing land use classification states that the area is to be Suburban Residential. Due to the Kenai Spur Highway being a Primary Arterial route, there is reason to anticipate that this area will become commercial uses, as traffic volume is higher along the highway and the associated road noise make residential uses less desirable. In the current RS zone, several commercial uses are permitted subject to a Conditional Use Permit (see attached Land Use Table). The proposed rezone to CG zone would be consistent as a natural extension of the General Commercial land use classification that is immediately south of the subject properties as identified in the Comprehensive Plan and reduce the administrative burden on business owners and city staff.
5. The proposed rezone to CG would align with the current commercial character of the neighborhood.

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

- Section 1.** That Kenai City Council approve the rezone request for the twenty-eight (28) properties located near the intersection of the Kenai Spur Highway and Wildwood Drive from Suburban Residential (RS) to General Commercial (CG) zoning district.
- Section 2.** That Kenai City Council amend the Land Use Map for the twenty-eight (28) properties located near the intersection of the Kenai Spur Highway and Wildwood Drive from Suburban Residential (RS) to General Commercial (CG).
- Section 3.** That Kenai City Council amend the Official Zoning Map for the twenty-eight (28) properties located near the intersection of the Kenai Spur Highway and Wildwood Drive from Suburban Residential (RS) to General Commercial (CG).
- Section 4.** That the Commission will forward its written recommendation to the Kenai City Council, along with all certified minutes and public records relating to the proposed amendment.

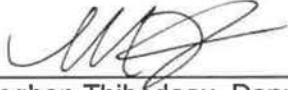
PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 23rd DAY OF APRIL, 2025.



Jeff Twait, CHAIRPERSON

Resolution No. PZ2025-14
Page 4 of 4

ATTEST:

A handwritten signature in black ink, appearing to read 'MT', is written over a horizontal line.

Meghan Thibodeau, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
FROM: Kevin Buettner, Planning Director
DATE: April 15, 2025
SUBJECT: Resolution PZ2025-14 – Rezone Twenty-eight (28) Parcels from Suburban Residential (RS) to General Commercial (GC) Zoning District

Request The applicants are requesting a rezone of Twenty-eight (28) parcels from Suburban Residential (RS) to General Commercial (CG) Zoning District.

Staff Recommendation Adopt Resolution PZ2025-14 recommending approval of a rezone of twenty-eight (28) parcels from Suburban Residential (RS) to General Commercial (CG) Zoning District; recommending a Zoning Map Amendment; and a Land Use Map Amendment.

Applicants: Alexander Douthit
 1104 Leeward Drive
 Kenai, AK 99611

<u>Parcel No.</u>	<u>Address</u>	<u>Lot Size</u>	<u>Legal Description</u>
03902122	14383 Kenai Spur Hwy	1.96-acre	BUSH LANES SUB NO 2
03903308	14320 Kenai Spur Hwy	0.52-acre	BLACK GOLD EST SUB AMD
03903310	14288 Kenai Spur Hwy	0.52-acre	BLACK GOLD EST SUB AMD
03903312	2807 Windflower Dr.	0.17-acre	BLACK GOLD EST SUB AMD
03903313	2809 Windflower Dr.	0.17-acre	BLACK GOLD EST SUB AMD
03903314	2811 Windflower Dr.	0.17-acre	BLACK GOLD EST SUB AMD
03903315	2813 Windflower Dr.	0.17-acre	BLACK GOLD EST SUB AMD
03903316	2815 Windflower Dr.	0.17-acre	BLACK GOLD EST SUB AMD
03904001	14260 Kenai Spur Hwy	0.26-acre	BLACK GOLD EST SUB AMD

03904002	14256 Kenai Spur Hwy	0.26-acre	BLACK GOLD EST SUB AMD
03904010	1303 Orchid Way	0.34-acre	BLACK GOLD EST SUB AMD
03904011	2705 Windflower Dr.	0.17-acre	BLACK GOLD EST SUB AMD
03904012	2707 Windflower Dr.	0.17-acre	BLACK GOLD EST SUB AMD
03904015	2713 Windflower Dr.	0.17-acre	BLACK GOLD EST SUB AMD
03904016	2715 Windflower Dr.	0.21-acre	BLACK GOLD EST SUB AMD
03904017	2717 Windflower Dr.	0.21-acre	BLACK GOLD EST SUB AMD
03908108	2726 Augustine Way	0.40-acre	CARL F. AHLSTROM SUB
03908109	2724 Augustine Way	0.61-acre	CARL F. AHLSTROM SUB
03908111	2722 Augustine Way	0.28-acre	CARL F. AHLSTROM SUB
03908113	2720 Augustine Way	0.26-acre	CARL F. AHLSTROM SUB
03908115	2718 Augustine Way	0.26-acre	CARL F. AHLSTROM SUB
03904009	2710 Wildwood Dr.	0.20-acre	BLACK GOLD EST SUB AMD
03904008	2712 Wildwood Dr.	0.20-acre	BLACK GOLD EST SUB AMD
03904007	2714 Wildwood Dr.	0.20-acre	BLACK GOLD EST SUB AMD
03908116	2717 Wildwood Dr.	0.26-acre	CARL F. AHLSTROM SUB
03908114	2719 Wildwood Dr.	0.26-acre	CARL F. AHLSTROM SUB
03908112	2721 Wildwood Dr.	0.41-acre	CARL F. AHLSTROM SUB
03908110	2723 Wildwood Dr.	0.34-acre	CARL F. AHLSTROM SUB

Current Zoning: Suburban Residential (RS)

Proposed Zoning: General Commercial (CG)

Current Land Use Unimproved Residential Lots

Land Use Plan Suburban Residential

SUMMARY

The applicants are seeking to rezone properties located primarily north and east of the Kenai Spur Highway and north of Wildwood Drive in the Black Gold Estates Subdivision (Amended) from Suburban Residential (RS) to General Commercial (CG) zoning district. One parcel is located to the west of the Kenai Spur Highway (KPB Parcel 03902122), which is currently split zoned as RS and CG. The new zoning for this parcel would be wholly CG. Five parcels south of Wildwood Drive in the Carl F. Ahlstrom Subdivision are also included due to their proximity to other CG zoned parcels and common ownership.

The purpose of the rezone is to allow commercial uses to be developed on the subject parcels. Due to the proximity of the Kenai Spur Highway, it is anticipated that commercial uses are more likely to develop along the corridor, acting as a buffer to the proposed suburban residential subdivision beyond the affected parcels.

The Kenai Spur Highway is classified as a Principal Arterial in this location by the Alaska Department of Transportation and as such, it is used to convey a high volume of traffic to Nikiski and points north. A Principal Arterial route often has higher annual average daily traffic counts than surrounding city streets, and generally results in higher associated road noise. This noise often deters substantial residential development directly on the route.

These parcels were originally platted in the 1960s. As development priorities within the City have changed over time, the preferred use of the land has also changed. Land use along this corridor and similar corridors in the City are commercial or light industrial in nature. Expanding the CG Zoning District will allow for additional development along the Kenai Spur Highway.

ANALYSIS

Pursuant to KMC Section 14.20.270, the initiation of a Zoning Map Amendment may be initiated by a majority of the property owners in the area to be rezone. Furthermore, the area to be rezoned contains a minimum one (1) acre (excluding street or alley rights-of-way) unless the amendment enlarges an adjacent district boundary.

The affected parcels are owned by eight different landowners. A majority of the landowners have expressed support. Written letters of support are attached to the application in this packet. This therefore, meets the requirements for the initiation of a rezone application. The combined area of the rezone is approximately 9.55 acres, which exceeds the minimum one (1) acre requirement for a zoning map amendment and it would expand the adjacent General Commercial zoning district to the south and west of the proposed rezone area.

Existing and Proposed Zoning

The existing zoning is Suburban Residential (RS) and the intent as outlined in KMC Section 14.20.090 states the following:

The RS Zone is intended to provide for medium density residential development in areas which will be provided with common utility systems. The specific intent in establishing this zone is:

- (1) To separate residential structures to an extent which will allow for adequate light, air, and privacy;*

- (2) *To prohibit uses which would:*
 (A) *Violate the residential character of the environment;*
 (B) *Generate heavy traffic in predominantly residential areas.*

Findings: The area is currently surrounded to the west and south with existing commercial uses. A commercial use is also present in the center of the proposed rezoning area. The subdivision has not been developed in over sixty years, and given current development trends in the City of Kenai, the land closest to the Kenai Spur Highway is typically used for commercial uses. The current zoning, RS prohibits commercial uses unless it is a conditional use which may preclude potential development from occurring due to an increased administrative burden on potential developers.

The proposed zoning is General Commercial (CG) and the intent as outlined in KMC Section 14.20.120 states the following:

The CG zone allows for the widest range of commercial uses compared to other commercial zoning districts. The current zoning district, Suburban Residential (RS) is intended to provide for medium density residential development. The existing RS zone is not the preferred land use for this area as there are existing commercial uses to the south and west of the proposed rezone area and the subject properties are located on or near the Kenai Spur Highway.

The rezone to General Commercial (CG) zone would increase the adjacent CG zoning district, which it is anticipated that it would be developed in conjunction with the surrounding commercial uses along the Kenai Spur Highway. Therefore, it would minimize potential impacts of commercial development on existing residential uses.

Findings: The rezone to CG zone would increase the adjacent CG zoning district, which it is anticipated that it would be developed in conjunction with the surrounding commercial/institutional uses to the west and south. Therefore, minimizing potential impacts of commercial development on existing uses.

Comprehensive Plan – Land Use Classification

The existing land use classification is Suburban Residential and the intent as outlined in the *Imagine Kenai 2030 Comprehensive Plan* (“Comprehensive Plan”) states the following:

Kenai residents place a high value on residential neighborhoods that are safe for all ages and located near important community facilities such as schools, recreational facilities, the library, parks, government services, and commercial areas.

Findings: The existing land use classification states that the area is to be Suburban Residential. Due to the Kenai Spur being a Principal Arterial route, there is reason to anticipate that this area will become a mix of commercial uses, as traffic is higher along the Kenai Spur Highway and the associated road noise make residential uses less desirable. The proposed rezone to CG zone would be consistent as a natural extension of the General Commercial land use classification that is immediately south of the subject properties as identified in the Comprehensive Plan.

An amendment to the land use map in the Comprehensive Plan is required, as all the

proposed uses are not allowable in Suburban Residential zones. The City anticipates updating the Comprehensive Plan within a couple years, and a new Land Use Plan may be developed as a part of this process.

The Comprehensive Plan supports this rezoning in the following identified goal:

Goal 1 – Quality of Life: Promote and encourage quality of life in Kenai.

- *Q-4: Promote the siting and design of land uses that are in harmony and scale with surrounding uses.*

Findings: The proposed rezone to CG would align with the commercial development of the surrounding neighborhoods.

Existing Use

In the proposed rezone area, there are no principal structures. Commercial enterprises exist to the south and west of the proposed rezone area, and mirroring the zoning on the opposite side of the Kenai Spur Highway would open up land for new development. The original subdivision was platted over sixty years ago, and to date, there is little development within the entirety of the subdivision.

Findings: The proposed rezone to CG zone would make the land fronting the Kenai Spur Highway, as well as adjacent lots behind them more desirable for development. The parcels not fronting the highway could potentially be merged in future subdivisions to allow for large developments.

PUBLIC NOTICE

Pursuant to Kenai Municipal Code 14.20.280 notices of the public hearing for the rezone were mailed to property owners within a three hundred-foot (300') periphery of the subject properties. City staff published notice of the public hearing in the *Peninsula Clarion*, and notification was posted.

No public comments have been received as of the date of this meeting.

STAFF RECOMMENDATION

Based on the findings and analysis in this staff report, Staff recommends the Planning & Zoning Commission recommending approval of a rezone of twenty-eight (28) parcels from Suburban Residential (RS) to General Commercial (CG) Zoning District; recommending a Zoning Map Amendment; and a Land Use Map Amendment. Planning & Zoning Commission's recommendation will be forwarded to City Council for consideration.

ATTACHMENTS

Zoning Map
Application Materials
Letter of Intent
Letters of Support
Aerial Map
Plat
Draft Zoning 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:	Alexander Douthitt		
Mailing Address:	[REDACTED]	Kenai	State: AK Zip Code: 99611
Phone Number(s):			
Email:			

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (s):	See attached list
Physical Address:	Centered on 14224 Kenai Spur Hwy, Kenai, AK 99611
Legal Description:	See attached list

ZONING INFORMATION

Present Zone:	Suburban Residential
Proposed Zone:	General Commercial

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

Extend general commercial zone and mirror adjacent zoning along Kenai Spur Hwy.
Would also remove split-zoned areas, allowing for easier transfers of property.

AMENDMENT PROCEDURE REQUIREMENTS

The area proposed to be rezoned contains a minimum of 1 acre (excluding street or alley rights-of-way), unless the amendment enlarges an adjacent zoning district boundary.	<input checked="" type="checkbox"/> YES
This proposed amendment to the zoning ordinance is not substantially the same as any other unapproved proposed amendment submitted within the previous 9 months.	<input checked="" type="checkbox"/> YES
I understand a public hearing is required as outlined in the Kenai Zoning Code, a \$250 fee is required (\$265 total after tax), and that this application will be reviewed following Kenai City Code 14.20.270, available at kenai.municipal.codes/KMC/14.20.270.	<input checked="" type="checkbox"/> YES
I have included a map of the proposed rezone area and applicable signatures.	<input checked="" type="checkbox"/> YES

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

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

PETITIONER'S SIGNATURE

Signature:	See email - 3/4/2025	
Printed Name:		Date:

For City Use Only

Date Application Fee Received:
PZ Resolution Number:

Kevin Buettner

From: Alex Douthit [REDACTED]
Sent: Tuesday, March 4, 2025 10:45 AM
To: Kevin Buettner
Subject: Rezone

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Afternoon,

It is my request to rezone an area on the Kenai Spur Hwy and Wildwood Drive.

I currently own a large lot in the middle of the area that is zoned General Commercial and this would align the surrounding areas to also be general commercial.

The surrounding lots are currently zoned Suburban residential.
With this change, this area would then mirror the adjacent side of the Kenai Spur hwy which has a very similar area that is already zoned General Commercial.

This rezoning would allow for much needed commercial development areas within the City of Kenai and encourage economic growth within the city. The attached letters in addition to myself represent 22 of 29 surrounding lots.

The lots requesting to rezone are listed as follows

4320, 14288, 14260, 14256, 14224, 14383 KENAI SPUR HWY
2815, 2813, 2811, 2809, 2807, 2717, 2715, 2713, 2707, 2705 WILDFLOWER DR.
2710, 2714, 2712, 2717, 2719, 2721, 2723 Wildwood dr.
1303 ORCHID WAY
2718, 2720, 2722, 2724, 2726 Augustine

Also attached are letters of support from a large majority of the involved land owners.

Thank you,

Alex Douthit
[REDACTED]

**DOYLE'S FUEL SERVICE****SERVING THE KENAI SINCE 1962**

3/4/2025

To Whom it may concern,

Weaver Brothers/Doyle's Fuel Service is in support of zoning 14383 Kenai Spur Hwy Kenai, Alaska 99611 into a commercial zone as well as any lots directly across the Kenai Spur Hwy in the vicinity of this address.

Thank you,
Kevin Doyle

Weaver Brothers/Doyle's Fuel Service, Inc.





Alex Douthit [redacted]

rezone

[redacted]

Fri, Feb 28, 2025 at 9:44 AM

yes i John Bennett would like to rezone my lots to general commercial

[Quoted text hidden]



Alex Douthit [REDACTED]

Rezone on Kenai Spur Hwy project

bryan lowe [REDACTED]

Fri, Feb 28, 2025 at 9:09 PM

To: Alex Douthit [REDACTED]

I, Bryon Lowe, owner of 14260 Kenai Spur Hwy am in support of Rezoning this lot and the surrounding area to General Commercial as proposed by Alex Douthit.

Thank You

Bryan Lowe [REDACTED]

Sent from my iPhone

[Quoted text hidden]



Alex Douthit [REDACTED]

rezone

1 message

John Mellish [REDACTED]

Fri, Feb 28, 2025 at 5:16 PM

To: [REDACTED]

To Who It May Concern,

I am in full support of rezoning the property adjacent to RPM's at 14096 Kenai Spur Highway to "general commercial".

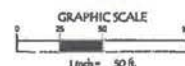
Sincerely,

RPM's LLC
John Mellish
[REDACTED]



1. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
2. DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14 ZONING CODE REQUIREMENTS.
3. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
4. ANYONE DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.

PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.



VICINITY MAP
Scale 1" = 1 Mile

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 1/2" REBAR UNLESS NOTED
- SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-S

R/W VACATED BY THIS PLAT AND APPROVED FOR VACATING BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE AUGUST 23, 2021 MEETING. THE KENAI CITY COUNCIL CONSENTED TO THE VACATED R/W AT THE SEPTEMBER 15, 2021 MEETING.

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

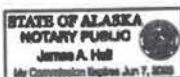
ALEXANDER DOUTHIT
1104 LEEWARD DR.
KENAI, AK 99611

FOR: ALEXANDER DOUTHIT
ACKNOWLEDGED BEFORE ME THIS

22nd DAY OF October, 2021

MY COMMISSION EXPIRES JUNE 7, 2023

NOTARY PUBLIC FOR THE
STATE OF ALASKA



THIS PLAT WAS APPROVED BY THE KENAI
PENINSULA BOROUGH IN ACCORDANCE WITH
KPB 20.10.080.

Scott A. [Signature] 1/20/22
AUTHORIZED OFFICIAL DATE

A R/W VACATION PLAT OF UNNAMED 60' STREET ADJACENT TO LOT 4A BLOCK 8 BLACK GOLD ESTATES SUBDIVISION No.2 (KN84-76)

ALEXANDER DOUTHIT, OWNER
1104 LEEWARD DR
KENAI, AK 99611

3.436 AC. M/L SITUATED IN THE SW1/4 OF SECTION 25, TOWNSHIP 6 NORTH
RANGE 12 WEST, SEWARD MERIDIAN, CITY OF KENAI, KENAI PENINSULA
BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.



ENGINEERING - TESTING
SURVEYING - MAPPING
P.O. BOX 408
SOLDOTNA, AK 99689
VOICE: (907) 283-4218
FAX: (907) 283-3285
WWW.MCLANECG.COM

KPB FILE No. 2021-111V

PROJECT NO. 212037

SCALE 1" = 50'

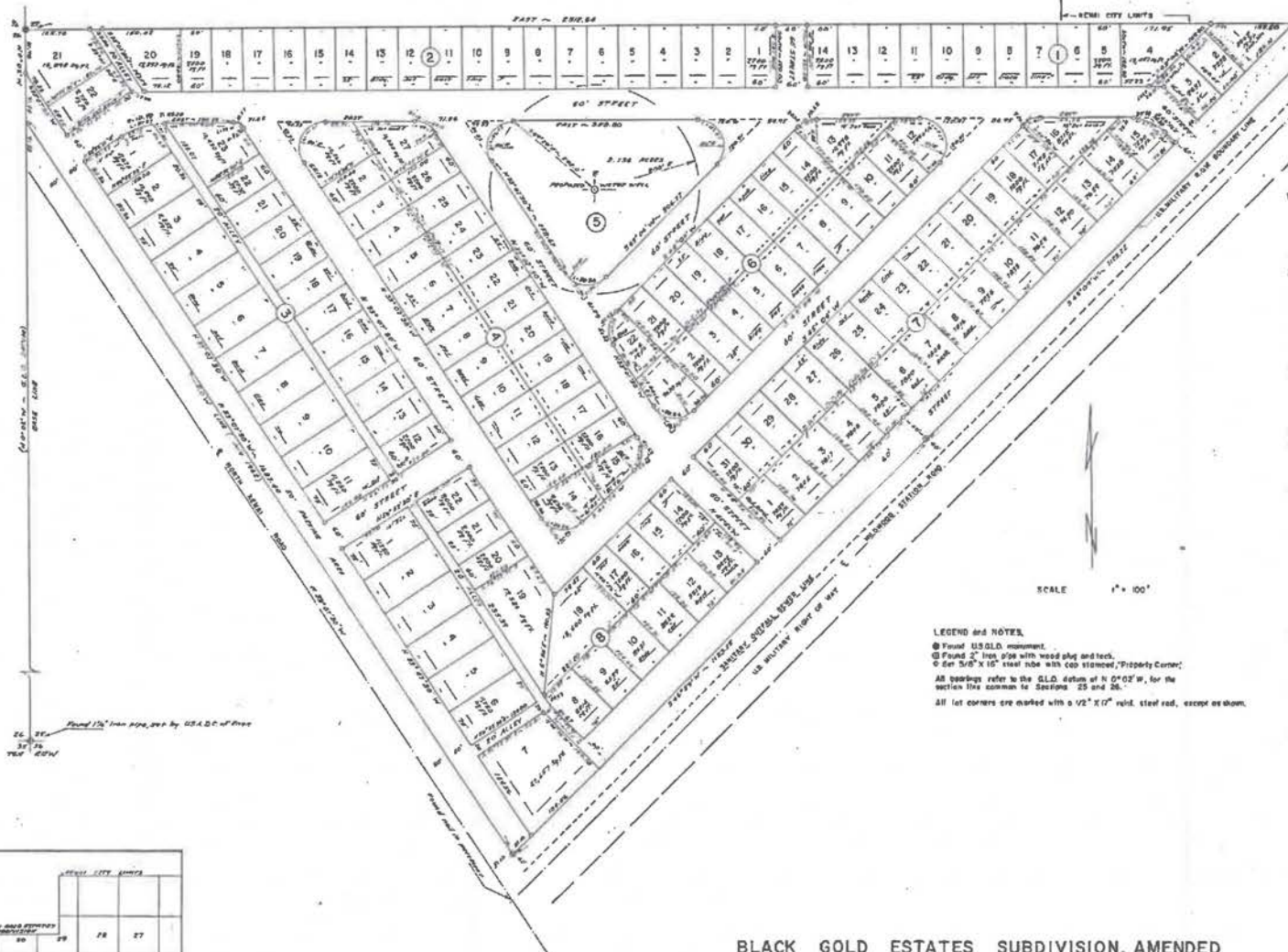
DATE 1 JUN 803

1. Body No. : 81-04 Drawing No. : -1A

100

[illegible]

Page 1 of 1



LEGAL DEPARTMENT OF THE STATE POLICE DIVISION

[illegible]

COPYRIGHT:

- [illegible]

CERTIFICATE OF MEMBERSHIP AND DEDICATION.

We hereby certify that we are the owners of BLACK GOLD LITERATURE SURVIVING
AND USED as shown herein, and that we adopt this plan with our free consent
and dedicate all streets, alleys, and parking strip, for public use.

Date Sept 2 '64 Edith Wilson Mrs. J. B. Wilson
owner

TABLE 1. SUMMARY OF RESEARCHED LAND ACQUISITION

I hereby certify that I am a registered land surveyor, and that this plat represents a survey made by me and the monuments shown thereon actually exist as located, and that all dimensions and other details are correct.

Date - Sept 29, 1986
SRI # 07 LLISA)
Q T W P-11) AS

Hatched / 1st time

(Signature)

On this 26 day of Aug. 1966 before me personally appeared Carl F. Abbott and Glen S. Mielke known to me to be the persons whose names are subscribed to this instrument, and acknowledged to me that they executed the same for the purposes hereon expressed.

I, WILLIAM T. HENRY have hereunto set my hand and affixed my material seal this 5 day and year last written above. Geo T. O'Brien
Notary Public Notary Public

BLACK GOLD ESTATES SUBDIVISION, AMENDED

CARL F. AHLSTROM and MARY C. AHLSTROM

RICHARD and JOAN WILLIAMS
DEVELOPERS

A PORTION OF THE CARL F. AHLSTROM, HOMESTEAD LOCATED WITHIN THE SW 1/4 OF SECTION 25, T6N, R12W, OF THE SEWARD MERIDIAN, ALASKA, CONTAINING 47.958 ACRES OF LAND.

SURVEYED BY

STANLEY S. WILANE, U.S.B.

Date	Begin	July 15, 1962
	End	Oct 24, 1962
"		Sept. 10, 1964

REVISIONS



© 1998 Blackwell Science Ltd

Only following conditions
received 11/16/68

Approved 11/1/24 _____

Chaitman ~~Refers~~ C Co

700101L

This is to certify that:

by the Council of Kono
(a)

James A. Dyer

1844

1. James M. Silver
City Clerk

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

2004

1000

ST. LOUIS, MO., FEB. 22, 1944

607

KN-216

216

SEE PC RES 2012-44 VACATE 10 FT UTILITY EASEMENT



K-216



SCALE 1" = 200 FEET
Nearest Scale 1" = 200 FT

NOTE:
A 10' EASEMENT FOR UTILITY
PURPOSES IS TO BE MAINTAINED
ON THE EAST SIDE OF
PARK RESERVATION, LOT 1



This map (from) is subject to modification
by physical survey.
Carl F. Ailstrom
March 21, 1955

FILED
2-21-55

BY COUNTY CLERK, KENAI, ALASKA

ALL FOR, PREPARED, SPECIFIC, COUNTER, INSTRUMENT, OUTSIDE, DESIG, SW 1/4, SEC 20, T2N, R 12W, S. 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 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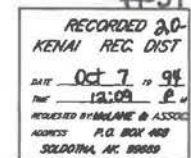
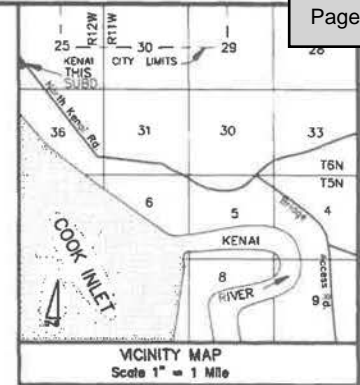
FOR: JAMES H. DOYLE

9th day of August, 1994.

Peggy S. Dye
Notary Public for the State of Alaska

Authorized Representative
Doyle Fuel Service, Inc.

Date: Nov. 27, 1993	Book No. 90-22	Dwg. No. 932033
Drawn by msm	Scale 1" = 50'	K.P.B. File No. 93-186







Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2025-32**

A RESOLUTION DECLARING A RIGHT-OF-WAY FOR A 60' BY 156' PORTION OF THE UNNAMED ROAD ALONG WILDWOOD DRIVE AS DEDICATED ON LOTS 11& 12, BLOCK 8, BLACK GOLD ESTATES 2025 REPLAT (PLAT K1399), NOT NEEDED FOR A PUBLIC PURPOSE AND CONSENTING TO ITS VACATION.

WHEREAS, on March 26, 2025, by Resolution No. PZ2025-05 the Kenai Planning and Zoning Commission recommended that the Kenai Peninsula Borough Planning Commission approve of the preliminary plat of Black Gold Estates 2025 Replat with a vacation of 156 feet of the 60' right-of-way along the southerly boundary as dedicated on the plat of Lots 11 & 12, Block 8, Black Gold Estates 2025 Replat (Plat K1399), subject to Council approval of the vacation; and,

WHEREAS, on April 28, 2025, the Kenai Peninsula Borough Planning Commission preliminarily approved, subject to Council approval, the vacation of a 60' by 156' portion of Wildwood Drive on the southeast boundary of Lots 11 & 12, Block 8, Black Gold Estates 2025 Replat (Plat K1399); and,

WHEREAS, on April 29, 2025, the Kenai Peninsula Borough submitted a letter to the Kenai City Council requesting consideration of the vacation in accordance with Alaska Statutes 29.40.140 that requires the consent of the City Council prior to vacation of city right-of-way; and,

WHEREAS, Kenai Municipal Code 22.05.110 - Determination as to need for public use, states City Council may vacate rights-of-way or easements by resolution; and,

WHEREAS, there is no needed public use for the 60' by 156' right-of-way.

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

Section 1. The 60' by 156' right-of-way portion of Wildwood Drive on the southeast boundary of Lots 11 & 12, Block 8, Black Gold Estates 2025 Replat (Plat K1399) is not needed for a public purpose, and the Council of the City of Kenai consents to the vacation of the 60' by 156' right-of-way as set forth on the attached Exhibit "A ".

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF MAY, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: Kevin Buettner, Planning Director

DATE: May 14, 2025

SUBJECT: **Resolution No. 2025-32 - Declaring a Right-of-Way for a 60' by 156' Portion of the Unnamed Road Along Wildwood Drive as Dedicated on Lots 11 & 12, Block 8, Black Gold Estates 2025 Replat (Plat K1399), and as Set Forth on the Attached Exhibit "A" is not Needed for a Public Purpose and Consenting to its Vacation.**

On March 26, 2025, the Planning and Zoning Commission passed Resolution PZ2025-05 recommending the approval of the Black Gold Estates 2025 Replat subject to the following condition: 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.

On April 28, 2025, the Kenai Peninsula Borough Planning Commission preliminarily approved the vacation, subject to Council approval, of a 60' by 156' portion of Wildwood Drive on the southeast boundary of Lots 11 & 12, Block 8, Black Gold Estates 2025 Replat (Plat K1399) during their regularly scheduled meeting.

Background – Wildwood Drive 60' ROW

The initial subdivision was approved by Resolution 63-20 in July 1963, but due to conflicts with the US military regarding a drainage ditch along the north side of what was called Wildwood Station Road, subsequent changes to the subdivision were required. On December 2, 1964, the Kenai City Council passed Resolution 64-24 approving a re-subdivision of Black Gold Estates, which is located to the north and west of Wildwood Station Road. This new subdivision adjusted Lots 1-3 in Block 1, Lots 1-15 in Block 7, and Lots 8-13 in Block 8 to include a 60 foot right of way immediately adjacent to the existing 120 foot right of way for Wildwood Station Road (now Wildwood Drive).

This right of way was to allow the City to develop a frontage road parallel to Wildwood Station Road, and control/maintain the access points across the drainage ditch from the military installation. Plat notes included with this amendment included the provision of a special assessment of 90 cents per front foot to be used to construct the road. These funds have since been returned to the original payees. The legislation further stipulated that no lots (listed above) fronting Wildwood Station Drive "shall be developed until the road is built and the two access streets are constructed."

The military installation was closed and the land was subsequently used by the State of Alaska for Wildwood Correctional Facility. Wildwood Drive is the primary ingress and egress route. To date, the 60' right of way remains in place along the north side of Wildwood Drive and no development has occurred on this side of the road, outside of a commercial property at the intersection of Wildwood Drive and the Kenai Spur Highway at the extreme western end of the right of way.

On September 15, 2021, Resolution 2021-57 was passed by Council to vacate a 60' by 254' portion of this right of way. This vacated portion is located to the southwest of the current vacation request. The supporting documentation from the City of Kenai regarding this vacation did not explicitly mention Resolutions 63-20 or 64-24, but did refer to the Black Gold Estates, Amended plat by providing a plat map.

The Administration is working with the Kenai Native Association on an agreement to allow improvement of the roadway known as Wildwood Drive. The City may consider entering into an agreement, subject to Council approval, to purchase any interest Kenai Native Association may have in the roadway, as Kenai Native Association's asserted interest has presented challenges to improvements. If an agreement is approved by the Council, there likely is no public purpose for the unnamed 60' right-of-way.

Current Request

In accordance with Alaska Statutes 29.40.140, no vacation of a City right-of-way and/or easement may be made without consent of the City Council. According to Kenai Municipal Code 22.05.110 - Determination as to Need for Public Purpose, provides the Kenai City Council may vacate rights-of-way or easements by resolution. Because the right-of-way is adjacent to a road in which there is an asserted interest, the land may be needed for a public purpose in the future to support access or improvements. Per Kenai Peninsula Borough Code 20.65.050(H) – Vacations: a [Kenai Peninsula Borough] planning commission decision to approve a vacation is not effective without the consent of the [Kenai] city council, if the area to be vacated is within a city, or by the assembly in all other cases. The council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation.

Thank you for your consideration.

Attachments

Exhibit A: Preliminary Plat identifying recommended vacation of 60' by 156' right-of-way

Notice of Decision Letter from Kenai Peninsula Borough dated April 29, 2025

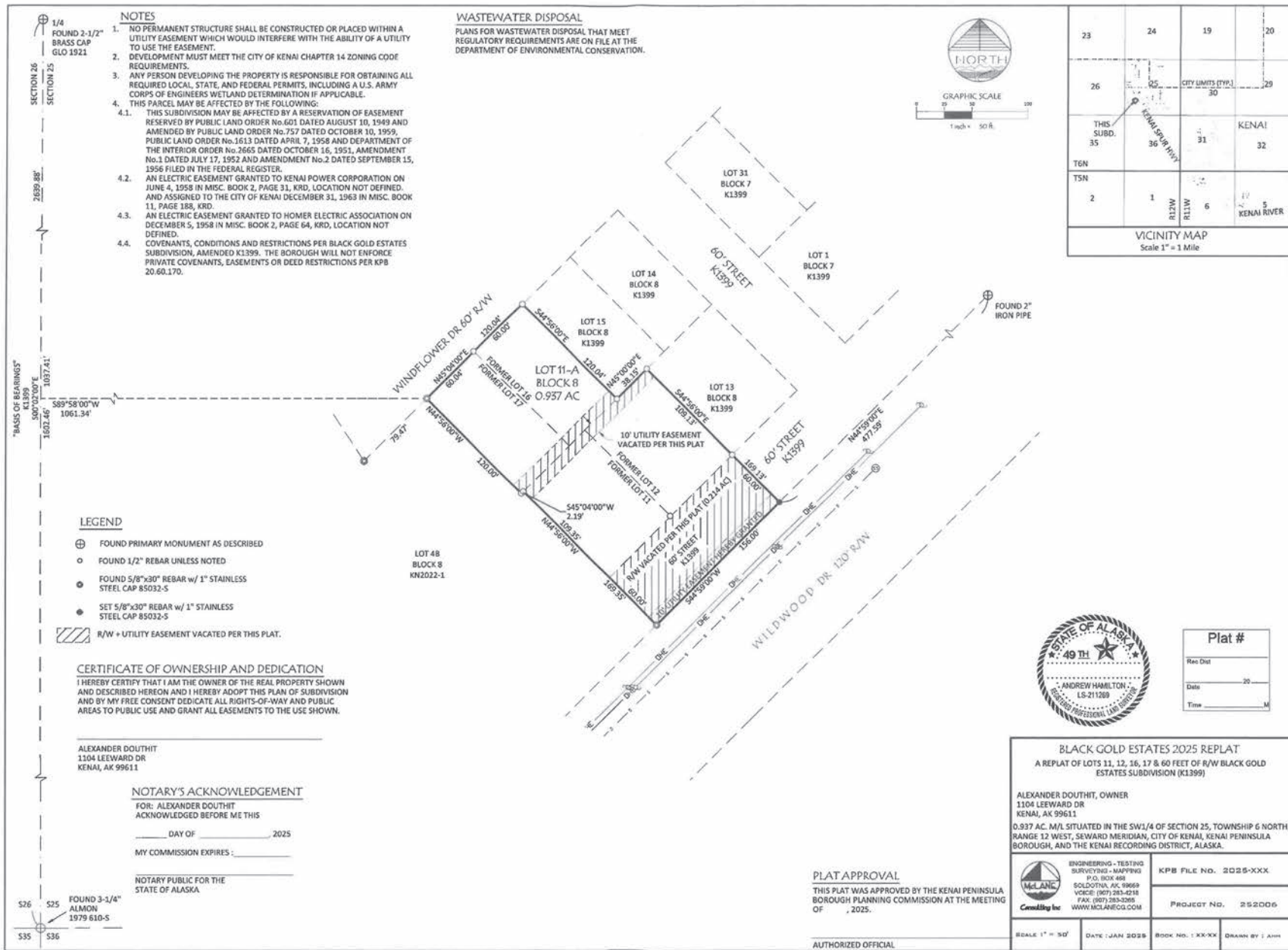
Borough Planning Commission Meeting Action Agenda

Pertinent Materials from Borough Planning Commission Meeting

City of Kenai Planning and Zoning Commission Resolution PZ2025-05

Minutes from March 26, 2025 City of Kenai Planning and Zoning Commission Meeting







Peter A. Micciche
Borough Mayor

April 29, 2025

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
NOTICE OF DECISION
MEETING OF APRIL 28, 2025**

RE: Vacates a portion of the 60-foot right-of-way adjacent to Lots 11 & 12, Block 8 per Black Gold Estates Subdivision Amended, Plat K1399; KPB File 2025-048V1

The Planning Commission, pursuant to KPB 2.40 and 20.65.050(D) and reviewed and granted approval of the subject right-of-way vacation during its regularly scheduled meeting of April 28, 2025. The approval was granted by a unanimous vote. The approval is subject to the following conditions:

1. Consent by Kenai City Council.
2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code including a submittal to and approval by the Plat Committee.
3. Grant any utility easements requested by the Kenai City Council and utility providers.
4. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.65.050(I)).

The vacation is proposed to be finalized by the recording of plat Black Gold Estates 2025 Replat, KPB File 2025-048.

Pursuant to KPB 20.65.070(F), an appeal of the planning commission decision must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.

For additional information please contact the Planning Department, 907-714-2200 (1-800-478-4441 toll free within the Kenai Peninsula Borough).

Notice of decision sent by email to the following:

- Andrew Hamilton, McLane Consulting – ahamilton@mcclanecg.com

Notice of decision sent by mail to:

- Alexander Douthit
1104 Leeward Drive
Kenai, AK 99611



Planning Commission

April 28, 2025 – 7:30 PM

Action Agenda

Betty J. Glick Assembly Chambers
George A. Navarre Kenai Peninsula
Borough Administration Building and Through

Jeremy Brantley, Chair
Sterling/Funny River
Term Expires 2027

Pamela Gillham, Vice Chair
Kalifornsky / Kaslof District
Term Expires 2026

Virginia Morgan
Cooper Landing / Hope
Eastern Peninsula District
Term Expires 2025

Diane Fikes
City of Kenai
Term Expires 2025

Paul Whitney
City of Soldotna
Term Expires 2027

Franco Venuti
City of Homer
Term Expires 2025

Karina England
City of Seward
Term Expires 2026

Jeffrey Epperheimer
Nikiski District
Term Expires 2026

Dawson Slaughter
South Peninsula District
Term Expires 2025

Remote participation will be available through Zoom, or other audio or video means, wherever technically feasible

ZOOM MEETING DETAILS

Zoom Meeting Link: <https://us06web.zoom.us/j/9077142200>

Zoom Toll Free Phone Numbers: 888-788-0099 or 877-853-5247

Zoom Meeting ID: 907 714 2200

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA AND CONSENT AGENDA

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

ACTION ITEMS CURRENTLY ON CONSENT AGENDA:

*3. Plats Granted Administrative Approval

- a. Adam-Shaw Subdivision; KPB File 2024-096
- b. Clyde King Subdivision 2024 Addition; KPB File 2024-115
- c. Iliamna Meadows 2024 Addition; KPB File 2024-087
- d. Immanuel Subdivision No. 2; KPB File 2024-022
- e. Michael J. Pelch Homestead JR; Addition No. 4; KPB File 2024-029
- f. Mountain Park 2024; KPB File 2024-065
- g. Princess Lake Estates Phase 6; KPB File 2018-042

4* Plats Granted Final Approval

- a. Highlands Subdivision Evans Replat; KPB File 2024-119
- b. Valhalla Heights 2024 Addition; KPB File 2024-093

*6. Commissioner Excused Absences

- a. Jeffery Epperheimer, Nikiski District
- b. Vacant, City of Seward

*7. Minutes

- a. April 14, 2025 Planning Commission Meeting Minutes

**Motion to approve the consent & regular agendas passed by unanimous vote
(6-Yes, 2-Absent)**

D. UNFINISHED BUSINESS – None

E. NEW BUSINESS

Public Hearing: Quasi-Judicial Matters *(Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application)*

1. Utility Easement Vacation; KPB File 2025-004V1
McLane Consulting Group / Cash
Request: Vacates a 10' by 30' utility easement along the western boundary of Lot 1, Block 1, Kenaitze Estates Subdivision, Plat KN 75-123
Funny River Area / Funny River APC

Motion to grant the vacation as petitioned based passed by unanimous vote (6-Yes, 2-Absent)

2. Utility Easement Vacation; KPB File 2025-048V
McLane Consulting Group / Douthit
Request: Vacates a 20' wide utility easement centered on the southeasterly line of Lots 16 & 17 common to the northwesterly lines of Lots 11 & 12 of Black Gold Estates Subdivision, Plat KN1399
City of Kenai

Motion to grant the vacation as petitioned based passed by unanimous vote (6-Yes, 2-Absent)

Public Hearing: Legislative Matters

3. Right-Of-Way Vacation; KPB File 2025-048V1
McLane Consulting Group / Douthit
Request: Vacates approximately 9360 square foot portion of an unnamed 60' ROW adjacent to Lots 11 & 12 of Black Gold Estates Subdivision, Plat KN 1399
City of Kenai

Motion to grant the vacation as petitioned based passed by unanimous vote (6-Yes, 2-Absent)

4. Right-Of-Way Vacation; KPB File 2025-047V
McLane Consulting Group / Muller, Davis
Request: Vacates a portion of Erlwein Road and associated utility easements adjacent to Lot 1, Block 2 & Lot 2, Block 2 of Birch Forest No. 2, Plat KN 2019-80
Sterling Area

MOTION: Move to grant the vacation as petitioned based passed by unanimous vote (7-Yes)

5. Section Line Easement Vacation; KPB File 2025-046V
Alaska Remote Imaging / TBA Properties LLC
Request: Vacates the 100' Section Line Easement with Tract B1 of Quartz Creek Subdivision Outfitter Way Replat, Plat SW 2024-19
Cooper Landing Area / Cooper Landing APC

Motion to grant the vacation as petitioned based passed by unanimous vote (6-Yes, 2-Absent)

F. PLAT COMMITTEE REPORT – The plat committee will review 7 plat

G. OTHER

1. PEU Material Site Appeals

H. PRESENTATIONS/PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA (3 MINUTES PER SPEAKER)

I. DIRECTOR'S COMMENTS

J. COMMISSIONER COMMENTS

K. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held **Monday, May 12, 2025** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at **7:30 p.m.**

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215 / Toll free within the Borough 1-800-478-4441, extension 2215

e-mail address: planning@kpb.us

website: <http://www.kpb.us/planning-dept/planning-home>

A party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances. An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the filing and records preparation fees.

Vacations of rights-of-way, public areas, or public easements outside city limits cannot be made without the consent of the borough assembly. Vacations within city limits cannot be made without the consent of the city council. The assembly or city council shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received within the specified period, it shall be considered that consent was given.

A denial of a vacation is a final act for which the Kenai Peninsula Borough shall give no further consideration. Upon denial, no reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.

E. NEW BUSINESS

2. Utility Easement Vacation; KPB File 2025-048V

McLane Consulting Group / Douthit

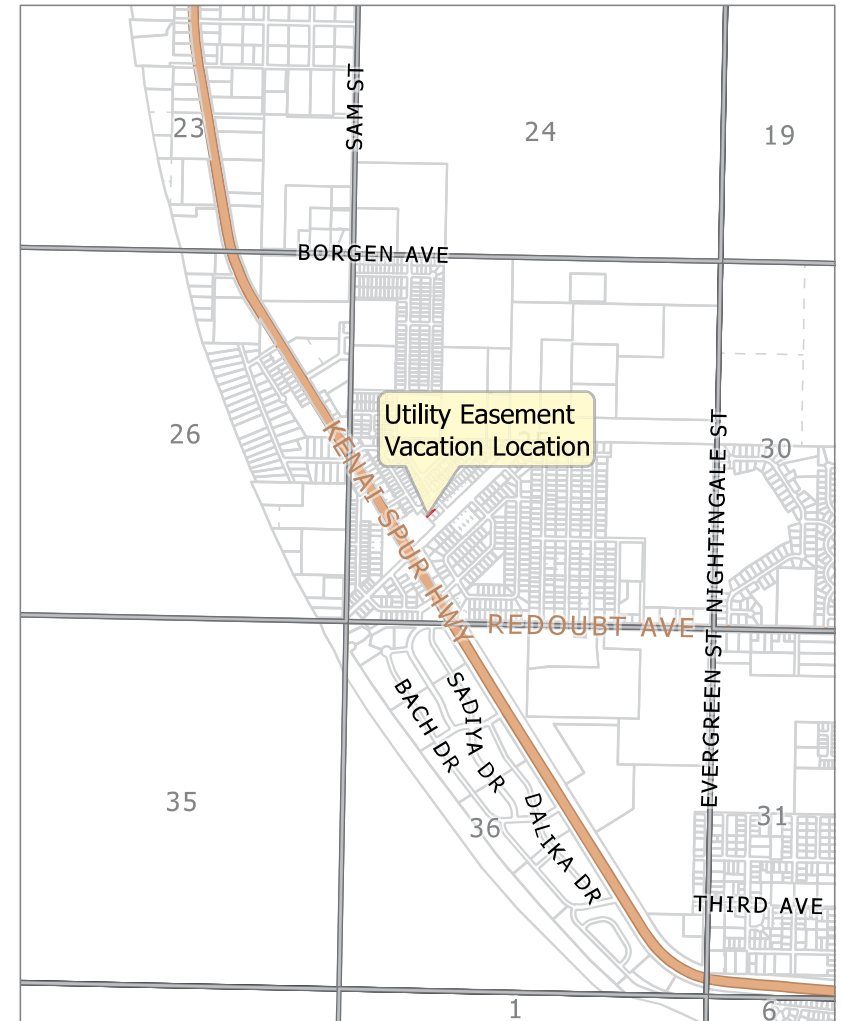
Request: Vacates a 20' wide utility easement centered on the southeasterly line of Lots 16 & 17 common to the northwesterly lines of Lots 11 & 12 of Black Gold Estates Subdivision, Plat KN1399

City of Kenai



Vicinity Map

4/8/2025



KPB File 2025-048V
T 06N R 12W SEC 25
City of Kenai



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

NOTES

1. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
2. DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14 ZONING CODE REQUIREMENTS.
3. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
4. THIS PARCEL MAY BE AFFECTED BY THE FOLLOWING:
 - 4.1. THIS SUBDIVISION MAY BE AFFECTED BY A RESERVATION OF EASEMENT RESERVED BY PUBLIC LAND ORDER No. 601 DATED AUGUST 10, 1949 AND AMENDED BY PUBLIC LAND ORDER No. 757 DATED OCTOBER 10, 1959, PUBLIC LAND ORDER No. 1613 DATED APRIL 7, 1958 AND DEPARTMENT OF THE INTERIOR ORDER No. 2465 DATED OCTOBER 16, 1951, AMENDMENT No. 1 DATED JULY 17, 1952 AND AMENDMENT No. 2 DATED SEPTEMBER 15, 1956 FILED IN THE FEDERAL REGISTER.
 - 4.2. AN ELECTRIC EASEMENT GRANTED TO KENAI POWER CORPORATION ON JUNE 4, 1958 IN MISC. BOOK 2, PAGE 31, KRD, LOCATION NOT DEFINED, AND ASSIGNED TO THE CITY OF KENAI DECEMBER 31, 1963 IN MISC. BOOK 11, PAGE 188, KRD.
 - 4.3. AN ELECTRIC EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION ON DECEMBER 5, 1958 IN MISC. BOOK 2, PAGE 64, KRD, LOCATION NOT DEFINED.
 - 4.4. COVENANTS, CONDITIONS AND RESTRICTIONS PER BLACK GOLD ESTATES SUBDIVISION, AMENDED K-399. THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS OR DEED RESTRICTIONS PER KPB 20.60.170.

WASTEWATER DISPOSAL

PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

LEGEND

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 1/2" REBAR UNLESS NOTED
- ⊙ FOUND 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-5
- SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-5
- ▨ R/W + UTILITY EASEMENT VACATED PER THIS PLAT.

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

ALEXANDER DOUTHIT
1104 LEEWARD DR
KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT

FOR: ALEXANDER DOUTHIT
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2025

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2025.

AUTHORIZED OFFICIAL

WILLOW DR 120' R/W

60' STREET K1399

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AGENDA ITEM E. NEW BUSINESS**ITEM #2 - UTILITY EASEMENT ALTERATION**

Vacate a 20-foot wide utility easement centered on the southeasterly line of Lots 17 and 16 common to the northwesterly lines of Lots 12 and 11

KPB File No.	2025-048V
Planning Committee Meeting:	April 28, 2025
Applicant / Owner:	Alexander Douthit of Kenai, Alaska
Surveyor:	Andrew Hamilton, McLane Consulting, Inc.
General Location:	City of Kenai

STAFF REPORT**Specific Request / Purpose as stated in the petition:**

Utility Vacation: a 20 foot wide utility easement centered on the southeasterly line of Lots 17 and 16 common to the northwesterly lines of lots 12 and 11. Proposed vacation is approximately 2745± square feet.

Notification: Notice of vacation mailings were sent by regular mail to 22 owners of property within 300 feet. Notice of the proposed vacation was emailed to 6 agencies and interested parties.

The public notice was posted on the Planning Department's bulletin board at the KPB Administration Building.

Staff Analysis:

Black Gold Estates Subdivision, plat K-1335, granted a 10-foot-wide utility easement on the southeasterly boundary of Lots 16 and 17 and on the northwesterly boundary of Lots 11 and 12.

The plat shows the easement location to be vacated on the common lot lines and upon approval, will be finalized by the proposed plat, Black Gold Estates 2025 Replat.

A 10-foot-wide utility easement is being granted adjacent to Wildwood Drive right-of-way by the proposed plat. This easement will serve the proposed Lot.

No comment or opposition was received for the requested location of the easement to be vacated from any utility company, indicating no utilities are in the easement.

According to KPB GIS imagery, no encroachments appear to be located within the utility easement proposed for vacation.

The City of Kenai Planning and Zoning Commission reviewed the easement vacation request and plat that will finalize the vacation, Black Gold Estates 2025 Replat, at their March 26, 2025 meeting and granted conditional approval. Resolution PZ2025-05 is included in the packet along with city packet and meeting minutes for review.

Utility provider review:

HEA	No comments
ENSTAR	Approved as shown on submitted plat
ACS	No objections
GCI	No response

Applicant Findings:

1. Lots 11, 12, 16, and 17 are all owned by Alexander Douthit and intends to consolidate into one larger lot.

2. Plat will dedicate a 10' utility easement adjacent to Wildwood Drive, windflower drive, or the unnamed 60' right of way in the scenario the unnamed right of way is not vacated as proposed by the preliminary / final plat.
3. The utility easement is not in use by utility companies.
4. Adjacent utilities are primarily located within the Wildwood Drive right of way.

Staff Findings:

1. ACS, ENSTAR and HEA provided written non-objection to the proposed vacation.
2. The City of Kenai granted conditional approval of the preliminary plat finalizing the utility easement vacation.
3. Black Gold Estates Subdivision, plat K-1335, granted a 10-foot-wide utility easement on the southeasterly boundary of Lots 16 and 17 and on the northwesterly boundary of Lots 11 and 12.
4. No surrounding properties will be denied utilities.

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

Include Block 8 in the legal description

Identify both 10' easements to be vacated on the drawing.

RECOMMENDATION:

Based on consideration of the merits as outlined by Staff comments and Staff findings, Staff recommends **APPROVAL** of the utility easement alteration as petitioned, subject to:

1. Grant any utility easements requested by the [Kenai](#) City Council and utility providers.
2. Finalizing the approval of the easement alteration by either;
 - a. The recording of a subdivision plat within 12 months, compliant with the requirements of Chapter 20 of KPB Code or,
 - b. The recording of a utility easement alteration resolution within 90 days of the adoption of the resolution by the Planning Commission, with the following requirements:
 - i. An exhibit drawing showing, and dimensioning, the utility easement alteration area, prepared, signed and sealed by a licensed land surveyor. The exhibit drawing will be attached to, and recorded with, the resolution.
 - ii. The applicants will provide the recording fee for the resolution and its attachment to the Planning Department.
 - iii. The Planning Department is responsible for filing the Planning Commission resolution.

20.65.070 Alteration of platted utility easements

- E. **A planning commission decision under this section is final. A notice of decision shall be sent to the petitioner. No reapplication or petition concerning the same alteration to platted utility easement may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed. If the reasons for denial are resolved, the petitioner may submit a new petition for alteration of platted utility easement with documentation that the issues have been resolved, accompanied by a new fee.**
- F. **An appeal of the planning commission decision under this section must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.**

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

- *Focus Area: Energy and Utilities*
 - *Objective A - Encourage coordination of residential, commercial, and industrial development with extension of utilities and other infrastructure.*
 - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
 - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
 - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
 - *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
 - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

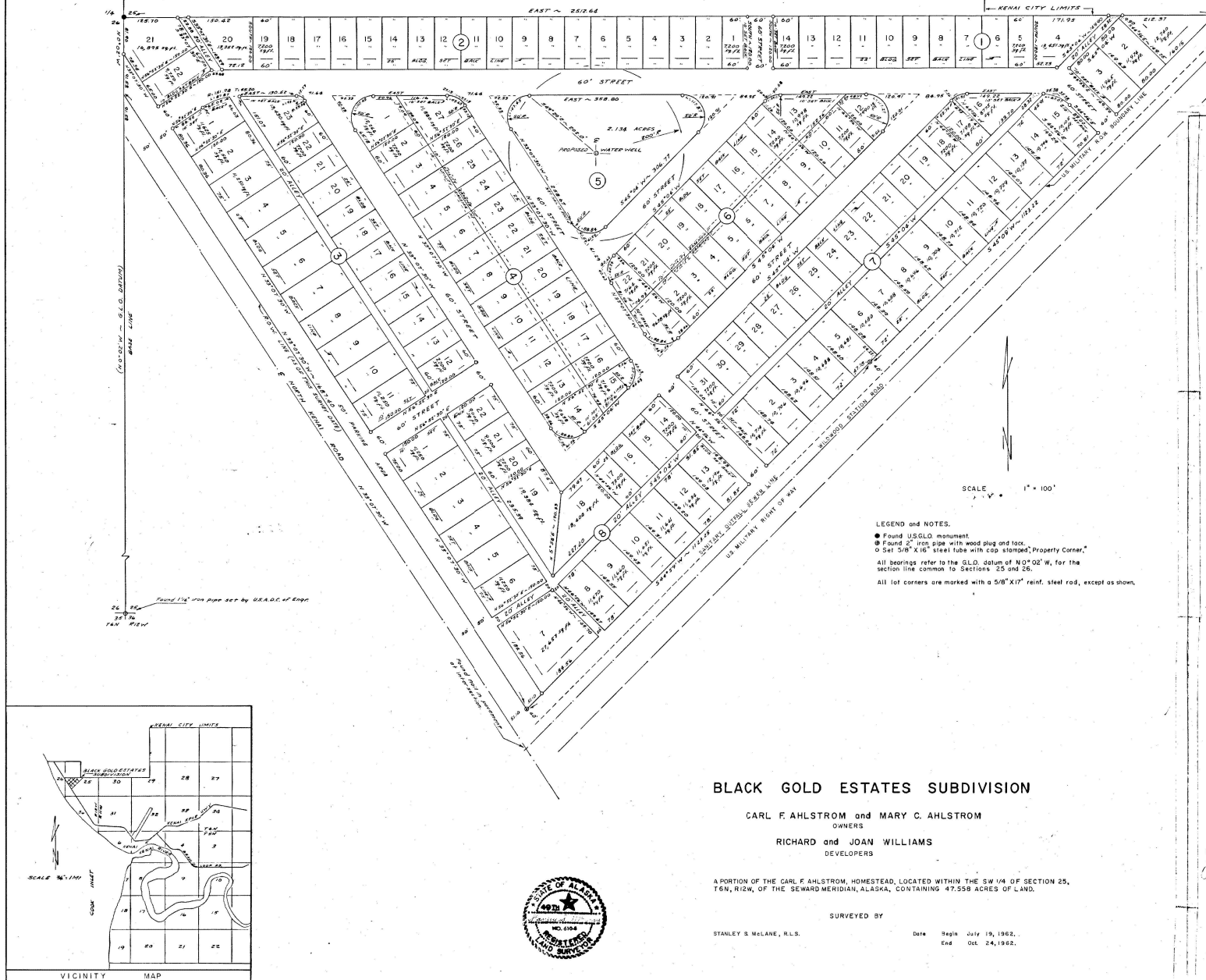
END OF STAFF REPORT



Aerial Map



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



BLACK GOLD ESTATES SUBDIVISION

CARL F. AHLSTROM and MARY C. AHLSTROM
OWNERS
RICHARD and JOAN WILLIAMS
DEVELOPERS

A PORTION OF THE CARL F. AHLSTROM, HOMESTEAD, LOCATED WITHIN THE SW 1/4 OF SECTION 25,
T6N, R12W, OF THE SEWARD MERIDIAN, ALASKA, CONTAINING 47.558 ACRES OF LAND.

SURVEYED BY

STANLEY S. McLANE, R.L.S.

Date July 19, 1962.
End Oct. 24, 1962.

LEGAL DESCRIPTION OF THE BLACK GOLD ESTATES SUBDIVISION.

Commencing from the U.S.G.L.D. Section Corner monument common to Sections 25 and 26, T6N, R12W, of the Seward Meridian, Alaska, this is the true point of beginning, thence S 25° 16' 44" E, along the center line of Section 25 to the point of intersection with the U.S. Military Right of Way boundary, found 2" iron pipe with wood plug and tack, thence S 80° 09' 11" E, 113.02 ft., to a 2" iron pipe with wood plug and tack, thence continue along said military R.O.W. S 81° 59' 11" E, 113.25 ft., to the point of intersection with the North Seward Road, thence S 81° 59' 11" E, 50 ft., from center line of said road, found 2" iron pipe with wood plug and tack, thence N 33° 07' 30" W, 167.10 ft., to a point of intersection with the section line common to Sections 25 and 26, thence along the section line N 0° 02' W, 173.45 ft., to the U.S.G.L.D. Section Corner monument common to Sections 25 and 26, and the true point of beginning thus embracing 47.558 acres of land.

COVENANTS.

1. Said property shall be subject to all easements, reservations and restrictions of record or contained in the original patent issued to Carl and Mary C. Ahlstrom.
2. No building shall be erected with a distance of twenty five (25) feet from the front lot line, ten (10) feet from either side or rear lot line of any residence lot.
3. Any building erected on the above described premises shall be placed on a permanent foundation (no skids or other devices for moving structures may be included in any building).
4. All buildings shall be finished on the exterior.
5. No industrial enterprises may be conducted on the above described premises, nor shall these premises be used for a trailer park, nor shall any trailer or housecar be placed thereon.
6. All debris from clearing shall be removed, burned or buried.
7. Purchaser(s) and seller hereby covenant that the above-described property shall be subject to assessment for any of the improvements required by the ordinances of the City of Kenai when installed at a future time by the City or developers, unless prior to construction of such improvements by the City or developers, the owners of property within this subdivision shall have joined together for the purpose of constructing such improvements.
8. Each purchaser will be assessed, for the purpose of road construction on the basis of ninety (90) cents per front foot. This cost will be included in the contract.
9. Final approval of the City Council on Lots 1-13 of Block 8 and Lots 1-15 of Block 7 and Lots 1-3 of Block 1, will be withheld until the Developer has written approval of access from the Army or has constructed an additional road, etc. to meet city requirements.
10. Upon request of the City of Kenai, a safety barrier will be constructed along the North Seward Road R.O.W. line in front of the parking strip by the individual lot owners of Blocks 2, 3, and 8.
11. No individual water wells will be allowed within this subdivision.

CERTIFICATE OF OWNERSHIP AND DEDICATION.

We hereby certify that we are the owners of BLACK GOLD ESTATES SUBDIVISION as shown hereon, and that we submit this plan with our free consent, and dedicate all streets, alleys, and parking strips for public use.

Date June 16, 1963 Stanley S. McLane owner
Richard Williams owner

CERTIFICATE OF REGISTERED LAND SURVEYOR.

I hereby certify that I am a registered land surveyor, and that this plat represents a survey made by me, and the monuments shown thereon actually exist as located, and that all dimensions and other details are correct.

Date July 19, 1962 Stanley S. McLane
Registered Surveyor

STATE OF ALASKA

CITY OF KENAI) ss

On this 24th day of July, 1963, before me personally appeared Stanley S. McLane and Richard Williams, known to me to be the persons whose names are subscribed to this instrument, and acknowledged to me that they executed the same for the purposes herein expressed.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my notarial seal this day and year last written above.

My commission expires July 19, 1963
Notary Public Stanley S. McLane

City Planning Commission.

Received 24th day of July, 1963.

Approved 24th day of July, 1963.

Chairman Stanley S. McLane

COUNCIL

This is to certify that the within plat was duly submitted to and approved by the Council of Kenai City, Alaska, by resolution number 24-22 duly authenticated as passed this 21st day of July, 1963.

Stanley S. McLane
City Clerk

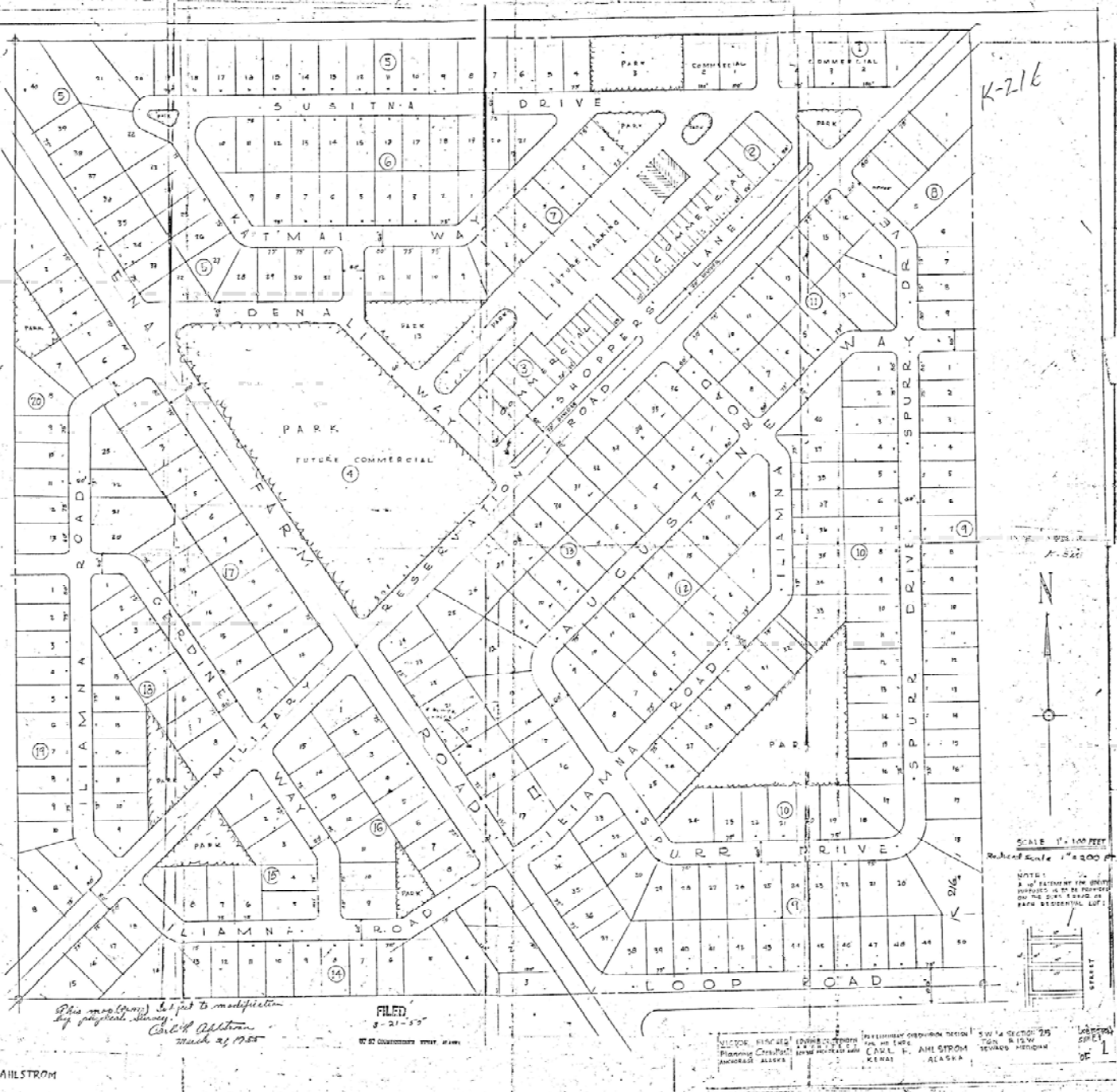
BLACK GOLD ESTATES

631

KN-216

216

SEE PC RES 2012-44 VACATE 10 FT UTILITY EASEMENT





STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission

THROUGH: Kevin Buettner, Planning Director

FROM: Brandon McElrea, Planning Technician

DATE: March 19, 2025

SUBJECT: Resolution No. PZ2025-05 – Preliminary Plat – Black Gold Estates 2025 Replat

Request The applicant is proposing a preliminary plat to merge Lots 11, 12, 16, 17 and 60 feet of Right-of-Way in Black Gold Estates Subdivision.

Staff Recommendation Adopt Resolution No. PZ2025-05 recommending conditional approval of Preliminary Plat – Black Gold Estates 2025 Replat merging Lots 11, 12, 16, 17 and 60 feet of Right-of-Way into a single Lot.

Applicant: McLane Consulting
Attn: Andrew Hamilton
P.O. Box 468
Soldotna, AK 99669

Property Owner: Alex Douthit

Legal Descriptions: Lots 11, 12, 16, 17 & 60 Feet of Right-of-Way

Property Addresses: 2705 & 2707 Windflower Drive
2712 & 2714 Wildwood Drive

KPB Parcel Nos.: 03904007, 03904008, 03904011, 03904012

Zoning District: Suburban Residential (RS)

Land Use Plan: Suburban Residential (SR)

Surrounding Uses: General Commercial, Suburban Residential

SUMMARY

A preliminary plat has been submitted from McLane Consulting on behalf of Alex Douthit for a replat of Lots 11, 12, 16, 17 and 60' of unnamed Right-of-Way (ROW) in the Black Gold Estates Subdivision to create one Lot. The subject lots are located between Wildwood Drive and

Windflower Drive near the intersection of the Kenai Spur Highway and Wildwood Drive. The subject lots as well as the unnamed Right-of-Way are unimproved. If approved, the merging of the four (4) subject Lots and the vacation and subsequent merging of the unnamed ROW will result in a single approximately 0.937-acre parcel.

Kenai Municipal Code (KMC) Chapter 14.10 *Subdivision Regulations* states preliminary plats or replats must first be submitted to the City for review and provide recommendation to the Kenai Peninsula Borough Planning Commission.

ANALYSIS

The proposed parcel merger meets the preliminary plat requirements and development requirements for the Suburban Residential (RS) zoning district. The merged parcel will have primary access off of Wildwood Drive, which is a City maintained paved road. City sewer and water are available along Wildwood Drive. The Public Works Director, Fire Marshal, and Building Official have reviewed the preliminary replat and have no comments.

Right of way along Wildwood Drive has been previously been contested. The City of Kenai is working with Kenai Native Association and State of Alaska to address any and all potential ownership issues. This process is ongoing, and pending the results of those discussions, the City of Kenai has not reached a final decision on the vacation of the unnamed 60' ROW. The City is currently awaiting documentation from the Kenai Native Association that would allow City Council to determine there is no public benefit to retaining the unnamed 60' ROW. The City does not object to the merger of the four parcels, Lots 11, 12, 16, & 17, and does not wish to stymie potential development along this corridor.

Staff finds that the preliminary plat for a replat of Lots 11, 12, 16, 17 & 60' of unnamed ROW meets the following Title 14 of Kenai Municipal Code (KMC) sections and aligns with the intent of the Kenai Zoning Code.

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for replat, subject to the listed conditions, provides utilities/access easements, provides a satisfactory and desirable building site, and the accessible water and wastewater systems are subject to the regulatory requirements of the City of Kenai Public Works Department.
2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the preliminary plat is a replat of four lots within a subdivision that has dedicated rights-of-way and determined acceptable access, subject to the listed conditions. Therefore, an installation agreement is not required.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the RS zoning district of 7,200 square feet (0.165 acre), the resulting lot sizes of this subdivision will be approximately 0.937-acre.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

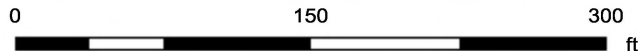
STAFF RECOMMENDATION

Staff finds that the proposed preliminary plat for Black Gold Estates 2025 Replat to replat Lots 11, 12, 16, 17 and 60 feet of unnamed ROW meets the general standards of Kenai Municipal Code (KMC), Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table* and hereby recommends that the Planning and Zoning Commission recommends conditional approval of Resolution No. PZ2025-05 for a replat of Lots 11, 12, 16, 17 and 60 feet of unnamed ROW to Kenai Peninsula Borough, subject to the following conditions:

1. Further development of the property will conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare the unnamed 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.

ATTACHMENTS

Aerial Map
 Application
 Preliminary Plat, Black Gold Estates 2025 Replat



NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the use, operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correctness of the data, or use of the data.

Legend

Physical Addresses



Transportation

Mileposts



Roads

- Medium Collector
- Medium Volume - Unmaintained
- Medium Volume - Maintained
- Low / Seasonal
- Legal Trail
- Private
- State Hwy
- Platted / Proposed



Parcels and PLSS

Parcels



9" Imagery

- Red: Red
- Green: Green
- Blue: Blue

		Preliminary Plat Submittal Form		City of Kenai Planning and Zoning Department 210 Fidalgo Avenue Kenai, AK 99611 (907) 283-8200 planning@kenai.city www.kenai.city/planning	
APPLICANT (SURVEYOR)					
Name:	McLane Consulting				
Mailing Address:		City:	Soldotna	State:	AK Zip Code: 99669
Phone Number(s):					
Email:					
PROPERTY OWNER					
Name:	Alexander Douthit				
Mailing Address:		City:	Kenai	State:	AK Zip Code: 99611
Phone Number(s):					
Email:					
PROPERTY INFORMATION					
Kenai Peninsula Borough Parcel #:	03904021				
Current City Zoning:	Suburban Residential				
Use:	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Recreational <input type="checkbox"/> Commercial <input type="checkbox"/> Other:				
Water:	<input type="checkbox"/> On Site <input checked="" type="checkbox"/> City <input type="checkbox"/> Community				
Sewer:	<input type="checkbox"/> On Site <input checked="" type="checkbox"/> City <input type="checkbox"/> Community				
PLAT INFORMATION					
Preliminary Plat Name:	Black Gold Estates 2025 Replat				
Revised Preliminary Plat Name:					
Vacation of Public Right-of-Way:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Street Name (if vacating ROW):	Unnamed 60' street per K1399				
Exceptions Required and Requested:					
Comments:					
This is a plat that intends to vacate the 60' street adjacent to Wildwood Drive, the common lot lines between Lots 11, 12, 16 & 17, and the associated utility easement with those common lot lines. Wildwood Drive is a 120' right of way that is constructed and utilized for ingress/egress of traffic.					
REQUIRED ATTACHMENTS					
<input checked="" type="checkbox"/> Certificate to Plat <input checked="" type="checkbox"/> (1) 24" x 36" Plat <input checked="" type="checkbox"/> (2) 11" x 17" Plats					
SIGNATURE					
Signature:				Date:	01/28/25
Print Name:	Alexander Douthit		Title/Business:		

McLANE

CONSULTING, INC.

P.O. Box 468 Soldotna, Alaska 99669
(907) 283-4218 fax (907) 283-3265

LETTER OF TRANSMITTAL

To: City of Kenai
Planning and Zoning Department
210 Fidalgo Avenue
Kenai, Alaska 99611

DATE: JANUARY 28, 2025 JOB # 252006
ATTENTION: Platting and Zoning Department
RE: Black Gold Estates 2025 Replat
KBP File 2025-XXX
PRELIMINARY PLAT
From: Andrew Hamilton

We are sending you: ☒ Attached ☐ Under separate Cover

Via: Delivered

Copies	Description
1	Blackline Prelim Plat full size
2	Prelim Plat 11x17" size
1	Certificate to Plat
1	City of Kenai/KPB Owner Submittal Forms

Reason for Transmittal Checked Below:

☐ FOR APPROVAL ☐ AS REQUESTED ☐ APPROVED AS SUBMITTED ☐ REVIEW/COMMENT
☒ FOR YOUR USE ☐ APPROVED AS NOTED ☐ RETURNED FOR CORRECTIONS

Remarks:

Copy to: File Signed: Andrew Hamilton



First American Title™

Guarantee

Subdivision Guarantee

Page 61

Issued by

First American Title Insurance Company

GUARANTEE NUMBER

5033602-0229-4229879

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY AND THE CONDITIONS AND STIPULATIONS OF THIS GUARANTEE,

FIRST AMERICAN TITLE INSURANCE COMPANY
a Nebraska corporation, herein called the Company

GUARANTEES

the Assured named in Schedule A against actual monetary loss or damage not exceeding the liability stated in Schedule A, which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

FIRST AMERICAN TITLE INSURANCE COMPANY

By: 
Kenneth D. DeGiorgio, President

By: 
Lisa W. Corneli, Secretary

This jacket was created electronically and constitutes an original document

First American Title Insurance Company



Steven Taylor on behalf of Dustyn Fergus, Title Officer

1. Except to the extent that specific assurances are provided in Schedule A of this Guarantee, the Company assumes no liability for loss or damage by reason of the following:
 - (a) Defects, liens, encumbrances, adverse claims or other matters against the title, whether or not shown by the public records.
 - (b) (1) Taxes or assessments of any taxing authority that levies taxes or assessments on real property; or, (2) Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not the matters excluded under (1) or (2) are shown by the records of the taxing authority or by the public records.
 - (c) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (3) water rights, claims or title to water, whether or not the matters excluded under (1), (2) or (3) are shown by the public records.
2. Notwithstanding any specific assurances which are provided in Schedule A of this Guarantee, the Company assumes no liability for loss or damage by reason of the following:
 - (a) Defects, liens, encumbrances, adverse claims or other matters affecting the title to any property beyond the lines of the land expressly described in the description set forth in Schedule (A), (C) or in Part 2 of this Guarantee, or title to streets, roads, avenues, lanes, ways or waterways to which such land abuts, or the right to maintain therein vaults, tunnels, ramps or any structure or improvements; or any rights or easements therein, unless such property, rights or easements are expressly and specifically set forth in said description.
 - (b) Defects, liens, encumbrances, adverse claims or other matters, whether or not shown by the public records; (1) which are created, suffered, assumed or agreed to by one or more of the Assureds; (2) which result in no loss to the Assured; or (3) which do not result in the invalidity or potential invalidity of any judicial or non-judicial proceeding which is within the scope and purpose of the assurances provided.
 - (c) The identity of any party shown or referred to in Schedule A.
 - (d) The validity, legal effect or priority of any matter shown or referred to in this Guarantee.

GUARANTEE CONDITIONS AND STIPULATIONS

1. Definition of Terms.

The following terms when used in the Guarantee mean:

- (a) the "Assured": the party or parties named as the Assured in this Guarantee, or on a supplemental writing executed by the Company.
- (b) "land": the land described or referred to in Schedule (A)(C) or in Part 2, and improvements affixed thereto which by law constitute real property. The term "land" does not include any property beyond the lines of the area described or referred to in Schedule (A)(C) or in Part 2, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
- (c) "mortgage": mortgage, deed of trust, trust deed, or other security instrument.
- (d) "public records": records established under state statutes at Date of Guarantee for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.
- (e) "date": the effective date.

2. Notice of Claim to be Given by Assured Claimant.

An Assured shall notify the Company promptly in writing in case knowledge shall come to an Assured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as stated herein, and which might cause loss or damage for which the Company may be liable by virtue of this Guarantee. If prompt notice shall not be given to the Company, then all liability of the Company shall terminate with regard to the matter or matters for which prompt notice is required; provided, however, that failure to notify the Company shall in no case prejudice the rights of any Assured unless the Company shall be prejudiced by the failure and then only to the extent of the prejudice.

3. No Duty to Defend or Prosecute.

The Company shall have no duty to defend or prosecute any action or proceeding to which the Assured is a party, notwithstanding the nature of any allegation in such action or proceeding.

4. Company's Option to Defend or Prosecute Actions; Duty of Assured Claimant to Cooperate.

Even though the Company has no duty to defend or prosecute as set forth in Paragraph 3 above:

- (a) The Company shall have the right, at its sole option and cost, to institute and prosecute any action or proceeding, interpose a defense, as limited in (b), or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured, or to prevent or reduce loss or damage to the Assured. The Company may take any appropriate action under the terms of this Guarantee, whether or not it shall be liable hereunder, and shall not thereby concede liability or waive any provision of this Guarantee. If the Company shall exercise its rights under this paragraph, it shall do so diligently.
- (b) If the Company elects to exercise its options as stated in Paragraph 4(a) the Company shall have the right to select counsel of its choice (subject to the right of such Assured to object for reasonable cause) to represent the Assured and shall not be liable for and will not pay the fees of any other counsel, nor will the Company pay any fees, costs or expenses incurred by an Assured in the defense of those causes of action which allege matters not covered by this Guarantee.
- (c) Whenever the Company shall have brought an action or interposed a defense as permitted by the provisions of this Guarantee, the Company may pursue any litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from an adverse judgment or order.
- (d) In all cases where this Guarantee permits the Company to prosecute or provide for the defense of any action or proceeding, an Assured shall secure to the Company the right to so prosecute or provide for the defense of any action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of such Assured for this purpose. Whenever requested by the Company, an Assured, at the Company's expense, shall give the Company all

reasonable aid in any action or proceeding, securing evidence, obtaining witnesses, prosecuting or defending the action or lawful act which in the opinion of the Company may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured. If the Company is prejudiced by the failure of the Assured to furnish the required cooperation, the Company's obligations to the Assured under the Guarantee shall terminate.

5. Proof of Loss or Damage.

In addition to and after the notices required under Section 2 of these Conditions and Stipulations have been provided to the Company, a proof of loss or damage signed and sworn to by the Assured shall be furnished to the Company within ninety (90) days after the Assured shall ascertain the facts giving rise to the loss or damage. The proof of loss or damage shall describe the matters covered by this Guarantee which constitute the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage. If the Company is prejudiced by the failure of the Assured to provide the required proof of loss or damage, the Company's obligation to such assured under the Guarantee shall terminate. In addition, the Assured may reasonably be required to submit to examination under oath by any authorized representative of the Company and shall produce for examination, inspection and copying, at such reasonable times and places as may be designated by any authorized representative of the Company, all records, books, ledgers, checks, correspondence and memoranda, whether bearing a date before or after Date of Guarantee, which reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Assured shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect and copy all records, books, ledgers, checks, correspondence and memoranda in the custody or control of a third party, which reasonably pertain to the loss or damage. All information designated as confidential by the Assured provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Assured to submit for examination under oath, produce other reasonably requested information or grant permission to secure reasonably necessary information from third parties as required in the above paragraph, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this Guarantee to the Assured for that claim.

6. Options to Pay or Otherwise Settle Claims:

Termination of Liability.

In case of a claim under this Guarantee, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Liability or to Purchase the Indebtedness.
The Company shall have the option to pay or settle or compromise for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Guarantee, or to pay the full amount of this Guarantee or, if this Guarantee is issued for the benefit of a holder of a mortgage or a lienholder, the Company shall have the option to purchase the

indebtedness secured by said mortgage or said lien for the amount owing thereon, together with any costs, reasonable attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of purchase.

Such purchase, payment or tender of payment of the full amount of the Guarantee shall terminate all liability of the Company hereunder. In the event after notice of claim has been given to the Company by the Assured the Company offers to purchase said indebtedness, the owner of such indebtedness shall transfer and assign said indebtedness, together with any collateral security, to the Company upon payment of the purchase price.

Upon the exercise by the Company of the option provided for in Paragraph (a) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 4, and the Guarantee shall be surrendered to the Company for cancellation.

- (b) To Pay or Otherwise Settle With Parties Other Than the Assured or With the Assured Claimant.

To pay or otherwise settle with other parties for or in the name of an Assured claimant any claim assured against under this Guarantee, together with any costs, attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of payment and which the Company is obligated to pay.

Upon the exercise by the Company of the option provided for in Paragraph (b) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 4.

7. Determination and Extent of Liability.

This Guarantee is a contract of Indemnity against actual monetary loss or damage sustained or incurred by the Assured claimant who has suffered loss or damage by reason of reliance upon the assurances set forth in this Guarantee and only to the extent herein described, and subject to the Exclusions From Coverage of This Guarantee.

The liability of the Company under this Guarantee to the Assured shall not exceed the least of:

- (a) the amount of liability stated in Schedule A or in Part 2;
- (b) the amount of the unpaid principal indebtedness secured by the mortgage of an Assured mortgagee, as limited or provided under Section 6 of these Conditions and Stipulations or as reduced under Section 9 of these Conditions and Stipulations, at the time the loss or damage assured against by this Guarantee occurs, together with interest thereon; or
- (c) the difference between the value of the estate or interest covered hereby as stated herein and the value of the estate or interest subject to any defect, lien or encumbrance assured against by this Guarantee.

8. Limitation of Liability.

- (a) If the Company establishes the title, or removes the alleged defect, lien or encumbrance, or cures any other matter assured against by this Guarantee in a reasonably diligent manner by

any method, including litigation and the completion of any appeals therefrom, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused thereby.

- (b) In the event of any litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as stated herein.
- (c) The Company shall not be liable for loss or damage to any Assured for liability voluntarily assumed by the Assured in settling any claim or suit without the prior written consent of the Company.

9. Reduction of Liability or Termination of Liability.

All payments under this Guarantee, except payments made for costs, attorneys' fees and expenses pursuant to Paragraph 4 shall reduce the amount of liability pro tanto.

10. Payment of Loss.

- (a) No payment shall be made without producing this Guarantee for endorsement of the payment unless the Guarantee has been lost or destroyed, in which case proof of loss or destruction shall be furnished to the satisfaction of the Company.
- (b) When liability and the extent of loss or damage has been definitely fixed in accordance with these Conditions and Stipulations, the loss or damage shall be payable within thirty (30) days thereafter.

11. Subrogation Upon Payment or Settlement.

Whenever the Company shall have settled and paid a claim under this Guarantee, all right of subrogation shall vest in the Company unaffected by any act of the Assured claimant. The Company shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Guarantee not been issued. If requested by the Company, the Assured shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect this right of subrogation. The Assured shall permit the Company to sue, compromise or settle in the name of the Assured and to use the name of the Assured in any transaction or litigation involving these rights or remedies. If a payment on account of a claim does not fully cover the loss of the Assured the Company shall be subrogated to all rights and remedies of the Assured after the Assured shall have recovered its principal, interest, and costs of collection.

12. Arbitration.

Unless prohibited by applicable law, either the Company or the Assured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Assured arising out of or relating to this Guarantee, any service of the Company in connection with its issuance or the breach of a Guarantee provision or other obligation. All arbitrable matters when the Amount of Liability is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Assured. All arbitrable matters when the amount of liability is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Assured. The Rules in effect at Date of Guarantee shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the land is located permits a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules.

A copy of the Rules may be obtained from the Company upon request.

13. Liability Limited to This Guarantee; Guarantee Entire Contract.

- (a) This Guarantee together with all endorsements, if any, attached hereto by the Company is the entire Guarantee and contract between the Assured and the Company. In interpreting any provision of this Guarantee, this Guarantee shall be construed as a whole.
- (b) Any claim of loss or damage, whether or not based on negligence, or any action asserting such claim, shall be restricted to this Guarantee.
- (c) No amendment of or endorsement to this Guarantee can be made except by a writing endorsed hereon or attached hereto signed by either the President, a Vice President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

14. Notices, Where Sent.

All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this Guarantee and shall be addressed to the Company at **First American Title Insurance Company, Attn: Claims National Intake Center, 1 First American Way, Santa Ana, California 92707** Claims.NIC@firstam.com Phone: 888-632-1642 Fax: 877-804-7606



First American Title™

Schedule A

Subdivision Guarantee

ISSUED BY

First American Title Insurance Company

GUARANTEE NUMBER

4229879

Order No.: 4229879

Liability: \$300.00

Fee: \$300.00

Tax: \$N/A

Name of Assured: McLane Consulting Inc

Date of Guarantee: December 23, 2024

The assurances referred to on the face page hereof are:

1. Title is vested in:

Alexander Douthit, as to Lots 11, 12 and 16 of Block 8 and Alex Douthit, a married man, as to Lot 17 of Block 8

2. That, according to the Public Records relative to the land described in Schedule C attached hereto (including those records maintained and indexed by name), there are no other documents affecting title to said land or any portion thereof, other than those shown under Record Matters in Schedule B.

3. The following matters are excluded from the coverage of this Guarantee:

A. Unpatented Mining Claims, reservations or exceptions in patents or in acts authorizing the issuance thereof.

B. Water rights, claims or title to water.

C. Tax Deeds to the State of Alaska.

D. Documents pertaining to mineral estates.

4. No guarantee is given nor liability assumed with respect to the validity, legal effect or priority of any matter shown herein.

5. This Guarantee is restricted to the use of the Assured for the purpose of providing title evidence as may be required when subdividing land pursuant to the provisions of A.S. Section 38.04.045 and A.S. Chapter 40.15., and the local regulations and ordinances adopted pursuant to said statute. It is not to be used as a basis for closing any transaction affecting title to said property.

6. Any sketch attached hereto is done so as a courtesy only and is not part of any title commitment, guarantee or policy. It is furnished solely for the purpose of assisting in locating the premises and First American expressly disclaims any liability which may result from reliance made upon it.


First American Title™

Schedule B

Subdivision Guarantee

ISSUED BY

First American Title Insurance Company

GUARANTEE NUMBER

4229879

File No.: 0229-4229879

RECORD MATTERS

7. Reservations or exceptions in patents or in acts authorizing the issuance thereof.
8. Taxes and/or Assessments due The Kenai Peninsula Borough for the year 2024, (Property Tax Division 907-714-2304; Assessment Department 907-714-2230):

Tax Account No.:	<u>039-040-07</u>
Levied Amount:	\$93.54
Balance Due:	\$0.00
Due Date:	1st half September 15th and 2nd half November 15th <u>or</u> entire Amount due October 15th
Land Valuation:	\$10,800.00
Improvements:	\$0.00
Affects:	Lot 11 of Block 8
9. Taxes and/or Assessments due The Kenai Peninsula Borough for the year 2024, (Property Tax Division 907-714-2304; Assessment Department 907-714-2230):

Tax Account No.:	<u>039-040-08</u>
Levied Amount:	\$93.54
Balance Due:	\$0.00
Due Date:	1st half September 15th and 2nd half November 15th <u>or</u> entire Amount due October 15th
Land Valuation:	\$10,800.00
Improvements:	\$0.00
Affects:	Lot 12 of Block 8
10. Taxes and/or Assessments due The Kenai Peninsula Borough for the year 2024, (Property Tax Division 907-714-2304; Assessment Department 907-714-2230):

Tax Account No.:	<u>039-040-11</u>
Levied Amount:	\$24.26
Balance Due:	\$0.00
Due Date:	1st half September 15th and 2nd half November 15th <u>or</u> entire Amount due October 15th
Land Valuation:	\$2,800.00
Improvements:	\$0.00
Affects:	Lot 16 of Block 8

11. Taxes and/or Assessments due The Kenai Peninsula Borough for the year 2024, (Property Tax Division 907-714-2304; Assessment Department 907-714-2230):

Tax Account No.: [039-040-12](#)
 Levied Amount: \$0.00
 Balance Due: \$0.00
 Due Date: 1st half September 15th and 2nd half November 15th or entire Amount due October 15th
 Land Valuation: \$2,800.00
 Improvements: \$0.00

NOTE: Possible liability for additional general taxes for the current and/or prior years in the event the exemption applied is not applicable to the present ownership of said premises.

Affects: Lot 17 of Block 8

12. Assessments, if any due The City of Kenai. (Information to follow)
13. Reservation of an easement for highway purposes as disclosed by Public Land Order No. 601, dated August 10, 1949 and amended by Public Land Order No. 757, dated October 10, 1959; Public Land Order No. 1613, dated April 7, 1958; and Department of the Interior Order No. 2665, dated October 16, 1951, Amendment No. 1, thereto, dated July 17, 1952 and Amendment No. 2, thereto, dated September 15, 1956, filed in the Federal Register.
14. Right of Way Easement, including the terms and provisions thereof, granted to Kenai Power Corporation, and its assigns and/or successors in interest, to construct, operate and maintain an electric transmission and/or telephone distribution line or system by instrument,
 Recorded: June 1, 1958
 Recording Information: [Book 2 Page 31](#)
 Affects: Blanket Easement
- Easement rights were assigned to the City of Kenai by an assignment,
 Recorded: December 31, 1963
 Recording Information: [Book 11 Page 188](#)
15. Right of Way Easement, including the terms and provisions thereof, granted to Homer Electric Association, Inc., and its assigns and/or successors in interest, to construct, operate and maintain an electric transmission and/or telephone distribution line or system by instrument
 Recorded: December 5, 1958
 Recording Information: [Book 2 Page 64](#)
 Affects: Blanket Easement
16. Easements as dedicated and shown on the plat of said subdivision. (Copy Attached)
17. The effect of the notes which appear on the plat of said subdivision. (Copy Attached)
18. Covenants, conditions and restrictions, as shown on the Plat of said subdivision.

NOTE: We find no outstanding voluntary liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.

**First American Title™**

Schedule C

Subdivision Guarantee

ISSUED BY

First American Title Insurance Company

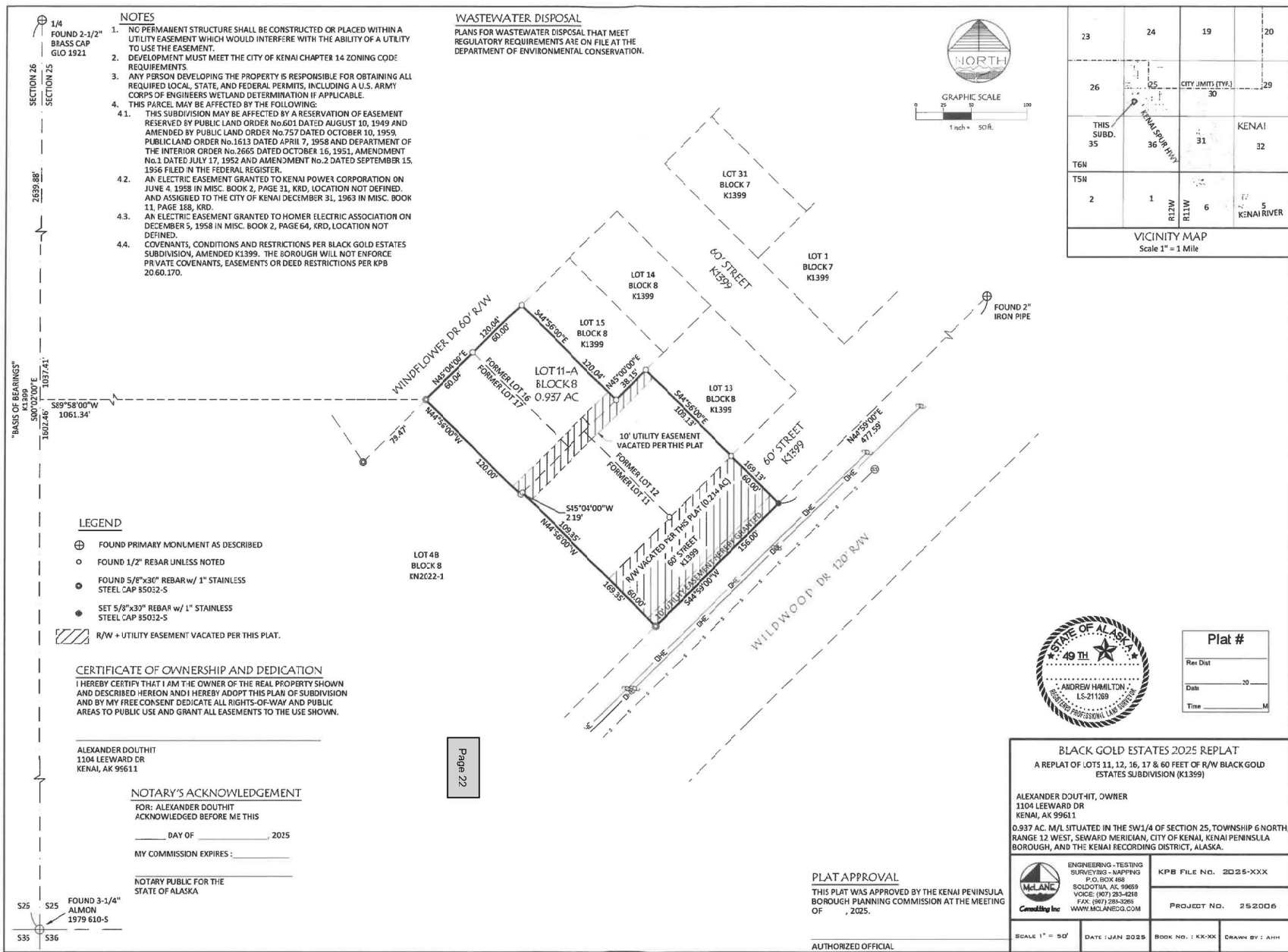
GUARANTEE NUMBER

4229879

File No.: 0229-4229879

The land in the Recording District of Kenai, State of Alaska, described as follows:

Lots 11, 12, 16 and 17 Block 8, BLACK GOLD ESTATES SUBDIVISION, AMENDED, according to the official plat thereof, filed under Plat Number K-1399, Records of the Kenai Recording District, Third Judicial District, State of Alaska.



B. APPROVAL OF MINUTES

1. *Regular Meeting of March 12, 2025

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENTS - None.**D. UNSCHEDULED PUBLIC COMMENTS - None.****E. CONSIDERATION OF PLATS**

1. **Resolution No. PZ2025-05** – Recommending Conditional Approval of Preliminary Plat – Black Gold Estates 2025 Replat Merging Lots 11, 12, 16, 17 and 60 feet of Right-of-Way into a Single Lot in the Suburban Residential (RS) Zoning District.

MOTION:

Commissioner Woodard **MOVED** to approve Resolution PZ2025-05. Commissioner Pettey **SECONDED** the motion.

Planning Director Buettner noted that a substitute staff report was provided in the laydown, provided an overview of the staff report, and explained the purpose of the plat was to merge four parcels and 60 feet of unnamed Right-of-Way (ROW) into one lot. It was noted that staff's recommendation is approval subject to the conditions specified within the staff report as attached to Resolution No. PZ2025-05.

Alex Douthit, applicant, provided background regarding the plat and vacation of the portion of ROW. He explained and that the lot would be more suitable for development once merged.

There was Commission discussion regarding the background of the unnamed ROW. Clarification was provided that this ROW was not involved in a dispute between the Kenai Native Association and the City of Kenai, and that a Conditional Use Permit is not needed for the proposed uses.

VOTE:

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

NAY: None

ABSENT: Fikes

MOTION PASSED WITHOUT OBJECTION.

2. **PZ2025-15** - Recommending Approval of Preliminary Plat – Bailey Estates Karpik Rice Replat to Relocate the Lot Line Separating Lots 1 and 2, Bailey Estates Amended in the Suburban Residential 2 (RS-2) Zoning District.

MOTION:

Vice Chair Twait **MOVED** to approve Resolution PZ2025-15. Commissioner Woodard **SECONDED** the motion.

Planning Director Buettner provided an overview of the staff report as included in the packet and attached to Resolution No. PZ2025-15, and explained the purpose of the plat was to adjust the lot lines between two lots, to allow a shop building to meet setback requirements. It was noted that staff's recommendation is approval subject to the condition specified within the staff report as attached to Resolution No. PZ2025-15.

VOTE:

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

NAY: None

ABSENT: Fikes

MOTION PASSED WITHOUT OBJECTION.



SENT VIA ELECTRONIC MAIL

March 27, 2025

McLane Consulting
PO Box 468
Soldotna, AK 99669
ahamilton@mclanecg.com

RE: Notice of Recommendation - Resolution PZ2025-05 – Preliminary Plat – Black Gold Estates 2025 Replat

Dear McLane Consulting:

On Wednesday, March 26, 2025, the City of Kenai Planning and Zoning Commission recommended conditional approval of Resolution PZ2025-05 for Preliminary Plat Black Gold Estates 2025 Replat. An installation agreement is not required. Enclosed is a copy of the resolution.

If you have any questions, please contact Planning & Zoning Department at 907-283-8237 or planning@kenai.city.

Sincerely,

A handwritten signature in black ink that reads "Beth McDonald".

Beth McDonald
Planning Administration

Enclosure

cc: Beverly Carpenter, KPB Planning Department (bcarpenter@kpb.us)



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2025-05**

A RESOLUTION RECOMMENDING THAT PRELIMINARY PLAT FOR THE BLACK GOLD ESTATES 2025 REPLAT ATTACHED HERETO BE **CONDITIONALLY APPROVED**.

PROPERTY ADDRESSES: 2712 & 2714 Wildwood Dr.,
2505 & 2507 Windflower Dr.

LEGAL DESCRIPTIONS: Lots 11,12, 16, 17, Block 8, Black Gold Estates
Subdivision Amended

KPB PARCEL NUMBERS: 03904007, 03904008, 03904011, 03904012

WHEREAS, the City of Kenai received a preliminary plat from McLane Consulting, on behalf of the property owner, Alexander Douthit for a replat of Lots 11,12, 16, 17, Block 8, Black Gold Estates Subdivision Amended; and,

WHEREAS, the preliminary plat meets the minimum lot width and minimum lot depth requirements as outlined in Kenai Municipal Code (KMC) Section 14.10.070(d)(2); and,

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

WHEREAS, the proposed lots have access from Wildwood Drive (a City-maintained paved road) and Windflower Drive (a city-designated right of way and undeveloped road); and,

WHEREAS, A 10-foot easement for utilities is granted along the southeast boundary of current Lots 11 & 12 adjacent to the existing 120-foot Wildwood Drive right-of-way; and,

WHEREAS, the owner is requesting a vacation of a 10-foot utility easement between the southeast boundary of current Lots 16 & 17 and the northwest boundary of current Lots 11 & 12; and

WHEREAS, the owner is requesting a vacation of a 60-foot by 156-foot public right of way along the southeastern boundary of the new lot; and,

WHEREAS, the City does not have a public interest in retaining the 60-foot by 156-foot public right of way; and,

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

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

Resolution No. PZ2025-05
Page 2 of 2

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for replat, subject to the listed conditions, provides utilities/access easements, provides satisfactory and desirable building sites, and the on-site water and sewer systems will be subject to the regulatory requirements of the Public Works Department; and,
2. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the RS zoning district of 7,200 square feet, the proposed lot is approximately 40,816 square feet (0.937 acre).
3. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

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

Section 1. That preliminary plat *Black Gold Estates 2025 Replat* be approved subject to the following conditions,

1. Further development of the property will conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare the unnamed 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.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 26th DAY OF FEBRUARY, 2025.



JOE HALSTEAD, CHAIRPERSON

ATTEST:



Meghan Thibodeau, Deputy City Clerk



NOTICE OF PROPOSED UTILITY EASEMENT VACATION

Notice is hereby given that an application to vacate a utility easement in the City of Kenai was received on 4/4/2025 by the Planning Department of the Kenai Peninsula Borough.

In accordance with Chapter 20 of the Borough Code of Ordinances, all owners of properties within a 300-foot radius must be notified of the proposed vacation. According to Borough records, you are an owner of property within that radius or you are an affected party.

Request / Affected Property: Vacate a 20-foot wide utility easement centered on the southeasterly line of Lots 17 and 16 common to the northwesterly lines of Lots 12 and 11

KPB File No. 2025-048V

Petitioner(s)/ Land owner(s): Alexander Douthit of Kenai, AK.

Purpose as stated in petition: Vacate a 20 foot wide utility easement centered on the southeasterly line of Lots 17 and 16 common to the northwesterly lines of Lots 12 and 11.

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, April 28, 2025** commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in person at the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

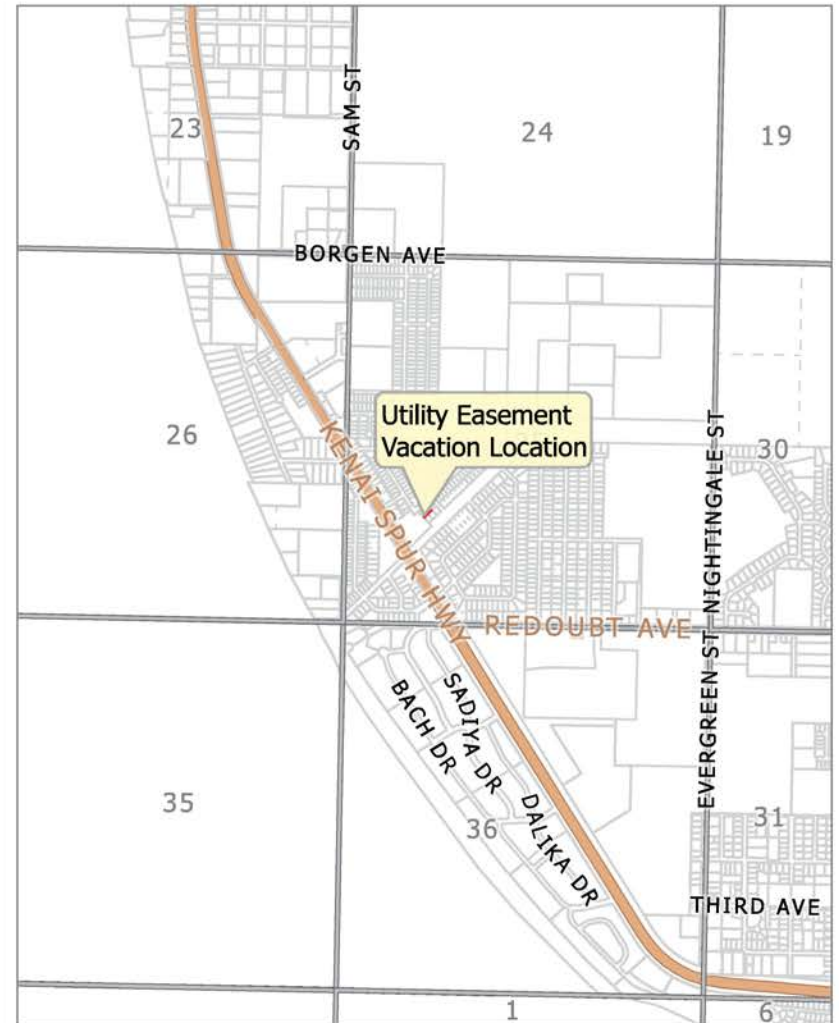
To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notices>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to planning@kpb.us, or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, April 25, 2025**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

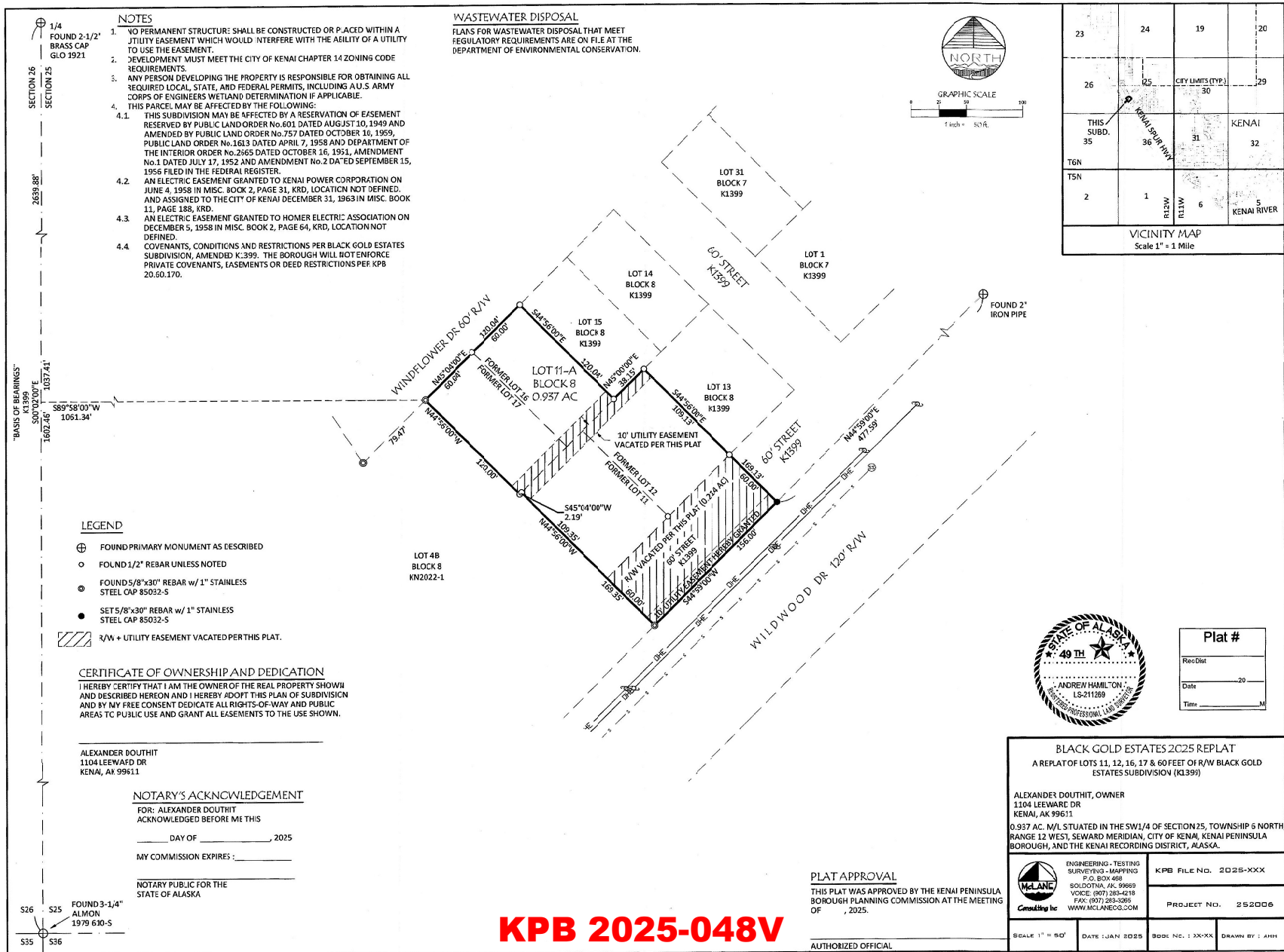
Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

For additional information, contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 Toll Free within the Kenai Peninsula Borough).

Mailed 4/10/2025



KPB File 2025-048V
T 06N R 12W SEC 25
City of Kenai





NOTICE OF PROPOSED UTILITY EASEMENT VACATION

Notice is hereby given that an application to vacate a utility easement in the City of Kenai was received on 4/4/2025 by the Planning Department of the Kenai Peninsula Borough.

In accordance with Chapter 20 of the Borough Code of Ordinances, all owners of properties within a 300-foot radius must be notified of the proposed vacation. According to Borough records, you are an owner of property within that radius or you are an affected party.

Request / Affected Property: Vacate a 20-foot wide utility easement centered on the southeasterly line of Lots 17 and 16 common to the northwesterly lines of Lots 12 and 11

KPB File No. 2025-048V

Petitioner(s)/ Land owner(s): Alexander Douthit of Kenai, AK.

Purpose as stated in petition: Vacate a 20 foot wide utility easement centered on the southeasterly line of Lots 17 and 16 common to the northwesterly lines of Lots 12 and 11.

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, April 28, 2025** commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in person at the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notices>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to planning@kpb.us, or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, April 25, 2025**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

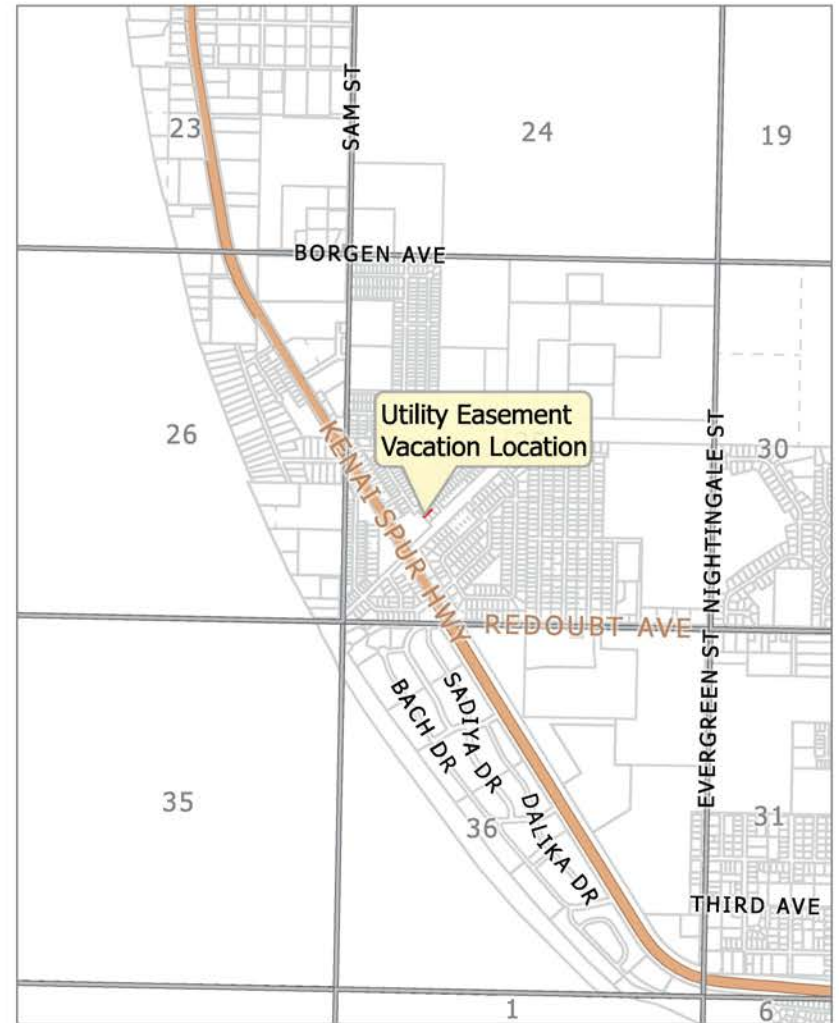
For additional information, contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 Toll Free within the Kenai Peninsula Borough).

Mailed 4/10/2025

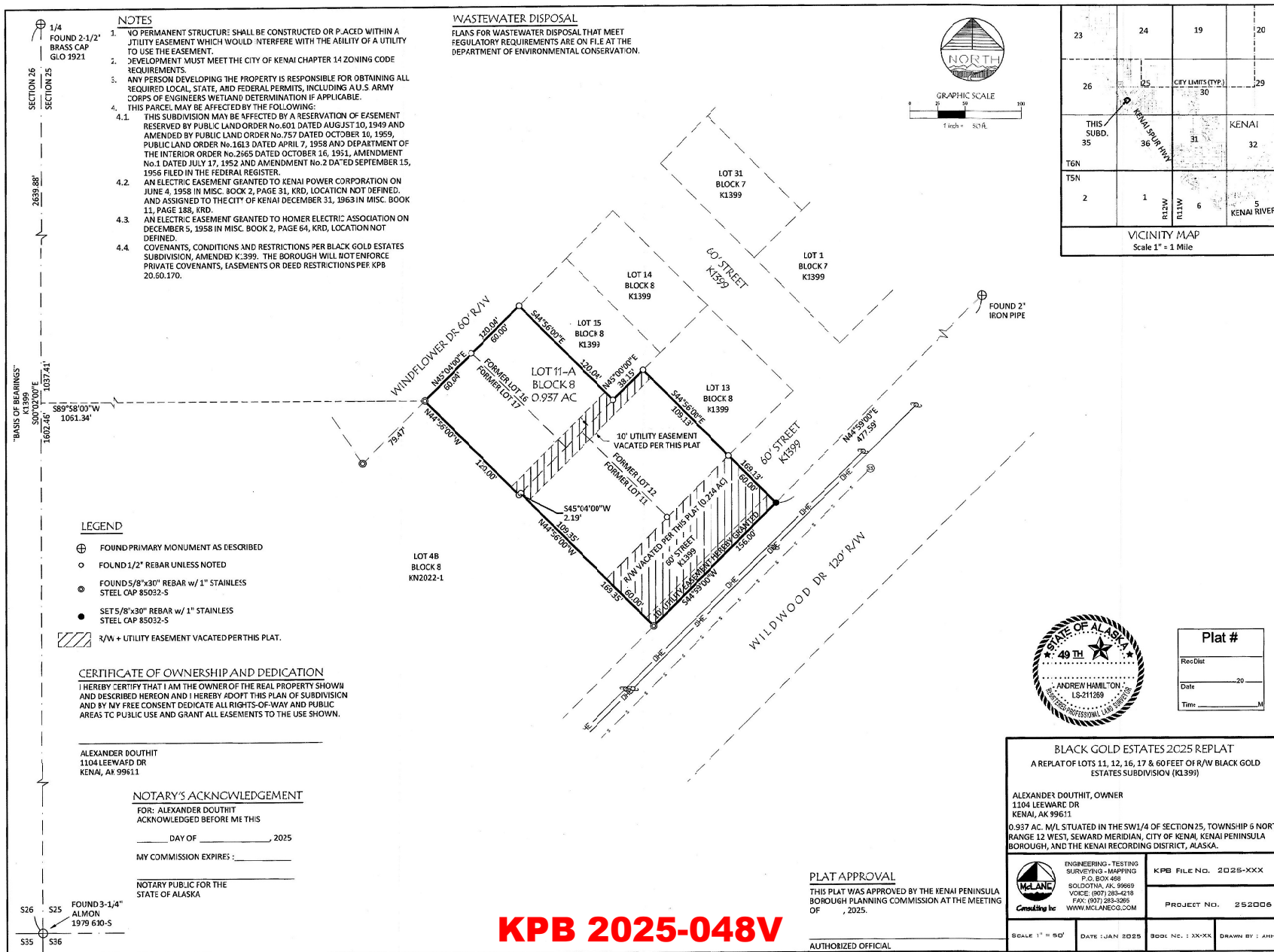


Vicinity Map

4/8/2025



KPB File 2025-048V
T 06N R 12W SEC 25
City of Kenai





**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2025-05**

A RESOLUTION RECOMMENDING THAT PRELIMINARY PLAT FOR THE BLACK GOLD ESTATES 2025 REPLAT ATTACHED HERETO BE **CONDITIONALLY APPROVED**.

PROPERTY ADDRESSES: 2712 & 2714 Wildwood Dr.,
2505 & 2507 Windflower Dr.

LEGAL DESCRIPTIONS: Lots 11,12, 16, 17, Block 8, Black Gold Estates
Subdivision Amended

KPB PARCEL NUMBERS: 03904007, 03904008, 03904011, 03904012

WHEREAS, the City of Kenai received a preliminary plat from McLane Consulting, on behalf of the property owner, Alexander Douthit for a replat of Lots 11,12, 16, 17, Block 8, Black Gold Estates Subdivision Amended; and,

WHEREAS, the preliminary plat meets the minimum lot width and minimum lot depth requirements as outlined in Kenai Municipal Code (KMC) Section 14.10.070(d)(2); and,

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

WHEREAS, the proposed lots have access from Wildwood Drive (a City-maintained paved road) and Windflower Drive (a city-designated right of way and undeveloped road); and,

WHEREAS, A 10-foot easement for utilities is granted along the southeast boundary of current Lots 11 & 12 adjacent to the existing 120-foot Wildwood Drive right-of-way; and,

WHEREAS, the owner is requesting a vacation of a 10-foot utility easement between the southeast boundary of current Lots 16 & 17 and the northwest boundary of current Lots 11 & 12; and

WHEREAS, the owner is requesting a vacation of a 60-foot by 156-foot public right of way along the southeastern boundary of the new lot; and,

WHEREAS, the City does not have a public interest in retaining the 60-foot by 156-foot public right of way; and,

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

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

Resolution No. PZ2025-05
Page 2 of 2

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for replat, subject to the listed conditions, provides utilities/access easements, provides satisfactory and desirable building sites, and the on-site water and sewer systems will be subject to the regulatory requirements of the Public Works Department; and,
2. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the RS zoning district of 7,200 square feet, the proposed lot is approximately 40,816 square feet (0.937 acre).
3. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

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

Section 1. That preliminary plat Black Gold Estates 2025 Replat be approved subject to the following conditions,

1. Further development of the property will conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare the unnamed 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.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 26th DAY OF FEBRUARY, 2025.



JOE HALSTEAD, CHAIRPERSON

ATTEST:



Meghan Thibodeau, Deputy City Clerk

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
MARCH 26, 2025 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR JOE HALSTEAD, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on March 26, 2025, in City Hall Council Chambers, Kenai, AK. Chair Halstead called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Halstead led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Joe Halstead, Chair
Glenese Pettey
Stacie Krause

Jeff Twait, Vice Chair
Sonja Earsley
Gwen Woodard

A quorum was present.

Absent:

Diane Fikes

Also in attendance were:

Kevin Buettner, Planning Director
Deborah Sounart, City Council Liaison
Meghan Thibodeau, Deputy City Clerk

3. Approval of Agenda and Consent Agenda

Chair Halstead noted the following additions to the Packet:

Add Item O.1

Staff Report

- Updated Staff Report for PZ2025-05

MOTION:

Vice Chair Twait **MOVED** to approve the agenda and consent agenda with the requested revisions. Commissioner Woodard **SECONDED** the motion.

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

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

UNANIMOUS CONSENT was requested.

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

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of March 12, 2025

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENTS - None.**D. UNSCHEDULED PUBLIC COMMENTS - None.****E. CONSIDERATION OF PLATS**

1. **Resolution No. PZ2025-05** – Recommending Conditional Approval of Preliminary Plat – Black Gold Estates 2025 Replat Merging Lots 11, 12, 16, 17 and 60 feet of Right-of-Way into a Single Lot in the Suburban Residential (RS) Zoning District.

MOTION:

Commissioner Woodard **MOVED** to approve Resolution PZ2025-05. Commissioner Pettey **SECONDED** the motion.

Planning Director Buettner noted that a substitute staff report was provided in the laydown, provided an overview of the staff report, and explained the purpose of the plat was to merge four parcels and 60 feet of unnamed Right-of-Way (ROW) into one lot. It was noted that staff's recommendation is approval subject to the conditions specified within the staff report as attached to Resolution No. PZ2025-05.

Alex Douthit, applicant, provided background regarding the plat and vacation of the portion of ROW. He explained and that the lot would be more suitable for development once merged.

There was Commission discussion regarding the background of the unnamed ROW. Clarification was provided that this ROW was not involved in a dispute between the Kenai Native Association and the City of Kenai, and that a Conditional Use Permit is not needed for the proposed uses.

VOTE:

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

NAY: None

ABSENT: Fikes

MOTION PASSED WITHOUT OBJECTION.

2. **PZ2025-15** - Recommending Approval of Preliminary Plat – Bailey Estates Karpik Rice Replat to Relocate the Lot Line Separating Lots 1 and 2, Bailey Estates Amended in the Suburban Residential 2 (RS-2) Zoning District.

MOTION:

Vice Chair Twait **MOVED** to approve Resolution PZ2025-15. Commissioner Woodard **SECONDED** the motion.

Planning Director Buettner provided an overview of the staff report as included in the packet and attached to Resolution No. PZ2025-15, and explained the purpose of the plat was to adjust the lot lines between two lots, to allow a shop building to meet setback requirements. It was noted that staff's recommendation is approval subject to the condition specified within the staff report as attached to Resolution No. PZ2025-15.

VOTE:

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

NAY: None

ABSENT: Fikes

MOTION PASSED WITHOUT OBJECTION.

3. **PZ2025-16** – Recommending Approval of Preliminary Plat – Highlands Subdivision 2025 Replat Merging Lots 10,11 and 12 into a Single Lot in the Rural Residential (RR) Zoning District.

MOTION:

Commissioner Woodard **MOVED** to approve Resolution PZ2025-16. Commissioner Pettey **SECONDED** the motion.

Planning Director Buettner provided an overview of the staff report as included in the packet and attached to Resolution No. PZ2025-16, and explained the purpose of the plat was to merge three lots into a single lot. It was noted that staff's recommendation is approval subject to the condition specified within the staff report as attached to Resolution No. PZ2025-16.

UNANIMOUS CONSENT was requested.
There being no objection; **SO ORDERED**.

F. PUBLIC HEARINGS – None.

G. UNFINISHED BUSINESS

1. **Discussion** – Aspen Creek, 701 N. Forest Drive Conditional Use Permit

It was reported that there were no new developments to the issue; that construction was anticipated to finish during the first week of May; and that City staff visited the site and noted less traffic than their visit a few months prior. Clarification was provided that the vehicles observed were mostly pickup trucks, but ownership of the vehicles cannot be confirmed.

It was noted that this discussion will be continued on the next Commission meeting agenda.

2. **Discussion** - Schedule a Work Session Meeting for May 14, 2025 at 5:30 pm to discuss Conditional Use Permits.

The work session was scheduled for May 14, 2025 at 5:30 p.m.

H. NEW BUSINESS – None.

I. REPORTS

1. Planning Director – Planning Director Buettner reported on the following:
 - The Kenai Peninsula Borough will be holding public workshops on the Comprehensive Safety Action Plan, and a Joint Work Session with the City Council and Planning & Zoning Commission on April 16, 2025 at 5:00 p.m.
2. Commission Chair – Chair Halstead noted that it would be his last meeting due to a schedule change with his new employment, and expressed appreciation for his time working on the Commission.
3. Kenai Peninsula Borough Planning – No report.
4. City Council Liaison – No report.

J. ADDITIONAL PUBLIC COMMENT

Arllys Miskinis, resident, expressed concerns with the Aspen Creek Conditional Use Permit; reported that there was an "emergency vehicles only" sign on Ponderosa Street; that she had continued to

observe increased traffic; and that Aspen Creek had not installed a street camera to monitor traffic. She discussed speed limits and signage in residential neighborhoods.

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: April 9, 2025

It was noted that the April 9, 2025 meeting would be cancelled due to lack of agenda items. Commissioner Krause noted that she would attend remotely at the April 23, 2025 meeting.

L. COMMISSION COMMENTS AND QUESTIONS

Commissioner Woodard stated that it had been nice serving with Chair Halstead.

Commissioner Pettey noted that she would be absent at the April 23, 2025 meeting.

M. PENDING ITEMS – None.

N. ADJOURNMENT

O. INFORMATIONAL ITEMS – None.

There being no further business before the Planning & Zoning Commission, the meeting was adjourned at 7:32 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of March 26, 2025.



Meghan Thibodeau
Deputy City Clerk



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2025-33**

A RESOLUTION AUTHORIZING AWARD OF THE CITY-OWNED LANDS APPRAISAL CONTRACT.

WHEREAS, an Invitation to Bid was released on April 8, 2025 with bids due on April 23, 2025 for the 2025 City-Owned Lands Appraisal Contract; and,

WHEREAS, the following bids were received:

Vendor	Total Bid Amount
CBRE Group, Inc.	\$39,600

; and,

WHEREAS, the sole bid received was from CBRE Group, Inc.; and,

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

WHEREAS, Administration recommends retaining CBRE Group, Inc., to provide the requested appraisal services from approximately May 2025 through the completion of their task, not to exceed six months; and,

WHEREAS, the work task to be completed is required in accordance with Kenai Municipal Code Sections 21.10.090(b) - Principles and Policy of Lease Rates and 22.05.060(b) - Principles and Policy of Lease Rates.

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

Section 1. That the City Council authorizes the City Manager to execute an agreement with CBRE Group, Inc., to provide appraisal services to the City for City-Owned Lands as prescribed in Kenai Municipal Code for the development of lease rates for an amount not to exceed 39,600.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF MAY, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Kevin Buettner, Planning Director

DATE: May 14, 2025

SUBJECT: **Resolution No. 2025-33 - Authorizing Award of the City-Owned Lands Appraisal Contract.**

This memo requests Council's approval to award a contract to complete City-Owned Lands Appraisal services to CBRE Group, Inc. An Invitation to Bid was released for the project and one bid was received by the due date of April 23, 2025. CBRE Group, Inc. was the only company to bid on the solicitation. The bid was for a total amount of \$39,600. The bid was reviewed and determined to be responsive and responsible.

This contract fulfills a requirement in accordance with Kenai Municipal Code Sections 21.10.090(b) – Principles and Policy of Lease Rates and 22.05.060(b) – Principles and Policy of Lease Rates.

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



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2025-34**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR JANITORIAL SERVICES AT THE KENAI MUNICIPAL AIRPORT TERMINAL.

WHEREAS, the City of Kenai released an invitation to bid for Janitorial Services at the Airport terminal on April 3, 2025 with bids due on April 24, 2025; and,

WHEREAS, the following bids were received:

Bidders	Base Bid Total
Reborn Again Janitorial Services	\$48,000.00
Touch of Gold Cleaning LLC	\$50,100.00

; and,

WHEREAS, Reborn Again Janitorial Services was determined to be the lowest responsive and responsible bidder and award to Reborn Again Janitorial Services is in the best interest of the City; and,

WHEREAS, the current agreement expires on June 30, 2025 and funding for these services is included in the FY2026 budget; and,

WHEREAS, the City of Kenai Administration recommends the City enter an agreement to provide Janitorial Services from July 1, 2025 through June 30, 2026, with an option to extend for four one-year terms with mutual consent; and,

WHEREAS, after the completion of the first full calendar year of the contract, the bid price will be adjusted annually to account for inflation; and,

WHEREAS, the Airport Commission recommended approval at their regularly scheduled meeting on May 8, 2025.

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

Section 1. That the City Manager is authorized to enter into an agreement with Reborn Again Janitorial Services to provide Janitorial services at the Kenai Municipal Airport for a period of one year with the possibility of four one-year extensions. The City Manager may execute the four future extensions without further Council approval.


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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF MAY, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:  _____



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Derek Ables, Airport Manager

DATE: May 10, 2025

SUBJECT: **Resolution No. 2025-34 - Authorizing the City Manager to Enter into an Agreement for Janitorial Services at the Kenai Municipal Airport Terminal.**

This memo requests Council's approval to award a contract to Reborn Again Janitorial Services. An Invitation to bid on janitorial services was released on April 3rd, 2025 and bids were due on April 24th, 2025. Two bids were received and Reborn Again Janitorial Services was the lowest responsive and responsible bidder.

This authorization will extend for a period of one year from July 1, 2025 through June 30, 2026 with the option to extend the work an additional four years upon mutual agreement. After the completion of the first full calendar year of the contract term, the bid price will be adjusted annually to account for inflation. The adjustment will be made on July 1st of each subsequent fiscal year. The adjustment will be based on the percentage change in inflation of the previous calendar year, as determined by the U.S. Department of Labor statistics for Anchorage, Alaska. Award of this agreement is in the best interest of the City. Council's approval is respectfully requested.

**KENAI CITY COUNCIL – REGULAR MEETING
MAY 7, 2025 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
VICE MAYOR HENRY KNACKSTEDT, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on May 7, 2025, in City Hall Council Chambers, Kenai, AK. Vice Mayor Knackstedt called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

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

2. Roll Call

There were present:

Henry Knackstedt, Vice Mayor
Phil Daniel
Alex Douthit
Sovala Kisenia

Brian Gabriel, Mayor (*remote attendance*)
Deborah Sounart
Victoria Askin (*remote attendance*)

A quorum was present.

Also in attendance were:

Dave Ross, Acting City Manager
Scott Bloom, City Attorney
David Swarnar, Finance Director
Katja Wolf, Library Director
Tyler Best, Parks and Recreation Director
Lee Frey, Public Works Director
Kathy Romain, Senior Services Director
Derek Ables, Airport Manager
Joe Fisher, Building Official
Shellie Saner, City Clerk

3. Agenda and Consent Agenda Approval

MOTION:

Council Member Douthit **MOVED** to approve the agenda. Council Member Daniel **SECONDED** the motion.

MOTION TO AMEND:

Council Member Sounart **MOVED** to add agenda item H.5., “Action/Approval - Amending and Extending an Employment Agreement between the City of Kenai and City Attorney, Scott Bloom”, to the consent agenda. Council Member Douthit **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend the consent agenda.

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

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

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

UNANIMOUS CONSENT was requested.

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

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

[Clerk's Note: Vice Mayor Knackstedt presented a proclamation declaring April 2025 as Sexual Assault Awareness Month.]

B. SCHEDULED ADMINISTRATIVE REPORTS - None.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS

Marion Nelson, Board Member for the Kenai Art Center reported on the First Friday opening show and the ongoing exhibit of mural artwork.

E. PUBLIC HEARINGS

1. **Ordinance No. 3464-2025** - Amending Kenai Municipal Code 21.05.085 - Airport Fuel Flowage Fee, to Remove the Set Amount in Code and Instead Refer to the Annually Updated Schedule of Rates, Charges and Fees. (Administration)

MOTION:

Council Member Sounart **MOVED** to enact Ordinance No. 3464-2025. Council Member Daniel **SECONDED** the motion.

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

VOTE:

YEA: Knackstedt, Askin, Douthit, Kisen, Gabriel, Daniel, Sounart

NAY: None

MOTION PASSED.

2. **Ordinance No. 3465-2025** - Amending Kenai Municipal Code, Title 2 - Alcoholic Beverage and Marijuana, Standardizing How Licenses are Reviewed by the City, Allowing for Administrative Non-Objections for Renewal of Existing Licenses When No Grounds to Object to the Renewal are Identified, Updating Public Hearings for Protests or Conditional Non-Objections, Aligning Municipal Code with Requirements of Alaska Statutes, and Other Housekeeping Amendments. (City Clerk)

MOTION:

Council Member Sounart **MOVED** to enact Ordinance No. 3465-2025. Council Member Douthit **SECONDED** the motion.

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

It was reported this would allow administrative approval of existing license renewals when there are no changes; amend code to require a lists of all operating liquor and marijuana licenses in the City be brought to Council annually; codifies the administrative procedures for license review; aligns code with State law regarding public hearing for licenses; and removes reference to specific sections of State statute.

Clarification was provided that citizen complaints would be administratively reviewed, and any grounds for protest would be brought to Council for action.

VOTE:

YEA: Askin, Douthit, Kisen, Gabriel, Daniel, Sounart, Knackstedt

NAY: None

MOTION PASSED.

3. **Ordinance No. 3466-2025** - Amending Kenai Municipal Code, Chapter 4.32 Residential Code, to Reinstate Provisions Related to Engineered Design and Location, Including Fire Code Protection on Floors Provisions of the 2021 International Residential Code. (Administration)

MOTION:

Council Member Sounart **MOVED** to enact Ordinance No. 3466-2025. Council Member Douthit **SECONDED** the motion.

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

It was reported this would reinstate a deleted section of code that allows for engineered designs that fall outside of standard prescriptive code; amend fire protection requirements to allow for underfloor furnaces; and remove a redundant requirement for crawl space smoke detectors.

Support was expressed for the Ordinance in alleviating building issues.

VOTE:

YEA: Douthit, Kisen, Gabriel, Daniel, Sounart, Knackstedt, Askin

NAY: None

MOTION PASSED.

4. **Ordinance No. 3467-2025** - Accepting and Appropriating a Grant Received Through the Alaska Animal Control Association to the Kenai Animal Shelter for Attendance at the Alaska Animal Control Association 2025 Training Conference. (Administration)

MOTION:

Council Member Sounart **MOVED** to enact Ordinance No. 3467-2025. Council Member Daniel **SECONDED** the motion.

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

VOTE:

YEA: Kisen, Gabriel, Daniel, Sounart, Knackstedt, Askin, Douthit

NAY: None

MOTION PASSED.

5. **Ordinance No. 3468-2025** - Accepting and Appropriating a Donation to the Kenai Community Library for the Summer Reading Program 2025. (Administration)

MOTION:

Council Member Sounart **MOVED** to enact Ordinance No. 3468-2025. Council Member Kisen **SECONDED** the motion.

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

Support was expressed for the Library; it was noted that this donation would help with the summer reading program; and appreciation was expressed for Derek Kaufman Fund and Hilcorp.

VOTE:

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

NAY: None

MOTION PASSED.

6. **Ordinance No. 3469-2025** - Amending KMC 1.85.060 - Conflicts of Interest Prohibited, to Allow Municipal Officers and City Employees to Participate in Certain Sales Open to the Public Through a Public Process and Narrowing the Existing Prohibition on Purchases to Personal Property Items. (Douthit)

MOTION:

Council Member Douthit **MOVED** to enact Ordinance No. 3469-2025. Council Member Sounart **SECONDED** the motion.

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

It was reported this would amend code to allow City employees and officers to purchase real property, when sold in an open, transparent process equally available to the public, provided the employee or official had no inside information; the Ordinance continued to prohibit employees and officers from bidding in the annual surplus auction; would allow employees and officials to invest and develop in the community; and aligned with Kenai Peninsula Borough practices.

There was discussion regarding the ethical implications of municipal officers purchasing city owned property; the public perception regarding to conflict of interest; the potential of officials having greater access to information and influence; and the possibility of amending the Ordinance to remove reference to Municipal Officers.

MOTION TO POSTPONE:

Council Member Douthit **MOVED** to postpone Ordinance No. 3469-2025 to the May 21, 2025 Regular Meeting. Council Member Daniel **SECONDED** the motion.

VOTE ON MOTION TO POSTPONE:

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

NAY: None

MOTION TO POSTPONE PASSED.

7. **Resolution No. 2025-27** - Authorizing the City Manager to Enter into an Agreement with the State of Alaska Department of Natural Resources for a Utility Easement for the City Water Main. (Administration)

MOTION:

Council Member Sounart **MOVED** to adopt Resolution No. 2025-27. Council Member Daniel **SECONDED** the motion.

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

UNANIMOUS CONSENT was requested.

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

8. **Resolution No. 2025-28** - Authorizing Contract Awards for Purchase of Water and Wastewater Chemicals. (Administration)

MOTION:

Council Member Sounart **MOVED** to adopt Resolution No. 2025-28. Council Member Daniel **SECONDED** the motion.

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

It was reported this was the cost anticipated for the annual supply of chemicals for the Water Treatment Facility and Wastewater Treatment Facility; costs have increased over the last five years; and there were additional increases now due to tariffs.

UNANIMOUS CONSENT was requested.

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

9. Resolution No. 2025-29 - Authorizing Contract Award for Aliak Storm Water Rehab Design. (Administration)

MOTION:

Council Member Sounart **MOVED** to adopt Resolution No. 2025-29. Council Member Daniel **SECONDED** the motion.

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

It was reported that Bell & Associates was an Anchorage-based company; and clarification was provided on the location of the storm drain.

UNANIMOUS CONSENT was requested.

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

10. Resolution No. 2025-30 - Approving Amendments to the Agreement for Contract Services for Vintage Pointe Manor Congregate Housing. (Administration)

MOTION:

Council Member Sounart **MOVED** to adopt Resolution No. 2025-30. Council Member Daniel **SECONDED** the motion.

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

It was reported that Mr. Sadler provides services such as cleaning, supply purchases, and mechanical inspection.

UNANIMOUS CONSENT was requested.

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

11. Resolution No. 2025-31 - Amending the Kenai Municipal Cemetery Regulations and Fee Schedule Policy Numbering It PRK-70.001, Revising Marker and Headstone Regulations and Making Other Housekeeping Amendments. (City Clerk)

MOTION:

Council Member Sounart **MOVED** to adopt Resolution No. 2025-31. Council Member Daniel **SECONDED** the motion.

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

It was reported the policy amendments would bring the Cemetery Regulations into alignment with current headstone placement practices, and make terminology consistent throughout the policy.

UNANIMOUS CONSENT was requested.

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

F. MINUTES

1. *Special Meeting of April 15, 2025. (City Clerk)

Approved by the consent agenda.

2. *Regular Meeting of April 16, 2025. (City Clerk)

Approved by the consent agenda.

G. UNFINISHED BUSINESS - None.

H. NEW BUSINESS

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

Approved by the consent agenda.

2. ***Action/Approval** - Special Use Permit to Weaver Brothers, Inc. for Truck Trailer Storage. (Administration)

Approved by the consent agenda.

3. ***Action/Approval** - Special Use Permit to NILCHIL Solutions, LLC for an Off-Premise Sign on City-Owned Property Described as Tract B, Gusto Subdivision Addition No. 2 Located at 11631 Kenai Spur Highway. (Administration)

Approved by the consent agenda.

4. ***Ordinance No. 3470-2025** - Amending the Official Zoning Map and Land Use Table by Rezoning Twenty-Eight Properties Located Near the Intersection of the Kenai Spur Highway and Wildwood Drive from Suburban Residential (RS) to General Commercial (CG) Zoning District. (Administration)

Introduced by the consent agenda and Public Hearing set for May 21, 2025.

5. ***Action/Approval** - Amending and Extending an Employment Agreement between the City of Kenai and City Attorney, Scott Bloom. (Gabriel)

Approved by the consent agenda.

6. **Discussion** - Facility Use Policy Administration. (Administration)

It was reported that most City facility policies were managed by the Administration unless Council approval was required by code, some policies have come before Council when not required; and the City Manager was requesting input from Council whether to bring all facility policies before Council or to continue managing them internally.

There was consensus among Council that continuing the current practice of internal policy management was preferred; and Council members can review policies on request or if an issue arises.

7. **Discussion** - Unsafe Driving Through Parking Lots (Rat Running). (Administration)

It was reported that “rat running” occurs when drivers speed through parking lots to bypass traffic lights and stop signs; this has been an ongoing issue at the Visitor Center; some cities including Anchorage and Fairbanks have ordinances that make rat running illegal; the City Manager is considering introducing a similar ordinance along with implementing other measures such as speed bumps where needed, and requested input from Council.

A general consensus of support was for a combined approach of legislation and physical deterrents to prevent rat running.

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging Commission

No report, next meeting June 12, 2025.

2. Airport Commission

No report, next meeting May 8, 2025.

3. Harbor Commission

No report, next meeting June 9, 2025.

4. Parks and Recreation Commission

Council Member Douthit reported on the May 1, 2025 meeting, next meeting June 5, 2025.

5. Planning and Zoning Commission

No report, next meeting May 14, 2025.

6. Beautification Commission

No report, next meeting May 13, 2025 which Council Member Daniel will be attending.

J. REPORT OF THE MAYOR

1. Proclamation Declaring April 2025 as “Sexual Assault Awareness Month”

Mayor Gabriel reported on the following:

- Expressed appreciation for City staff’s time and effort during the Budget Work Session.
- Thanked Vice Mayor Knackstedt for delivering the Sexual Assault Awareness Month Proclamation.
- Attended the Triumvirate Theatre grand opening, and noted that the performance was well-done and very enjoyable.
- Wished a Happy Mother’s Day.

K. ADMINISTRATION REPORTS

1. City Manager - Acting City Manager Ross reported on the following:

- New police officer and a new firefighter have been hired.
- Recruitment underway for Public Safety Dispatcher.
- Annual Employee Appreciation Event had a great turnout, and 17 employees were recognized for their service.
- City Manager Eubank attended the Kenai Peninsula Economic Development District Industry Overview Forum on April 24, 2025.
- US Army Corp of Engineers held a Bluff Project Update public meeting on April 30, 2025, and construction is scheduled to begin May 17, 2025.

- Thanked Council and City staff for their work during the Budget Work Session.
- The City has applied for a Rasmussen Foundation Community Support Grant to support the Kenai Bronze Bear family sculpture; the completed sculpture will be donated to the City.
- Kenai Senior Center may pursue Rasmussen Foundation Tier One Grant for a separate project.
- Annual Kenai Kite Festival will be held on May 31, 2025.
- Parks & Recreation will host a community Planting Day on May 31, 2025.
- Kenai Library Summer Reading Program begins May 19, 2025.
- Update on the softball field dugouts: materials have arrived, and Parks & Recreation has begun to assemble.

2. City Attorney - City Attorney Bloom thanked Council for extending his contract.

3. City Clerk - No report.

L. ADDITIONAL PUBLIC COMMENTS

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

Marion Nelson addressed the Council regarding the history of Walker Lane related to the parking lot traffic discussion.

2. Council Comments

Mayor Gabriel thanked Vice Mayor Knackstedt for filling in while he's out of town.

Council Member Askin reported attending the Employee Appreciation Event, the Triumvirate Theatre grand opening; and thanked City staff for the Budget Work Session.

Council Member Douthit reported attending the Employee Appreciation Event stating his appreciation for the entertainment; attending the Caring for the Kenai Event and noted that local students won 2nd and 5th place.

Council Member Sounart reported attending the Employee Appreciation Event, stating appreciation for the red Kenai logo bandana; expressed appreciation for City staff's work on the Budget Work Session; and wished best of luck to Peninsula students participating in the state solos and ensembles competition.

Council Member Daniel reported attending the Employee Appreciation Event and the Triumvirate Theatre grand opening; thanked City staff for their work on the Budget Work Session; attending the Bluff Project Update meeting, stating he was looking forward to construction beginning; and expressed appreciation for staff's work on the softball dugouts.

Council Member Kisena reported attending the Employee Appreciation Event; expressed appreciation for City staff's work on the Budget Work Session; and thanked Parks & Recreation for working on the softball dugouts.

Vice Mayor Knackstedt reported attending the Parks & Recreation Master Plan meeting, the Triumvirate Theatre grand opening, and the Bluff Project Update meeting; expressed appreciation for City staff's work on the Budget Work Session; and noted that the Boys & Girls Club open house was this upcoming weekend.

M. EXECUTIVE SESSION - None.

N. PENDING ITEMS - None.

O. ADJOURNMENT

P. INFORMATIONAL ITEMS - None.

There being no further business before the Council, the meeting was adjourned at 7:52 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of May 7, 2025.

Michelle M. Saner, MMC
City Clerk

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



Sponsored by: Council Member Douthit

**CITY OF KENAI
ORDINANCE NO. 3469-2025**

AN ORDINANCE AMENDING KMC 1.85.060-CONFLICTS OF INTEREST PROHIBITED, TO ALLOW MUNICIPAL OFFICERS AND CITY EMPLOYEES TO PARTICIPATE IN CERTAIN SALES OPEN TO THE PUBLIC THROUGH A PUBLIC PROCESS AND NARROWING THE EXISTING PROHIBITION ON PURCHASES TO PERSONAL PROPERTY ITEMS.

WHEREAS, in 2008, KMC 1.85.060-Conflicts of Interest Prohibited, was last amended by Ordinance 2319-2008, to include a prohibition prohibiting municipal officials and employees from acquiring surplus or unneeded property of the City; and,

WHEREAS, the available legislative history indicates the intent of Ordinance 2319-2008 related to prohibitions on acquiring City property, was to prohibit municipal officers and employees from bidding on items in the City's annual surplus auction, however the provision can be interpreted to prohibit municipal officers or employees from acquiring anything from the City whether it be personal or real property which is broader than necessary to protect the public interest and could have unnecessary adverse consequences; and,

WHEREAS, while it is in the City's best interest to have laws regarding conflicts of interest and ethics that hold government officers and employees responsible and provide transparency for the public, employees and municipal officers should not be prohibited from all arms-length transparent public sales made generally available to the public; and,

WHEREAS, the proposed amendment continues the prohibition against bidding in the City's annual surplus auction, and also strikes a reasonable balance by allowing municipal officers and employees to purchase real property from the City when offered to the general public in an arms-length transaction and the employee or officer has no information regarding the property or sales process that is not available to the general public.

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

Section 1. Amendment of Section of Kenai Municipal Code 1.85.060: That Kenai Municipal Code, Section 1.85.060, Conflicts of Interest Prohibited is hereby amended as follows:

1.85.060 Conflicts of Interest Prohibited.

- (a) A municipal officer, appointed commission member, or employee of the City of Kenai may not solicit or receive money for advice or assistance given in the course of their official duties for the City of Kenai.
- (b) A municipal officer, appointed commission member, or employee of the City of Kenai may not represent a client before the City Council for a fee. However, a commission member may represent a client before a commission or the City Council for a fee if it does not involve a matter that is/was before the member's commission.
- (c) A municipal officer, appointed commission member, or employee of the City of Kenai may not accept a gift, loan, gratuity, or other valuable consideration, or a promise of any of them, with the

understanding or agreement, expressed or implied, that he or she will cast a vote or given an opinion, decision, or judgment in a particular manner, in a matter, question, cause, or proceeding which then is or may by law come or be brought before him or her, or with the understanding or agreement that the officer or employee will, in his or her official capacity, act in a particular manner to produce or prevent a particular result.

- (d) No Council or commission member may vote on any question in which he or she has a substantial direct or indirect financial interest. Direct or indirect financial interests shall be disclosed to the presiding officer prior to a vote on the question and the presiding officer shall determine whether the financial interest exists and whether the prohibition from voting is applicable. A decision by the presiding officer may be overridden by a unanimous vote of the members present, exclusive, of the member presenting the possible conflict.
 - (1) Whether the direct or indirect financial interest is substantial shall be determined by the presiding officer on a case-by-case basis, with evaluation of these factors:
 - (i) Whether the financial interest is a substantial part of the consideration;
 - (ii) Whether the financial interest directly and substantially varies with the outcome of the official action;
 - (iii) Whether the financial interest is immediate and known or conjectural and dependent on factors beyond the official action;
 - (iv) Whether the financial or private interest is significant monetarily;
 - (v) Other factors deemed appropriate by the presiding officer under the specifics of the disclosure and the nature of the action taken before the council or commission.
- (e) A municipal officer, commission member or employee of the City of Kenai may not use, or permit others to use, any property owned by the City for profit or personal use or benefit, except:
 - (1) When available to the public generally, or to a class of residents, on the same terms and conditions;
 - (2) When permitted by written personnel policies approved by the City of Kenai;
 - (3) When, in the conduct of official business, used in a relatively minor way for personal convenience.
- (f) A municipal officer, commissioner or employee of the City of Kenai shall not take or participate in official action on matters, other than minor or routine issues, affecting a former employer for a period one (1) year from the date of termination of the prior employment.
- (g) A City employee may not participate in an official action in which he or she, or a member of his or her household, has a substantial financial interest.
- (h) A municipal officer, commissioner or employee of the City of Kenai who leaves municipal service may not for one (1) year after leaving municipal service, represent, advise, or assist a person for compensation regarding a matter that was under consideration by the City if the person participated personally and substantially in the matter through the exercise of official action. This restriction on employment after leaving municipal service does not prohibit the City from contracting with a former City employee, commissioner or municipal officer on a matter on behalf of the City. The City Council may waive application of this restriction by motion upon determination that a proposed action is not adverse to the public interest.

- (i) A municipal officer or employee of the City of Kenai is prohibited from bidding upon or otherwise obtaining any personal property items which [IS] are unneeded or surplus by the City. Municipal officers and employees may bid or propose on real property sales, or other interests in real property, when offered to the general public. A municipal officer or employee cannot acquire a real property interest through a negotiated sale or lease not available or advertised to the general public and my not acquire property in which they were in a position to obtain information not available to the general public with regard to the property itself or process of sale.
- (j) A current or former municipal officer, commissioner or employee may not disclose or use information gained in the course of, or by reason of, the person's official duties that could reasonably result in the receipt of any substantial personal or substantial financial benefit for the person or his or her immediate family member unless the information has also been disseminated to the public.
- (k) A current or former municipal officer, commissioner or employee may not use or disclose without appropriate authorization, information acquired in the course of official duties that is confidential.
- (l) If any section or provision of this ordinance is held to be contrary to law by a court of competent jurisdiction, that section or provision shall be deemed invalid. All other sections and provisions of this chapter shall continue in full force and effect.
- (m) The City Clerk shall cause a copy of this section to be distributed to every municipal officer, commissioner and employee of the City of Kenai within thirty (30) days after its enactment. Each municipal officer, commissioner and employee elected, appointed or engaged thereafter shall be furnished a copy before entering into the duties of his or her office or employment.

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 7TH DAY OF MAY, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced:	April 16, 2025
Enacted:	May 7, 2025
Effective:	June 6, 2025



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: Alex Douthit, Council Member

DATE: April 8, 2025

SUBJECT: **Ordinance 3469-2025 - Amending KMC 1.85.060-Conflicts of Interest Prohibited, to Allow Municipal Officers and City Employees to Participate in Certain Sales Open to the Public Through a Public Process and Narrowing the Existing Prohibition on Purchases to Personal Property Items.**

Kenai Municipal Code 1.85.060-Conflicts of Interest Prohibited, provides numerous limitations on municipal officials (Council members, Mayor, planning and zoning commission members, City Manager, Clerk and Attorney) and employees regarding their interactions with the City outside of the official purpose of their engagement with the City. It is in the City's best interest to have laws regarding conflicts of interest and ethics that hold government officers and employees responsible and provide transparency for the public. However, when KMC 1.85.060 was last amended in 2008 by Ordinance 2319-2008, new language was added that can be interpreted to be overly broad and have unnecessary consequences. The 2008 Ordinance added a new section that reads:

- (i) A municipal officer or employee of the City of Kenai is prohibited from bidding upon or otherwise obtaining any property which is unneeded or surplus by the City.

While the minutes from the meeting when the Ordinance was passed indicate the intent was to prohibit Kenai municipal employees and officials from bidding on items in the City's surplus auctions where unneeded personal property items are sold, ¹ the language can be interpreted to prohibit employees and officials from purchasing or acquiring anything from the City. This prohibition could include submitting sealed bids on real property offered to the public, participating in outcry auctions, or even buying retail items if the City sold them.

Recently the City held an outcry auction for residential property sold to the general public. The City has several new employees, even some that would have qualified for a veteran's discount like other participating veterans, that depending on how 1.85.060(i) is interpreted may not have been able to participate in the auction and build homes in the City on those lots, including employees who had nothing to do with the auction and had no advantage or information that was not available to the general public.

¹ See attached exert of June 18, 2008 meeting minutes related to subsection (i).

Other municipalities like the Kenai Peninsula Borough allow their employees and officers to purchase land offered by the municipality as long as it is an arms-length transaction and the person does not have special knowledge about the property or transaction. Borough code 17.10.120-Terms of a Land Sale, provides in relevant part:

F. Restrictions:

1. A person who is delinquent in the payment of any tax, debt or obligation owed to the borough may not buy, lease, or be authorized for any other use or disposition of borough land.
2. An employee of the Kenai Peninsula Borough is not eligible to acquire land by negotiated sale or negotiated lease.
3. An employee or contractor of the Kenai Peninsula Borough that was in a position to obtain information not available to the general public about the disposal process may not submit an application for a sealed bid sale held under 17.10.100(F) within the final 15 days of the offering period.

The proposed amendment narrows the scope of prohibitions in Kenai Code by continuing to prohibit participation of officials and employees in the City's annual surplus property auction or purchase of other personal property, but allows municipal officials and employees to participate in other sales or leases that are available to the general public, except when the property is through a negotiated sale not offered or advertised to the general public or the person was in a position to obtain information not available to the general public with regard to the property itself or process of sale.

The proposed amendment intends to continue to hold employees and officials responsible, provide transparency for the public, but not unnecessarily restrict employees and officials from purchasing City owned real property otherwise available for public purchase.

Your consideration is appreciated.



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Council Member Molloy **MOVED** to amend the last sentence of subparagraph (h) (page 5 of packet), adding "by motion" between "restriction" and "upon." Council Member Ross **SECONDED** the motion.

VOTE ON AMENDMENT:

*Student Representative Johnson: Absent

Swarner	Yes	Smalley	Yes	Eldridge	Yes
Ross	Yes	Molloy	Yes	Boyle	Yes
Porter	Yes				

MOTION PASSED UNANIMOUSLY.

MOTION TO AMEND:

Council Member Molloy **MOVED** to amend subparagraph (l) (page 6 of the packet) by deleting "or by action of the Alaska State Legislature" Council Member Boyle **SECONDED** the motion.

It was explained, new language could be drafted if the Legislature amends Title 29.

VOTE ON AMENDMENT:

*Student Representative Johnson: Absent

Swarner	Yes	Smalley	Yes	Eldridge	Yes
Ross	Yes	Molloy	Yes	Boyle	Yes
Porter	Yes				

MOTION PASSED UNANIMOUSLY.

*** MOTION TO AMEND:**

Council Member Ross **MOVED** to amend subparagraph (i) by deleting ", commissioner" after "A municipal officer" and by ending the sentence at ..."surplused by the city" adding a period and deleting the remaining portion of the paragraph. Council Member Swarner **SECONDED** the motion.

It was explained, there was some concern of unfair advantage if an employee would bid on a surplus items and the amendment would eliminate the city manager from making the decision of whether an employee had an advantage.

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Note: The motion to amend was changed, with the consent of the second, to include the removal of ", commissioner" after a brief discussion of concern how such a restriction from commissioners bidding on surplus equipment/item would be policed.

VOTE ON AMENDMENT:

*Student Representative Johnson: Absent

Swarner	Yes	Smalley	Yes	Eldridge	Yes
Ross	Yes	Molloy	Yes	Boyle	Yes
Porter	Yes				

MOTION PASSED UNANIMOUSLY.

Council Member Molloy requested that if a future amendment is made to the ordinance with regard to the Legislature, to also include a definition of what is "confidential."

VOTE ON MAIN MOTION AS AMENDED:

*Student Representative Johnson: Absent

Swarner	Yes	Smalley	Yes	Eldridge	Yes
Ross	Yes	Molloy	Yes	Boyle	Yes
Porter	Yes				

MOTION PASSED UNANIMOUSLY.

E-3. Ordinance No. 2320-2008 -- Amending KMC 1.90.030 to Permit Appointment of Up to Two Members to Certain Advisory Boards, Commissions or Committees Who are Non-Residents of the City of Kenai Providing They Work at Least One-Half Time Within the City.

MOTION:

Council Member Molloy **MOVED** to enact Ordinance No. 2320-2008 and Council Member Eldridge **SECONDED** the motion.

The floor was opened for public hearing. There being no one wishing to be heard, the public hearing was closed. Council discussion followed during which concerns were expressed with the addition of "up to two" non-residents on a commission/committee would allow a majority of members to be non-residents.



Sponsored by: Council Member Douthit

**CITY OF KENAI
ORDINANCE NO. 3469-2025 (SUBSTITUTE)**

AN ORDINANCE AMENDING KMC 1.85.060-CONFLICTS OF INTEREST PROHIBITED, TO ALLOW CITY EMPLOYEES TO PARTICIPATE IN CERTAIN SALES OPEN TO THE PUBLIC THROUGH A PUBLIC PROCESS AND NARROWING THE EXISTING PROHIBITION ON PURCHASES TO PERSONAL PROPERTY ITEMS.

WHEREAS, in 2008, KMC 1.85.060-Conflicts of Interest Prohibited, was last amended by Ordinance 2319-2008, to include a prohibition prohibiting municipal officials and employees from acquiring surplus or unneeded property of the City; and,

WHEREAS, the available legislative history indicates the intent of Ordinance 2319-2008 related to prohibitions on acquiring City property, was to prohibit municipal officers and employees from bidding on items in the City's annual surplus auction, however the provision can be interpreted to prohibit municipal employees from acquiring anything from the City whether it be personal or real property which is broader than necessary to protect the public interest and could have unnecessary adverse consequences; and,

WHEREAS, while it is in the City's best interest to have laws regarding conflicts of interest and ethics that hold government employees responsible and provide transparency for the public, employees should not be prohibited from all transparent public sales made generally available to the public; and,

WHEREAS, the proposed amendment continues the prohibition against bidding in the City's annual surplus auction, and also strikes a reasonable balance by allowing employees to purchase real property from the City when offered to the general public in a transparent transaction and the employee has no information regarding the property or sales process that is not available to the general public.

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

Section 1. Amendment of Section of Kenai Municipal Code 1.85.060: That Kenai Municipal Code, Section 1.85.060, Conflicts of Interest Prohibited is hereby amended as follows:

1.85.060 Conflicts of Interest Prohibited.

- (a) A municipal officer, appointed commission member, or employee of the City of Kenai may not solicit or receive money for advice or assistance given in the course of their official duties for the City of Kenai.
- (b) A municipal officer, appointed commission member, or employee of the City of Kenai may not represent a client before the City Council for a fee. However, a commission member may represent a client before a commission or the City Council for a fee if it does not involve a matter that is/was before the member's commission.
- (c) A municipal officer, appointed commission member, or employee of the City of Kenai may not accept a gift, loan, gratuity, or other valuable consideration, or a promise of any of them, with the understanding or agreement, expressed or implied, that he or she will cast a vote or given an opinion, decision, or judgment in a particular manner, in a matter, question, cause, or proceeding which then is or may by law come or be brought before him or her, or with the understanding or

agreement that the officer or employee will, in his or her official capacity, act in a particular manner to produce or prevent a particular result.

- (d) No Council or commission member may vote on any question in which he or she has a substantial direct or indirect financial interest. Direct or indirect financial interests shall be disclosed to the presiding officer prior to a vote on the question and the presiding officer shall determine whether the financial interest exists and whether the prohibition from voting is applicable. A decision by the presiding officer may be overridden by a unanimous vote of the members present, exclusive, of the member presenting the possible conflict.
 - (1) Whether the direct or indirect financial interest is substantial shall be determined by the presiding officer on a case-by-case basis, with evaluation of these factors:
 - (i) Whether the financial interest is a substantial part of the consideration;
 - (ii) Whether the financial interest directly and substantially varies with the outcome of the official action;
 - (iii) Whether the financial interest is immediate and known or conjectural and dependent on factors beyond the official action;
 - (iv) Whether the financial or private interest is significant monetarily;
 - (v) Other factors deemed appropriate by the presiding officer under the specifics of the disclosure and the nature of the action taken before the council or commission.
- (e) A municipal officer, commission member or employee of the City of Kenai may not use, or permit others to use, any property owned by the City for profit or personal use or benefit, except:
 - (1) When available to the public generally, or to a class of residents, on the same terms and conditions;
 - (2) When permitted by written personnel policies approved by the City of Kenai;
 - (3) When, in the conduct of official business, used in a relatively minor way for personal convenience.
- (f) A municipal officer, commissioner or employee of the City of Kenai shall not take or participate in official action on matters, other than minor or routine issues, affecting a former employer for a period one (1) year from the date of termination of the prior employment.
- (g) A City employee may not participate in an official action in which he or she, or a member of his or her household, has a substantial financial interest.
- (h) A municipal officer, commissioner or employee of the City of Kenai who leaves municipal service may not for one (1) year after leaving municipal service, represent, advise, or assist a person for compensation regarding a matter that was under consideration by the City if the person participated personally and substantially in the matter through the exercise of official action. This restriction on employment after leaving municipal service does not prohibit the City from contracting with a former City employee, commissioner or municipal officer on a matter on behalf of the City. The City Council may waive application of this restriction by motion upon determination that a proposed action is not adverse to the public interest.
- (i) A municipal officer or employee of the City of Kenai is prohibited from bidding upon or otherwise obtaining any personal property items which [IS] are unneeded or surplused by the City. Municipal employees may bid or propose on real property sales, or other interests in real property, when

offered to the general public. A municipal employee cannot acquire a real property interest through a negotiated sale or lease not available or advertised to the general public and may not acquire property in which they were in a position to obtain information not available to the general public with regard to the property itself or process of sale.

- (j) A current or former municipal officer, commissioner or employee may not disclose or use information gained in the course of, or by reason of, the person's official duties that could reasonably result in the receipt of any substantial personal or substantial financial benefit for the person or his or her immediate family member unless the information has also been disseminated to the public.
- (k) A current or former municipal officer, commissioner or employee may not use or disclose without appropriate authorization, information acquired in the course of official duties that is confidential.
- (l) If any section or provision of this ordinance is held to be contrary to law by a court of competent jurisdiction, that section or provision shall be deemed invalid. All other sections and provisions of this chapter shall continue in full force and effect.
- (m) The City Clerk shall cause a copy of this section to be distributed to every municipal officer, commissioner and employee of the City of Kenai within thirty (30) days after its enactment. Each municipal officer, commissioner and employee elected, appointed or engaged thereafter shall be furnished a copy before entering into the duties of his or her office or employment.

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 21ST DAY OF MAY, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced:	April 16, 2025
Enacted:	May 21, 2025
Effective:	June 20, 2025



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: Alex Douthit, Council Member

DATE: May 14, 2025

SUBJECT: **Ordinance No. 3469-2025 Substitute - Amending KMC 1.85.060- Conflicts of Interest Prohibited, to Allow City Employees to Participate in Certain Sales Open to the Public Through a Public Process and Narrowing the Existing Prohibition on Purchases to Personal Property Items.**

The Substitute Ordinance incorporates changes discussed by the Council at the May 7, 2025 Council Meeting. It limits the ability to purchase City real property to nonconflicted employees, excluding previously included municipal officers. It also removed the words “arms length” from the WHEREAS clauses. Your consideration is appreciated.

PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: MAY 21, 2025

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PREMERA	MAY INSURANCE PREMIUM	VARIOUS	HEALTH INSURANCE	216,991.65
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	110,513.76
PERS	PERS	VARIOUS	LIABILITY	113,380.66

INVESTMENTS

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

**CITY OF KENAI
ORDINANCE NO. 3471-2025**

AN ORDINANCE ADOPTING THE ANNUAL BUDGET, SALARY SCHEDULE AND EMPLOYEE CLASSIFICATION PLAN FOR THE FISCAL YEAR COMMENCING JULY 1, 2025 AND ENDING JUNE 30, 2026 AND COMMITTING \$2,850,457 OF GENERAL FUND, FUND BALANCE FOR FUTURE CAPITAL IMPROVEMENTS.

WHEREAS it is a requirement of the Code of the City of Kenai, Alaska, that the City Council, not later than the tenth day of June, adopt a budget for the following fiscal year and make appropriation of the monies needed; and,

WHEREAS, pursuant to Kenai City Charter section 2-4, the City Council has the power to adopt a budget, raise revenue, and make appropriations; and regulate salaries and wages and all other fiscal affairs of the City; and,

WHEREAS, adoption of this Ordinance constitutes Council meeting its obligation to adopt a budget, raise revenue, and make appropriations; and,

WHEREAS, through adoption of the document entitled "Annual Budget for the City of Kenai, Alaska July 1, 2025 - June 30, 2026", which includes the City Manager presented Classification Plan and Salary Schedule, Council meets its obligation as required by KMC 23.50.10; and,

WHEREAS, committed fund balance represents resources whose use is constrained by Council self-imposed limitations at its highest level of decision making, an Ordinance, and that remain binding unless removed in the same manner; and,

WHEREAS, in recognition of deferred and ongoing maintenance needs of City facilities and in support of the City's Fiscal Year 2026 – 2030 Capital Improvement Plan (The Plan), Council commits \$2,850,457 towards funding of The Plan for fiscal years 2026-2030.

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

Section 1. That certain document entitled "Annual Budget for the City of Kenai, Alaska July 1, 2025 – June 30, 2026" which is available for examination by the public in the Office of the City Clerk, the City's website and is incorporated herein by reference is hereby adopted as the budget for the City of Kenai for the fiscal year commencing July 1, 2025 and ending June 30, 2026.

Section 2. The following sums of money are hereby appropriated for the operations of the City of Kenai for the fiscal year commencing on the first day of July, 2025, and ending the 30th day of June, 2026, to be expended consistent with and subject to the restrictions, procedures, and purposes set forth in the Code of the City of Kenai and to be expended substantially by line item in the manner shown in the budget adopted by Section 1 hereof:

General Fund	\$ 22,494,988
Enterprise Fund – Congregate Housing Fund	 751,454

Internal Service Funds:	
Equipment Replacement Fund	276,969
Fleet Replacement Fund	102,267
Employee Health Care Fund	<u>3,157,196</u>
Total Internal Service Funds	3,536,432
Special Revenue Funds:	
Personal Use Fishery Fund	555,396
Water & Sewer Fund	3,444,818
Airport Fund	4,993,258
Senior Citizen Fund	<u>1,117,500</u>
Total Special Revenue Funds	10,110,972
Permanent Funds:	
Airport Land Sale Permanent Fund	1,099,774
General Land Sale Permanent Fund	<u>159,045</u>
Total Permanent Revenue Funds	1,258,819
Capital Project Funds:	
Park Improvement	120,000
Flight Service Station Improvement	400,000
City Hall Improvement	75,000
Municipal Roadway Improvement	1,400,000
Congregate Housing Improvement	100,000
Airport Improvement	1,265,100
Water & Sewer Improvement	450,000
Waste Water Treatment Plant Equipment	<u>50,000</u>
Total Capital Project Funds	<u>3,860,100</u>
Debt Service Fund – Library Expansion Bonds	<u>130,625</u>
Total All Funds	<u>\$42,143,390</u>

Section 3. Council hereby commits \$2,850,457 of Unassigned General Fund, Fund Balance for future renovations and improvements to City facilities.

Section 4. Council hereby adopts the Fiscal Year 2026 Classification Plan and Salary Schedule presented by the City Manager and included in the “Annual Budget for the City of Kenai, Alaska July 1, 2025 – June 30, 2026”, as attached.

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 July 1, 2025.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4TH DAY OF JUNE, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



Introduced:

May 21, 2025

Enacted:

June 4, 2025

Effective:

July 1, 2025

Fiscal Year 2026 Classification Plan and Salary Schedule

Range	Job Title	A	B	C	D	E	F	AA	BB	CC	DD	EE
1	Police Trainee	\$14.52	\$14.89	\$15.25	\$15.62	\$15.97	\$16.34	\$16.96	\$17.57	\$18.20	\$18.81	\$19.43
2		\$15.25	\$15.63	\$16.01	\$16.39	\$16.78	\$17.16	\$17.81	\$18.45	\$19.10	\$19.75	\$20.40
3		\$16.01	\$16.41	\$16.82	\$17.22	\$17.62	\$18.01	\$18.70	\$19.37	\$20.05	\$20.74	\$21.42
4		\$16.82	\$17.24	\$17.66	\$18.08	\$18.50	\$18.92	\$19.64	\$20.35	\$21.06	\$21.78	\$22.49
5		\$17.65	\$18.08	\$18.53	\$18.97	\$19.41	\$19.85	\$20.60	\$21.35	\$22.10	\$22.85	\$23.60
6	Driver, Janitor, Kitchen Assistant, Parks & Rec Laborer, Recreation Center Worker	\$18.54	\$19.00	\$19.47	\$19.93	\$20.40	\$20.86	\$21.64	\$22.44	\$23.23	\$24.01	\$24.80
7		\$19.46	\$19.95	\$20.43	\$20.92	\$21.41	\$21.90	\$22.73	\$23.55	\$24.38	\$24.01	\$26.03
8	Cook, Library Aide	\$20.84	\$21.36	\$21.88	\$22.40	\$22.92	\$23.44	\$24.33	\$25.21	\$26.09	\$26.98	\$27.87
9		\$21.89	\$22.44	\$22.98	\$23.53	\$24.08	\$24.62	\$25.55	\$26.48	\$27.42	\$28.35	\$29.27
10		\$22.97	\$23.54	\$24.12	\$24.69	\$25.27	\$25.85	\$26.83	\$27.80	\$28.77	\$29.75	\$30.73
11		\$24.10	\$24.70	\$25.31	\$25.91	\$26.51	\$27.11	\$28.13	\$29.16	\$30.18	\$31.21	\$32.23
12	Library Assistant	\$25.34	\$25.97	\$26.60	\$27.23	\$27.87	\$28.51	\$29.59	\$30.66	\$31.74	\$32.81	\$33.89
13	Administrative Assistant I	\$26.61	\$27.27	\$27.94	\$28.61	\$29.27	\$29.94	\$31.07	\$32.20	\$33.33	\$34.47	\$35.59
14	Accounting Tech I, Administrative Assistant II, Animal Control Officer, Parks & Rec Maint. Tech.	\$27.94	\$28.63	\$29.34	\$30.03	\$30.73	\$31.43	\$32.61	\$33.80	\$34.99	\$36.18	\$37.36
15	Administrative Assistant III, Desktop Support Tech, Public Safety Dispatcher, Utility Operator I	\$29.31	\$30.05	\$30.78	\$31.52	\$32.24	\$32.98	\$34.22	\$35.47	\$36.71	\$37.96	\$39.21
16	Accounting Technician II, Airport Operations Specialist, Building Maintenance Tech, Equipment Operator	\$30.78	\$31.55	\$32.32	\$33.09	\$33.86	\$34.63	\$35.93	\$37.25	\$38.56	\$39.86	\$41.17
17	Chief Animal Control Officer	\$32.35	\$33.16	\$33.98	\$34.78	\$35.59	\$36.40	\$37.78	\$39.16	\$40.52	\$41.90	\$43.28
18	Communications Supervisor, Utility Operator II	\$33.95	\$34.79	\$35.64	\$36.50	\$37.34	\$38.19	\$39.63	\$41.08	\$42.51	\$43.96	\$45.40
19	Assistant Parks & Rec Director, Equipment Lead Operator, Shop Mechanic, Utility Lead Operator	\$35.65	\$36.54	\$37.43	\$38.32	\$39.22	\$40.11	\$41.63	\$43.14	\$44.66	\$46.17	\$47.69
20		\$37.41	\$38.35	\$39.28	\$40.22	\$41.16	\$42.10	\$43.69	\$45.28	\$46.87	\$48.46	\$50.04
21	Airport Operations Supervisor, Building Official, Police Officer, Shop Foreman, Street Foreman, Building Foreman	\$39.29	\$40.27	\$41.26	\$42.24	\$43.22	\$44.21	\$45.88	\$47.54	\$49.22	\$50.89	\$52.56
22	Utility Foreman II	\$41.26	\$42.29	\$43.32	\$44.35	\$45.39	\$46.42	\$48.17	\$49.93	\$51.68	\$53.43	\$55.19
23	Assistant to City Manager/Special Projects Coord, IT Manager	\$43.30	\$44.38	\$45.46	\$46.54	\$47.63	\$48.72	\$50.55	\$52.40	\$54.23	\$56.08	\$57.92
24	Police Sergeant, Assistant Public Works Director	\$45.48	\$46.61	\$47.76	\$48.89	\$50.03	\$51.16	\$53.10	\$55.03	\$56.97	\$58.89	\$60.83
25	Controller, Fire Deputy Chief	\$47.76	\$48.95	\$50.14	\$51.34	\$52.53	\$53.72	\$55.75	\$57.78	\$59.81	\$61.84	\$63.87
26		\$50.17	\$51.42	\$52.68	\$53.94	\$55.19	\$56.45	\$58.58	\$60.71	\$62.84	\$64.97	\$67.11
27	Police Lieutenant	\$52.63	\$53.95	\$55.26	\$56.58	\$57.90	\$59.21	\$61.44	\$63.69	\$65.92	\$68.16	\$70.40
28		\$55.28	\$56.67	\$58.05	\$59.44	\$60.81	\$62.20	\$64.55	\$66.90	\$69.25	\$71.59	\$73.95
Classified employees engaged in fire protection activities												
18	Firefighter	\$24.25	\$24.85	\$25.45	\$26.05	\$26.65	\$27.25	\$28.28	\$29.31	\$30.35	\$31.38	\$32.41
19		\$25.46	\$26.09	\$26.72	\$27.36	\$27.99	\$28.62	\$29.70	\$30.78	\$31.86	\$32.95	\$34.03
20	Fire Engineer	\$26.71	\$27.38	\$28.04	\$28.70	\$29.37	\$30.03	\$31.16	\$32.30	\$33.44	\$34.57	\$35.71
21		\$28.07	\$28.77	\$29.48	\$30.18	\$30.89	\$31.59	\$32.78	\$33.98	\$35.17	\$36.36	\$37.56
22	Fire Captain, Fire Marshall	\$29.48	\$30.21	\$30.95	\$31.68	\$32.42	\$33.15	\$34.40	\$35.66	\$36.90	\$38.16	\$39.41

Fiscal Year 2026 Classification Plan and Salary Schedule

Department Head

Range	Minimum	New Maximum
23 Human Resources Director, Library Director, Parks & Rec Director, Senior Center Director	\$90,062	\$126,086
24 Planning Director	\$94,602	\$132,443
25 Airport Manager	\$99,334	\$139,067
26	\$104,361	\$146,106
27 Fire Chief	\$109,475	\$153,264
28 Finance Director, Police Chief, Public Works Director	\$114,991	\$160,987

City Manager, City Clerk and City Attorney are Council-Appointed administrative offices with negotiated salaries

Temporary Employees

Range	A	B	C
1	\$14.24	\$14.60	\$14.95
2	\$14.95	\$15.32	\$15.70
3	\$15.70	\$16.09	\$16.49
4	\$16.49	\$16.90	\$17.31
5	\$17.30	\$17.73	\$18.17
6	\$18.18	\$18.63	\$19.09
7	\$19.08	\$19.56	\$20.03
8	\$20.43	\$20.94	\$21.45
9	\$21.46	\$22.00	\$22.53
10	\$22.52	\$23.08	\$23.65
11	\$23.63	\$24.22	\$24.81
12	\$24.84	\$25.46	\$26.08
13	\$26.09	\$26.74	\$27.39
14	\$27.39	\$28.07	\$28.76
15	\$28.74	\$29.46	\$30.18
16	\$30.18	\$30.93	\$31.69
17	\$31.72	\$32.51	\$33.31
18	\$33.28	\$34.11	\$34.94
19	\$34.95	\$35.82	\$36.70
20	\$36.68	\$37.60	\$38.51
21	\$38.52	\$39.48	\$40.45
22	\$40.45	\$41.46	\$42.47
23	\$42.45	\$43.51	\$44.57
24	\$44.59	\$45.70	\$46.82
25	\$46.82	\$47.99	\$49.16
26	\$49.19	\$50.42	\$51.65
27	\$51.60	\$52.89	\$54.18
28	\$54.20	\$55.56	\$56.91
29	\$56.99	\$58.41	\$59.84



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: David Swarner, Finance Director

DATE: May 14, 2025

SUBJECT: **Ordinance 3471-2025 - Adopting the Annual Budget, Salary Schedule and Employee Classification Plan for the Fiscal Year Commencing July 1, 2025 and Ending June 30, 2026 and Committing \$2,850,457 of General Fund, Fund Balance for Future Capital Improvements.**

The purpose of this memo is to recommend enactment of Ordinance 3471-2025, Adopting the Annual Budget, Salary Schedule and Employee Classification Plan for the year commencing July 1, 2025 and ending June 30, 2026.

The City Council held the following work sessions relating to the budget:

December 4, 2024 to develop the FY 2026 Budget Goals. The Council established the FY 2026 Budget Goals with the approval of Resolution 2025-04 January 15, 2025.

December 18, 2024 to discuss the Fiscal year 2026 – 2030 Capital Plan. The Capital Plan was approved by Resolution 2025-06 on January 15, 2025.

May 3, 2025 for the Administration to present the draft FY 2026 Annual Budget including the Salary Schedule and Employee Classification Plan. The draft budget document is available for public review on the City's website on the Finance Department page.

Since the last budget work session some adjustments were made to the budget for a total increase of \$52,904 in General Fund expenses due to a \$18,404 increase in the contract for the management of investments (Finance), \$30,000 increase for storefront improvements grants (Legislative), \$7,920 decrease in advertising (Legislative - moved to Non-Dept but not decreased in Legislative), and \$4,500 increase for changes to grants to other agencies (Legislative).

Changes for grant to other agencies are as follows:

- Kenai Chamber of Commerce holiday fireworks increased from \$3,500 to \$5,000
- Industry Appreciation Day removed (\$500)
- Kenai Watershed Forum increased from \$1,500 to \$2,500
- Central Area Rural Transit System increased from \$5,000 to \$7,500.

Also impacted by the increase for management of investments is Airport Fund \$5,729, Water & Sewer Fund \$3,988, Employee Health Care Fund \$2,152, Equipment Replacement Fund

\$1,758, Congregate Housing \$1,037, Fleet Replacement Fund \$544 and Personal Use Fishery Fund \$388. The total increase for management of investments for all funds is \$34,000.

The Administration will be available to answer questions regarding the FY 2026 budget during, or any time prior to, the public hearing on Ordinance 3471-2025.





Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3472-2025**

AN ORDINANCE ACCEPTING AND APPROPRIATING GRANT FUNDS 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); 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 July of 2024 through the end of March, 2025 was \$14,348.41; and,

WHEREAS overtime for these additional expenditures for drug investigations were not budgeted and the Department is requesting appropriation into the 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 \$14,348.41 and to expend those 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 –	
State Grants – Police	<u>\$14,348.41</u>

Increase Appropriations –	
Police – Overtime	<u>\$14,348.41</u>

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4TH DAY OF JUNE, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



Introduced:

May 21, 2025

Enacted:

June 4, 2025

Effective:

June 4, 2025



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: David Ross, Police Chief

DATE: May 1, 2025

SUBJECT: **Ordinance No. 3472-2025 - Accepting and Appropriating Grant Funds from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures.**

The Kenai Police Department participates in the regional drug task force. Between July of 2024 and March of 2025 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). The Police Department requested reimbursement for \$14,348.41 in overtime expenditures.

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



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3473-2025**

AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT RECEIVED THROUGH THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS TO THE KENAI ANIMAL SHELTER FOR ATTENDANCE AT THE ALASKA ANIMAL CONTROL ASSOCIATION 2025 TRAINING CONFERENCE.

WHEREAS, the Kenai Animal Shelter received a grant through the American Society for the Prevention of Cruelty to Animals in the amount of \$500; and,

WHEREAS, the Alaska Animal Control Association is hosting a training conference in Anchorage in May of this year and the grant funds are designated to support staff attendance at the conference; and,

WHEREAS, the acceptance of these grant funds to further the mission of the Animal Shelter 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 these grant funds and to expend them as authorized by this ordinance and in line with the intentions of the grant.

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

General Fund:

Increase Estimated Revenues –	
Grants – Animal Control	<u>\$500</u>

Increase Appropriations –	
Animal Control – Transportation	<u>\$500</u>

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4TH DAY OF JUNE, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



Introduced:
Enacted:
Effective:

May 21, 2025
June 4, 2025
June 4, 2025



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: David Ross, Police Chief

DATE: May 5, 2025

SUBJECT: **Ordinance 3473-2025 - Accepting and Appropriating a Grant Received Through the American Society for the Prevention of Cruelty to Animals to the Kenai Animal Shelter for Attendance at the Alaska Animal Control Association 2025 Training Conference.**

The Kenai Animal Shelter received a \$500 scholarship from the ASPCA to assist with attendance to the Alaska Animal Control Association 2025 Training Conference. The \$500 scholarship is to be used towards conference registration and lodging. The Conference will take place May 2nd-4th in Anchorage.

I am respectfully requesting consideration of the ordinance accepting and designating those funds to the Kenai Animal Shelter as they were intended.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3474-2025**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATION IN THE WASTEWATER, WATER & SEWER, AND MUNICIPAL ROADWAY IMPROVEMENTS CAPITAL PROJECT FUNDS TO TRANSFER RESIDUAL BALANCE FROM COMPLETED PROJECTS BACK TO THEIR ORIGINAL FUNDING SOURCES.

WHEREAS, \$46,206.43 remains in the Wastewater Facility Capital Project Funds from completed capital project for Masterplan & Rate Study; and,

WHEREAS, transfer of the residual \$46,206.43 to the Water & Sewer Fund, the fund from which the funds originated, will allow future appropriation of the funds for operations or future capital projects; and,

WHEREAS, \$67,035.05 remains in the Water & Sewer Capital Project Funds from completed capital project for Masterplan & Rate Study; and,

WHEREAS, transfer of the residual \$67,035.05 to the Water & Sewer Fund, the fund from which the funds originated, will allow future appropriation of the funds for operations or future capital projects; and,

WHEREAS, \$42,000 remains in the Water & Sewer Capital Project Funds from capital project for Lead Service Line Inventory Support Services that was completed by staff; and,

WHEREAS, transfer of the residual \$42,000 to the Water & Sewer Fund, the fund from which the funds originated, will allow future appropriation of the funds for operations or future capital projects; and,

WHEREAS, \$30,445.73 remains in the Municipal Roadway Improvements Capital Project Funds from completed capital project for First Avenue Roadway Repairs; and,

WHEREAS, transfer of the residual \$30,445.73 to the General Fund, the fund from which the funds originated, will allow future appropriation of the funds for operations or future capital projects; and,

WHEREAS, transfer of residual project balances back to the originating fund is in the best interest of the City.

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

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

Wastewater Facility Capital Project Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$46,206.43</u>

Increase Appropriations –	
Transfer to Water & Sewer Fund	<u>\$46,206.43</u>

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

Water & Sewer Capital Project Fund:

Increase Estimated Revenues –
Appropriation of Fund Balance \$109,035.05

Increase Appropriations –
Transfer to Water & Sewer Fund \$109,035.05

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

Municipal Roadway Improvements Capital Project Fund:

Increase Estimated Revenues –
Appropriation of Fund Balance \$30,445.73

Increase Appropriations –
Transfer to General Fund \$30,445.73

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 4TH DAY OF JUNE, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



Introduced: May 21, 2025
Enacted: June 4, 2025
Effective: June 4, 2025



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Dave Swarner, Finance Officer

DATE: May 9, 2025

SUBJECT: **Ordinance 3474-2025 - Increasing Estimated Revenues and Appropriation in the Wastewater, Water & Sewer, and Municipal Roadway Improvements Capital Project Funds to Transfer Residual Balance from Completed Projects Back to their Original Funding Sources.**

The purpose of this memo is to recommend the enactment of Ordinance 3474-2025 that will transfer the remaining balance from a completed project back to the original funding source. These transfers will allow the residual funds to be appropriated for operations or new capital projects in the future.

In total \$46,206.43 will be returned to the Water & Sewer Fund from the Wastewater Facility Capital Project Fund for the completion of the Masterplan and Rate Study \$46,206.43.

In total \$109,035.05 will be returned to the Water & Sewer Fund from the Water & Sewer Capital Project Fund for the completion of the Masterplan and Rate Study \$67,035.05 and the Lead Service Line Inventory that was conducted in house \$42,000.

In total \$30,445.73 will be returned to the General Fund from the Municipal Roadway Improvements for the completion of the First Avenue Roadway Repairs project.

With the enactment of Ordinance 3474-2025, funds will be returned to their original funding source related to the Masterplan and Rate Study projects, the Lead Service Line Inventory project, the First Avenue Roadway Repairs project, where they will reside in fund balance until the passage of future ordinances appropriating the funds for operations or other capital projects.

Your support for the enactment of Ordinance 3474-2025 is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3475-2025**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND – LEGISLATIVE DEPARTMENT AND INCREASING THE PURCHASE ORDER AMOUNT TO BDO USA, P.C. FOR THE FY2024 AND FY2025 FINANCIAL AUDITS.

WHEREAS, Council authorized a professional service contract for audit services through the passage of Ordinance 2021-25 at the April 21, 2021 meeting; and,

WHEREAS, on August 28, 2024 the City executed a one year extension of the professional service contract for audit services for \$55,000 continuing the contract through December 21, 2024; and,

WHEREAS, in conjunction with the audit for the FY2024 Annual Comprehensive Financial Report BDO USA, P.C. (BDO) provided additional technical assistance for the preparation of financial statements; and,

WHEREAS, the total cost for additional technical assistance of \$22,000 for the FY2024 audit requires additional funding; and,

WHEREAS, the annual audit fee will increase from \$55,000 to \$70,000 for the FY2025 audit; and,

WHEREAS, the FY2026 City of Kenai Annual Budget will include sufficient funding for the City's FY2025 financial audit for Council's consideration as the final one-year extension of the contract is extended with a now termination date of December 31, 2025.

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

Section 1. Upon adoption of the FY2026 City of Kenai Annual Budget, the City Manager is authorized to issue a purchase order in the amount of \$70,000 for completion of the FY2025 financial audit and an amendment to the agreement with BDO USA, P.C. that reflects the same.

Section 2. That the City Manager is authorized to execute a change order to BDO USA, P.C. in the amount of \$22,000 for the FY2024 financial audit. Purchase Order 129818 is authorized to be increased from \$55,000 to \$77,000.

Section 3. That the following budget revision is authorized:

General Fund:

Increase revenues –	
Appropriation of Fund Balance	<u>\$22,000</u>
Increase expenditures –	
Legislative – Professional Services	<u>\$22,000</u>

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 4TH DAY OF JUNE, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



Introduced:	May 21, 2025
Enacted:	June 4, 2025
Effective:	June 4, 2025



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Dave Swarner, Finance Director

DATE: May 13, 2025

SUBJECT: **Ordinance No. 3475-2025 - Increasing Estimated Revenues and Appropriations in the General Fund – Legislative Department and Increasing the Purchase Order Amount to BDO USA, P.C. for the FY2024 and FY2025 Financial Audits.**

The purpose of this memo is to request Council's approval to increase estimated revenues and appropriations from the General Fund for additional technical assistance provided during the FY2024 audit by BDO USA, P.C.

In conjunction with the audit for the FY2024 Annual Comprehensive Financial Report BDO provided additional technical assistance in the preparation of the financial statements for GASB 87 related to the financial reporting of leases by the City and how to handle terminations that were permanent and others that occurred due to newly negotiated contracts. Additional technical assistance was provided for the implementation of GASB 100 related to the reporting of the Kenai Bluff Stabilization Project and the recording of the internal audit and subsequent disposals of capital assets. The cost for the additional technical assistance came to a total of \$22,000.

As new GASB statements are introduced, the scope of the auditor's work increases. With the change in scope the final extension of the audit agreement for FY2025 would be \$70,000. This aligns with costs experienced by other cities our size and would be in the best interest of the City. The City Manager is executing a final one-year contract extension with BDO that expires on December 31, 2025. Administration may need to seek Council approval at a later date to extend further if the work cannot be completed in time.

Council's support is respectfully requested.



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Tyler Best, Parks and Recreation Director

DATE: May 12, 2025

SUBJECT: **Action/Approval - Extension to Memorandum of Understanding with the Kenai Historical Society.**

This memo requests Council approval for the City Manager to execute the attached extension of the Memorandum of Understanding (MOU) with the Kenai Historical Society for 5 years to manage and maintain the Historic Cabin Park in Old Town Kenai.

On May 20, 2020, the Council approved Resolution 2020-32, entering into an MOU with the Kenai Historical Society to manage and maintain the Historical Cabin Park in Old Town Kenai. The purpose of the agreement was to support preservation, education, and tourism activities—goals the Historical Society has successfully achieved over the past several years.

The original MOU included a provision allowing for extension upon mutual agreement. The Administration has maintained a positive working relationship with the Historical Society and greatly values their continued contributions to the community.

Attached is a letter from the Historical Society formally requesting an extension of the MOU. Your support is respectfully requested.



City of Kenai
210 Fidalgo Ave
Kenai, AK 99611

May 9, 2025

RE: Request for Continuation of MOU with the Kenai Historical Society

On behalf of the Kenai Historical Society, I am writing to formally request the continuation of our Memorandum of Understanding (MOU) with the City of Kenai Parks and Recreation Department.

Our partnership has been instrumental in preserving and promoting the rich history of our community, and we greatly value the collaboration between our organizations. We look forward to continuing this productive relationship to benefit our community members and visitors alike.

Please let us know if there are any specific documentation or formal renewal steps required at this time. We are committed to ensuring a seamless continuation of our MOU.

Thank you for your ongoing support and partnership.

Best regards,

A handwritten signature in cursive script that reads "June B. Harris".

June Harris
President
Kenai Historical Society

**EXTENSION TO THE MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF KENAI AND THE KENAI HISTORICAL SOCIETY**

The CITY OF KENAI (City) whose address is 210 Fidalgo Avenue, Kenai, Alaska 99611 and the KENAI HISTORICAL SOCIETY, INC. (Historical Society) whose address is P.O. Box 1348, Kenai Alaska, 99611, hereby extend the Memorandum of Understanding (MOU) as follows:

1. As approved by City of Kenai Resolution No. 2020-32, the MOU is extended by mutual agreement until May 30, 2030.
2. Except as expressly modified or stated herein, all other terms and conditions of the Agreement remaining in full force and effect.

CITY OF KENAI

BDO USA, LLP,

By: _____
Terry Eubank Date _____
City Manager

By: _____
June B. Harris Date
President

ACKNOWLEDGMENTS

STATE OF ALASKA)
)ss
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ____ day of _____, 2025, the foregoing instrument was acknowledged before me by Terry Eubank, City Manager of the City of Kenai, Alaska, an Alaska home rule municipality, on behalf of the City.

Notary Public for Alaska
My Commission Expires: _____

STATE OF ALASKA)
)ss
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this ____ day of _____, 2025, by June B. Harris, President, Kenai Historical Society, an Alaska municipal corporation, on behalf of the corporation.

Notary Public for Alaska

My Commission Expires:_____

ATTEST:

City Clerk

SEAL:

APPROVED AS TO FORM:

Scott M. Bloom, City Attorney

**KENAI AIRPORT COMMISSION – REGULAR MEETING
MAY 8, 2025 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR GLENDA FEEKEN, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Airport Commission was held on May 8, 2025, in the Kenai City Council Chambers, Kenai, AK. Chair Feeken called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Chair Feeken led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Glenda Feeken, Chair
James Bielefeld
Dan Knesek

Paul Minelga, Vice Chair
Jacob Caldwell
James Zirul

A quorum was present.

Absent:

Cody Whicker

Also in attendance were:

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

3. Agenda Approval

MOTION:

Vice Chair Minelga **MOVED** to approve the agenda as presented. Commissioner Caldwell **SECONDED** the motion.

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

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

1. April 10, 2025 Regular Meeting Minutes

MOTION:

Commissioner Bielefeld **MOVED** to approve the April 10, 2025 Airport Commission minutes. Commissioner Knesek **SECONDED** the motion.

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

E. UNFINISHED BUSINESS – None.

F. NEW BUSINESS

1. **Discussion/Recommendation** - Recommending Council Award a Special Use Permit to Empire Airlines for 11250 square feet of apron space for aircraft parking.

MOTION:

Commissioner Caldwell **MOVED** to recommend City Council award a Special Use Permit to Empire Airlines for 11250 square feet of apron space for aircraft parking. Commissioner Bielefeld **SECONDED** the motion.

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

UNANIMOUS CONSENT was requested on the motion.

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

2. **Discussion/Recommendation** – Recommending Council Approve the First Amendment to the Agreement for ATM Services with Tyler Distributing Company, Inc.

MOTION:

Commissioner Knesek **MOVED** to recommend City Council approve the First Amendment to the Agreement for ATM Services with Tyler Distributing Company, Inc. Commissioner Caldwell **SECONDED** the motion.

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

UNANIMOUS CONSENT was requested on the motion.

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

3. **Discussion/Recommendation** – Recommending Council Award a contract for Janitorial Services for the Airport Terminal.

MOTION:

Commissioner Caldwell **MOVED** to recommend City Council award a contract for Janitorial Services for the Airport Terminal. Commissioner Bielefeld **SECONDED** the motion.

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

UNANIMOUS CONSENT was requested on the motion.

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

G. REPORTS

1. Airport Manager – Airport Manager Ables reported on the following:
 - Kenai Peninsula Air Fair is June 14.
 - Aleutian Airlines starts flying June 6.
 - Part 139 Inspection took place this week.
2. Commission Chair – Chair Feeken encouraged everyone to attend the Kenai Peninsula Air Fair.
3. City Council Liaison – Council Member Daniel reported on recent actions of the City Council.

[Clerk's Note: Commissioner Zirul arrived 6:09 p.m.]

H. ADDITIONAL PUBLIC COMMENTS – None.

I. NEXT MEETING ATTENDANCE NOTIFICATION – June 12, 2025

Commissioner Knesek noted he may attend remotely.

J. COMMISSION QUESTIONS AND COMMENTS

Vice Chair Minelga asked about the inspection; it was reported that it went well.

K. ADJOURNMENT

L. INFORMATIONAL ITEMS

1. Administrative Report

There being no further business before the Airport Commission, the meeting was adjourned at 6:12 p.m.

I certify the above represents accurate minutes of the Airport Commission meeting of May 8, 2025.

Meghan Thibodeau
Deputy City Clerk

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

**KENAI PARKS & RECREATION COMMISSION – REGULAR MEETING
MAY 1, 2025 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR GRANT WISNIEWSKI, PRESIDING**

Page 140

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Parks & Recreation Commission was held on May 1, 2025, in the Kenai City Council Chambers, Kenai, AK. Chair Wisniewski called the meeting to order at approximately 6:06 p.m.

1. Pledge of Allegiance

Chair Wisniewski led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Grant Wisniewski, Chair
Sharon Fisher
Bridget Grieme

Michael Bernard
Marti Pepper

A quorum was present.

Absent:

Kyle Graham, Vice Chair

Charlie Stephens

Also in attendance were:

Tyler Best, Parks & Recreation Director
Jenna Brown, Parks & Recreation Assistant Director
Meghan Thibodeau, Deputy City Clerk
Alex Douthit, City Council Liaison

3. Agenda Approval

MOTION:

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

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

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

1. April 3, 2025 Regular Meeting Minutes

MOTION:

Commissioner Grieme **MOVED** to approve the April 3, 2025 Parks & Recreation Commission minutes. Commissioner Bernard **SECONDED** the motion.

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

E. UNFINISHED BUSINESS – None.

F. NEW BUSINESS

1. **Discussion/Recommendation** - Approval of City of Kenai Leif Hansen Memorial Park Policy No. PRK-70.002.

MOTION:

Commissioner Bernard **MOVED** to recommend approval of City of Kenai Leif Hansen Memorial Park Policy No. PRK-70.002. Commissioner Fisher **SECONDED** the motion.

Director Best gave a staff report from information provided in the work session packet.

UNANIMOUS CONSENT was requested on the motion.

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

2. **Discussion/Recommendation** - Amending the Kenai Municipal Cemetery Regulations and Fee Schedule, to Revise Marker and Headstone Regulations and Other Housekeeping Amendments.

MOTION:

Commissioner Bernard **MOVED** to recommend amending the Kenai Municipal Cemetery Regulations and Fee Schedule, to Revise Marker and Headstone Regulations and Other Housekeeping Amendments. Commissioner Fisher **SECONDED** the motion.

Deputy Clerk Thibodeau gave a staff report from information provided in the packet.

Clarification was provided that the Clerk's Office was working on a long-term plan for identifying and marking plots that were unmarked or improperly marked.

UNANIMOUS CONSENT was requested on the motion.

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

3. **Discussion/Recommendation** - Amending the Kenai Recreation Center Open Hours.

MOTION:

Commissioner Bernard **MOVED** to recommend amending the Kenai Recreation Center Open Hours. Commissioner Pepper **SECONDED** the motion.

Director Best gave a staff report from information provided in the packet, and explained the different times being considered and what factors played into the suggested hours of operation.

VOTE:

YEA: Wisniewski, Bernard, Fisher, Pepper, Grieme

NAY: None

ABSENT: Graham, Stephens

MOTION PASSED.

G. REPORTS

1. Parks & Recreation Director – Director Best reported on the following:
 - Yellow bags for garbage pickup are available at the Chamber building.
 - Recognized Dan Belmer, President of the Rugby Club and his commitment to the garbage pickup effort in years past.
 - Discussed slash and how it is defined, and what metrics are tracked at the City Slash Site.

2. Commission Chair – No report.
3. City Council Liaison – Council Member Douthit reported on recent actions of the City Council.

H. ADDITIONAL PUBLIC COMMENTS – None.

I. NEXT MEETING ATTENDANCE NOTIFICATION – June 5, 2025

J. COMMISSION QUESTIONS AND COMMENTS

Commissioner Pepper asked if there would be a 5:30 p.m. meeting next month; it was noted there was not currently one scheduled.

Commissioner Fisher asked about scheduling for the Parks Tour; it was clarified that a date had not been set.

Director Best noted that there is a community survey open for feedback regarding the Parks Master Plan.

K. ADJOURNMENT

L. INFORMATIONAL ITEMS

1. Event Flyers

There being no further business before the Parks & Recreation Commission, the meeting was adjourned at 7:04 p.m.

I certify the above represents accurate minutes of the Parks & Recreation Commission meeting of May 1, 2025.

Meghan Thibodeau
Deputy City Clerk



KENAI

City of Kenai - Animal Control | 510 N. Willow St, Kenai, AK 99611 | 907.283.7353 | www.kenai.city

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
THROUGH: Dave Ross, Police Chief
FROM: Juliana Scherma, Animal Control Chief
DATE: May 2, 2025
SUBJECT: April 2025 Monthly Report

This month the Kenai Animal Shelter took in 21 animals.

DOGS:				
	INTAKE	16	DISPOSITION	18
	Waiver	10	Adopted	11
	Stray	5	Euthanized	1
	Impound	1	Claimed	6
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	0
CATS:				
	INTAKE	5	DISPOSITION	7
	Waiver	3	Adopted	6
	Stray	2	Euthanized	1
	Impound	0	Claimed	0
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	0

OTHER ANIMALS:				
	INTAKE	0	DISPOSITION	0
	Chinchilla	0	Chinchilla	0
	DOA:	0	OTHER STATISTICS:	
	Dog	0	Licenses (City of Kenai Dog Licenses)	33
	Cat	0	Rabies Clinic	61
	Rabbit	0		
	Bird	0		

0 Animal dropped with After Hours (days we are closed but cleaning and with KPD)
 38 Field Investigations & patrols
 4 Pet Food Bank Request
 3.75 Volunteer Hours Logged
 0 Citations
 3 Educational Outreach
 40 Microchips

Total Animal Contacts:

6 Animals are *known* borough animals
 6 Animals are *known* City of Kenai
 9 Animals are *known* City of Soldotna
 0 Animals are *unknown* location

Statistical Data:

190 2023 YTD Intakes
 148 2024 YTD Intakes
 110 2025 YTD Intakes

This month, the shelter actively engaged with the community through several impactful events. It welcomed a local Girl Scout troop for an educational visit, providing the scouts with insight into animal care and enrichment. Shelter staff also attended the Kenai Easter Egg Hunt. We were able to connect with local families, give out free animal related items, and advertise for the upcoming rabies clinic and spay/neuter clinic. At the end of the month, the shelter hosted a successful public rabies clinic, providing low-cost vaccinations and microchipping for over 60 community pets. Staff and volunteers worked efficiently to deliver high-quality care while promoting public health and responsible pet ownership.





KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: Derek Ables, Airport Manager

DATE: May 10, 2025

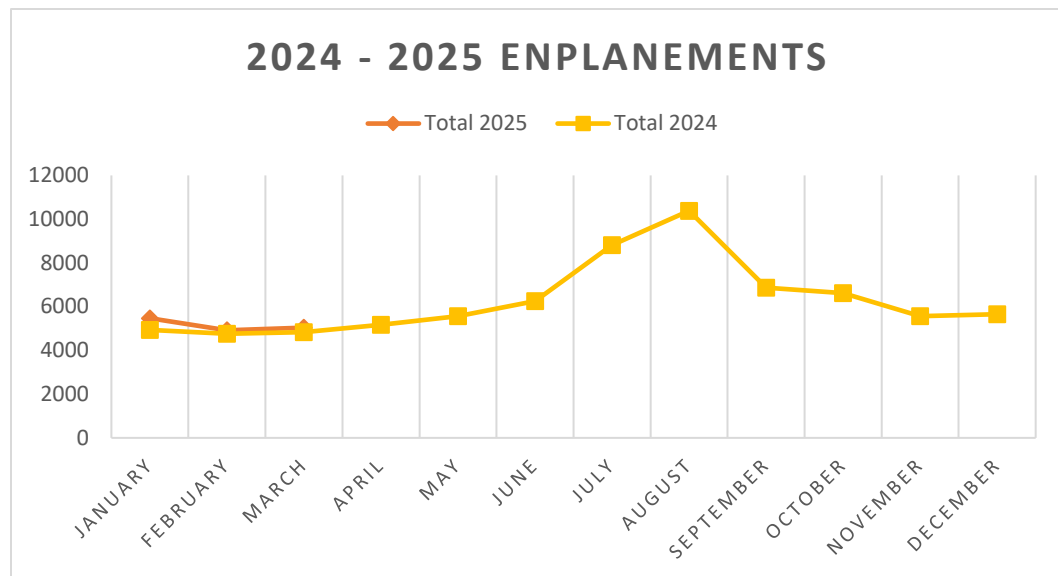
SUBJECT: **Airport Mid-month Report April 2025**

The Airport successfully completed the bid process for janitorial services, securing a provider to maintain high standards of cleanliness throughout the facility. Planning for the June 14 Air Fair is progressing smoothly, with strong vendor interest and a variety of exciting prizes donated for the Show and Shine event. The community's enthusiasm continues to build as preparations move forward. Additionally, the Runway Safety Action Team (RSAT) meeting was held on April 14 in coordination with the Air Traffic Control Tower to review airfield operations and discuss safety enhancements.

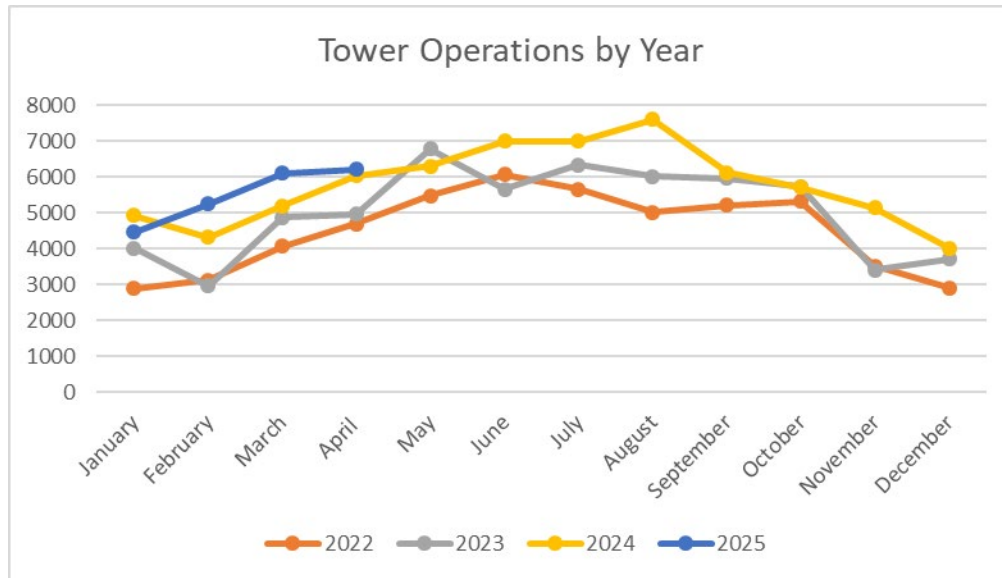
Operational readiness remains a top priority. The Operations and Police departments completed their annual wildlife hazard management training, reinforcing safety protocols across the airfield. On April 28, the Airport also conducted its post-season snow meeting to assess the winter response and identify areas for improvement. These initiatives reflect the Airport's ongoing commitment to safety, efficiency, and public engagement.

ENA Airline Enplanements

Month	Grant 2025	Kenai 2025	Grant 2024	Kenai 2024	Total 2025	Total 2024	Change from 2024 to 2025
January	4466	1003	3218	1719	5469	4937	532
February	4001	917	3207	1553	4918	4760	158
March	3973	1072	3508	1325	5045	4833	212
April			3847	1326		5173	
May			4024	1546		5570	
June			4635	1624		6259	
July			6585	2231		8816	
August			7584	2798		10382	
September			5291	1583		6874	
October			5090	1528		6618	
November			4301	1267		5568	
December			4338	1321		5659	
Total	12440	2992	55628	19821	15432	75449	902



Tower Operations



Year	2022	2023	2024	2025
January	2882	4009	4927	4451
February	3117	2965	4313	5250
March	4069	4874	5192	6099
April	4697	4957	6022	6215
May	5472	6786	6297	
June	6072	5660	6998	
July	5654	6337	6991	
August	5020	6007	7602	
September	5215	5950	6118	
October	5312	5724	5710	
November	3517	3404	5140	
December	2907	3699	4010	
Total	53934	60372	69320	22015





KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Dave Swarner, Finance Director

DATE: May 9, 2025

SUBJECT: Finance Department Mid-Month Report – April 2025

The department is preparing for the adoption of the City's FY2026 Budget. The budget ordinance 3471-2025 introduction is scheduled for the May 21st Council meeting and Budget adoption is scheduled for the June 4th. City code requires adoption by June 10th. The Resolution establishing the 2024 mill rate is also scheduled for adoption on June 4th to coincide with adoption of the FY2025 Budget Ordinance.

The FY24 ACFR was presented to council on April 16th.

Also being prepared for the June 4th meeting is a resolution to amend the City's Schedule of Rates, Charges and Fees. The amendment will include those increases included in the FY2026 Budget.

PERS submissions for prior periods were completed before the April 30th deadline. We are back on the regular schedule for PERS payments.



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Jay Teague, Fire Chief

DATE: May 8, 2025

SUBJECT: Fire Department Mid-Month Report – March.

April	2024	2025	% change
Month totals	101	98	-3%
EMS	71	74	+4.2%
All Other	30	24	-20%
Year Total	527	498	-5.5%

Total training hours:

- Total recorded hours- (384)

Special Topics/external training

- Attended CINGSA Plant Annual Site Safety Training
- FF Nelson successfully completed ARFF Academy
- Attended training with Coast Guard Flotilla
- ARFF Audit complete in preparation for FAA Inspection
- New Hire FF Marcus Lopez onboarded (B-Shift)
- SEMT Documentation submitted for City of Kenai
- Division of Forestry Wildland Fire Annual Refresher completed.

Upcoming training/events

- Coast Guard Water Operations Training
- Preparing for Tri-Annual Airport Drill
- Kenai hosted FEMA ICS 300/400 Courses at Regional Training Center (KFD had 6 officer attendees)
- Bluff Stabilization Project Site Safety Inspection scheduled for May 8th.
- Annual ARFF Live Fires Scheduled

Projects/Grants/Misc:

- Still waiting for awarding of AFG grant (April timeframe for awarding).
- Have not received SEMT Final Payments.
- Contracts completed with FIRST DUE; department will begin integration in May for the new RMS platform.
- New HandTevy Platform acquired; will be online after training in May.

Budget/Misc:

- New Firefighter, Scott Butler starts work mid May.
- Fire Marshal completed 25 scheduled Facility Inspections for April.





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Stephanie Randall, Human Resources Director
DATE: May 7, 2025
SUBJECT: Human Resources Activity – April 2025

Recruitment

Human Resources worked with the Public Works Department to recruit and hire a Utility Operator. The Parks Department is actively recruiting for Temporary Maintenance and Temporary Fishery Workers as well as a part-time Recreation Center Attendant. The Senior Center is recruiting to fill a part-time driver position. Kenai Police department is currently recruiting for a full-time public safety dispatcher.

Safety

There were two accident reports submitted in April, with no employee injuries.

Employee Recognition and Awards

The following Employees received certificates of appreciation in recognition of their years of employment with the City: 5 years: Eric Jean, Makayla Derkevorkian, Katja Wolfe, Hannah Meyer, Stephen Turkington, Mitchel Miller, Jennifer Savely; 10 years: Scott Morris, Dustin Voss, Terry Franzini, Kristi Hershberger, Rebecca Bush, Marti Anderson, Stacey Day, Cory Lehl; 15 years: Kayla Feltman; 20 years: Quincy Blatchford, Susan Joy; 30 years.

Special Projects

Human Resources continues to work with Administration to develop written Human Resources policies and procedures that support and align with Kenai Municipal Code. Having clear policies and procedures will help to provide consistent guidance to employees, ensuring that expectations, responsibilities, and processes are understood across all departments.

Human Resources attended the Kenai Peninsula Job Fair representing the City of Kenai to promote job opportunities highlighting our summer temporary positions. Representatives from Parks and Recreation, Police and Fire Departments also participated throughout the day.

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: Katja Wolfe, Library Director

DATE: May 3, 2025

SUBJECT: Library Report for April 2025

SERVICES



6623 Visitors
43 New Members



548 Computer Sessions
6615 WiFi Sessions



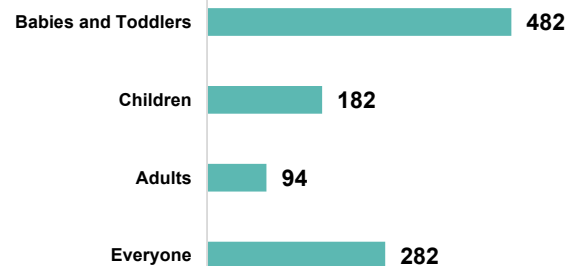
213 Room Reservations
407 Hours of Use

PROGRAMS AND EVENTS

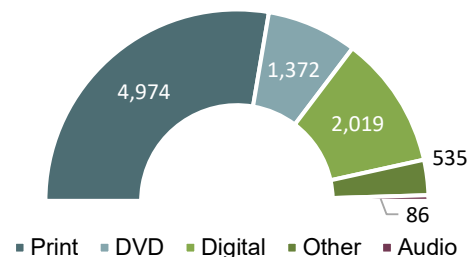
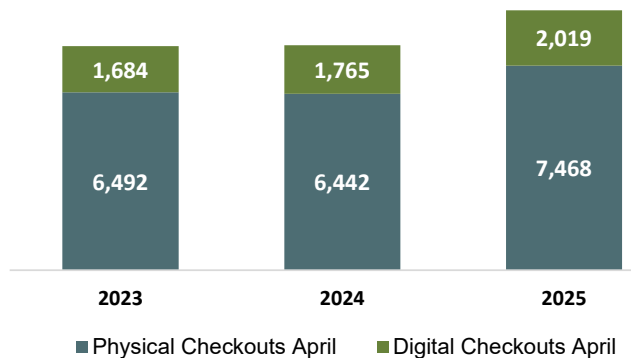


1040 Participants
72 Programs

Program Attendance



CIRCULATION



*Does not include in-house use.



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Tyler Best, Parks and Recreation Director

DATE: May 12, 2025

SUBJECT: Mid-Month Report-April

Parks and Recreation conducted interviews for all summer positions this month. Meanwhile, maintenance staff have been inspecting playgrounds and preparing the soccer, baseball, and softball fields for the season.

On April 19th, we held the annual Easter Egg Hunt at Municipal Park. Approximately 3,000 eggs were hidden throughout the park, and in an estimated 45 seconds, they were all picked up. To ensure no child went without getting an egg, the Easter Bunny kept extra eggs on hand to hand out afterwards.

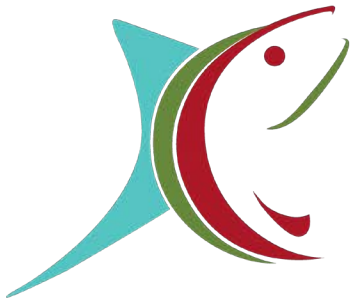
On April 29th, Parks and Recreation hosted a public workshop at the Kenai Chamber to gather initial input for its Master Plan. All community members were invited to attend. For those unable to join in person, an online survey was made available and remained open through May 21st.

On Saturday, May 31st, we will be hosting our annual plant day event (see flyer below) and our annual Kite Festival (see flyer below).

Rec Center Visits

April

Weight Room/Cardio Room	1237
Racquetball /Wallyball	290
Shower/Sauna	132
Gymnasium	1230
Gym Rental Visits	582
Total Number of Visits	3471



KENAI

CITY OF KENAI PRESENTS

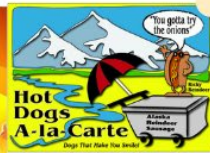
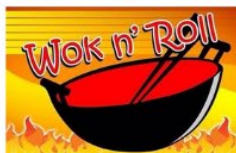
KITE FESTIVAL

LET FUN TAKE FLIGHT!

SATURDAY MAY 31 12PM - 3PM
MILLENNIUM SQUARE FIELD



Lunch Options
Available
for Purchase!



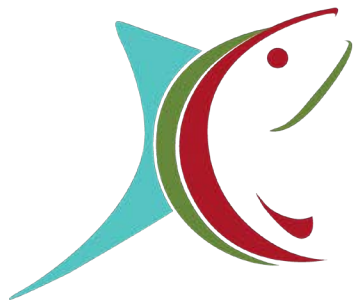
ALASKA KITERS DEMO
BUILD-A-KITE STATION
FROZEN TREATS, FIELD GAMES,
BUBBLES, MUSIC & MORE!
(ALL FREE - while supplies last)

Walmart

SAFEWAY

A special thank you to volunteers
& event contributors.





KENAI



PLANTING DAYS VOLUNTEERS NEEDED!

Come team up with The City of Kenai Parks and Recreation to elevate the Kenai Flower Beds for the upcoming Summer!

When? **Saturday, May 31st 10 AM - 12:00 PM**

Where? **Kenai City Hall Building
210 Fidalgo Ave.**



Following our event, Lunch will be hosted at the Kenai Fire Station for all planting volunteers!



***ALL Ages, No Experience Necessary -
Please Bring Gardening Gloves!
(Limited Availability)***



Come together with fellow residents for a day of environmental stewardship as we work to remove litter and beautify Kenai. Clean up supplies will be provided. Every hand makes a lighter load!

Saturday May, 3rd 10:00 AM - 12:30PM

Meet at: Kenai Chamber of Commerce & Visitors Center
parking area - 11471 Kenai Spur Hwy

Contact: parks@kenai.city



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Tyler Best, Parks and Recreation Director

DATE: May 13, 2025

SUBJECT: **Kenai River Special Management Area (KRSMA) Advisory Board Meeting Recap**

Tyler Best is the City of Kenai representative for the KSRMA Advisory Board. The City of Kenai is a voting member of this advisory board. The Kenai River Special Management Area Advisory Board was originally created in 1985 under the authority of A.S. 41.21.510. The original Board was charged with developing a comprehensive management plan for the Kenai River. The original Comprehensive Plan was completed, and the Board disbanded in 1986. In 1988, a new board was appointed to advise the Department of Natural Resources on implementing the Plan. In 1997, the Board worked to update the Kenai River Comprehensive Management Plan, and it was adopted in December 1997. In May 2004, the Alaska Legislature passed a bill that changed the composition of the board from what the law had directed in the original 1984 KRSMA statute.

Attached is a recap of the KRSMA meeting held on March 13th at 5:30 pm and April 10th at 5:30 pm at the Kenai Wildlife Refuge.

Kenai River Special Management Area Advisory Board Meeting Recap

I attended the Kenai River Special Manager Advisory Board meeting on March 13th at 5:30 p.m. The Board consists of 17 members: 9 public members, three agency voting members, and five agency non-voting members.

Public Comment

Kevin Duffy from Trout Unlimited and Alexa Millard shared several educational and outreach initiatives currently underway. They announced an upcoming youth fly fishing camp and a planned riparian planting day in Hope. They are also organizing coastal stewardship classes in Seward and working with the store The Goods to offer additional educational sessions. A community event, "Day at the River," will be held at Centennial Park on May 10 from 10 a.m. to 4 p.m., featuring educational activities and a gear swap. There was also positive feedback about the City of Soldotna's support and a suggestion to develop the Kenai River Guide Ambassador Program further.

Alaska State Parks Report

- Seeking seasonal employee housing in Homer and Seward; most KRSMA associated positions are filled.
- Seasonal hiring begins mid-May.
- In-water work permits are beginning to come in—any significant private projects will be reported to the KRSMA board.
- Recruitment is open for board seats; three positions will expire in 2025.
- Piling removal at "the Keys" is underway

DEC Report

- Preparing for a busy summer field season.
- Rain garden installed by Kenai Peninsula Borough for educational use

ADF&G Report

- No report.

United States Fish and Wildlife Service

- No report.

United States Forest Service

- Ongoing hiring struggles at Russian River. Currently, only one staff member is assigned to the area.
- Seeking additional coverage, especially a law enforcement officer before the fishing season.
- Russian River Road construction will begin March 24 and continue until just before Memorial Day. Full traffic flow expected in June, with paving in August.
- Alex McLain will be present Wednesday through Sunday during peak season.

City of Kenai

- Bluff erosion project ongoing—rock delivery scheduled around May 17.



City of Soldotna

- Seasonal job postings are active.
- The outflow project is in progress. Upcoming work includes repacking the river screen next month.
- Questions raised about budgeting for lagoon dredging; ideally scheduled every 5 years.

Kenai Peninsula Borough

- Quiet period, though bond discussions are expected at the next meeting.
- Monitoring state legislative developments that may impact the borough.

Committee Reports

Guide Advisory Committee

- Met to discuss commercial use stipulations at Eagle Rock Boat Launch.
- State Parks clarified that guides may launch boats but not stage clients at Eagle Rock.
- Proposal to remove guide-specific restrictions to ensure clarity and fairness.
- Review of 23 stipulations; generally, 2–3 reviewed per year.
- Committee expressed concern over the process for stipulation enforcement and requested early consultation on changes.

Motion: Write a letter to the Commissioner requesting a stipulation review and a reset across the board. Passed unanimously.

(Recommend that State Parks include all stipulations transparently and remove Stipulation #32, with clear language that avoids phrases like "revocable at will.")

Public Comment

No Public Comment

Discussion

Review the attendance policy and remove members who have violated it per the bylaws. To reviewed at the next meeting

Kenai River Special Management Area Advisory Board Meeting Recap

I attended the Kenai River Special Manager Advisory Board meeting on April 10th at 5:30 p.m. The Board consists of 17 members: 9 public members, three agency voting members, and five agency non-voting members.

Meeting Date: April 10

Presentations

I. State Parks / USFWS Special Use Permit Presentation – Repair and Habitat-Related Permits

- Presentation focused on the permitting process guided by the matrix outlined in the Kenai River Management Plan by zone.
- The matrix ensures uniformity among agencies issuing permits and avoids conflicts.
- The index is in the KRSMA management plan



Agency Reports

DNR State Parks

- Schematic design is underway for Big Eddy site improvements.
- Multiple state park landings have opened for the season.
- Host hiring is complete for 2025 in the KRSMA area, including 10 volunteers.
- Funding was secured for trail work at Morgan's Landing and Bing's Landing.
- Rising gold prices have increased interest in recreational gold mining. Regulations are in place under KRSMA, and additional lands may be considered for mining access.

DEC

- Working on a Homer-area marine beach pathogen monitoring program.
- Partnering with Kachemak Land Trust on the "Baby Salmon Live Here Too" outreach project.
- Conducting a water quality assessment by sampling 50 sites from Kachemak Bay to Chinitna Bay, focusing on areas with high cruise ship activity.

ADF&G

- No formal report submitted at this meeting.

USFWS

- Construction on the Russian River boardwalk is halfway complete.
- Dead trees are being removed to protect new structures.
- Dolly Varden area repairs are in progress; funding was reallocated for the project.
- Seasonal hiring has been approved; however, the permitting office is understaffed, and hours may not be accurate that are posted—permit seekers are advised to call ahead.

USFS

- Alex McLain continues as only Russian River Coordinator due to a hiring freeze.
- Tim Lorenzini is leaving the Forest Service.
- New mining plan requests are increasing following a federal push for logging and land productivity.
- Quartz Creek is now open with no fee or services.
- Russian River Road construction resumed and will continue until Memorial Day weekend.

City of Kenai

- Dock remains open, though the bathrooms are closed.

City of Soldotna

- Hiring for campground staff is underway, with campgrounds set to open mid-May.
- The outflow project on the river is expected to proceed quickly once initiated.

Kenai Peninsula Borough

- Roof repair contract for the Kenai River Center is being awarded.
- The borough is reviewing property tax assessments and requesting the legislature to consider caps on property mills.

Committee Reports

- **Guide Advisory Committee** – No meeting has been held since the last report.
- **Habitat/River Use Committee** – No meeting held.

Old Business

- Reviewed the absences of several board members. One resignation was excused due to valid reasons; another member's situation was reviewed.



New Business

- Discussed and moved to remove Wayne Wilson from the KRSMA board for violating the attendance policy. The President of the board said he had made several attempts to contact him, but had not heard back from Mr. Wilson.

a. The City of Kenai and the Kenai Borough did not support the motion. Both said that they would give no vote on the matter.

b. Mr. Wilson was at the meeting and spoke up after the discussion, and said he would attend future meetings, and the motion of the floor was rescinded.

- Revision of a commission letter is in progress to include corporate entities.

Discussion/Announcements**Announcements**

- Matt Conner (USFWS) announced his resignation.
- Noted letter noting Ted's resignation from the board.

Public Comment

- Acknowledgment to the City of Kenai for efforts to get the dock installed.





KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

THROUGH: Kevin Buettner, Planning Director

FROM: Beth McDonald, Planning Assistant

DATE: May 7, 2025

SUBJECT: Planning and Zoning – April 2025 Monthly Report

General Information

The Planning and Zoning Department has been engaged with the development of a presentation for the City of Kenai for the CDC's Walkability Action Institute Kenai Peninsula group. Code Enforcement remains a centerpiece of the department, as we strive to ensure full compliance with the new policies. Due to changes at the Federal level, the Hazard Mitigation Plan is not moving forward as funding for completion is not available. The department is considering alternative plans to position the City for current and future grant funding opportunities. The Planning and Zoning Department has also been active in the City working group for the Airport Master Plan, guiding development at the Kenai Municipal Airport into the future.

Department Summary

Lands & Leases:

- Continued updating of P/W water and sewer map
- Continued cleaning up Zoning map
- Continued reviewing and itemizing of leases
- Discussed plats, easements and leases with various departments, surveyors and members of the public
- Negotiated City Lands Appraisal Bid
- Special Use Permits for NILCHIL Solutions and Weaver Bros.
- Executed and recorded ENA (Everts Air Fuel) Lease of Airport Lands
- Worked with Borough Planning to correct GIS errors within City limits
- Discussions with KPHI re: impending subdivision design

Planning & Zoning:

- See attached report.

Code Enforcement and Compliance

In April, Planning and Zoning received two (2) complaints, and one (1) cases was closed. Cumulatively, there are a total of nine (9) still open cases for 2024, eleven (11) for 2025. Staff continues to work to stay up to date with Code Enforcement, and work with property owners to bring their properties into compliance with Kenai Municipal Code.

See attached report for the current case breakdown and statuses.

Planning and Zoning Commission

One (1) public meeting was held in the month of April with the following actions/recommendations.

PZ2025-14 - Recommending Approval to Rezone 28 Parcels Located Near the Intersection of the Kenai Spur Highway and Wildwood Drive from Suburban Residential (RS) to General Commercial (CG) Zoning District.

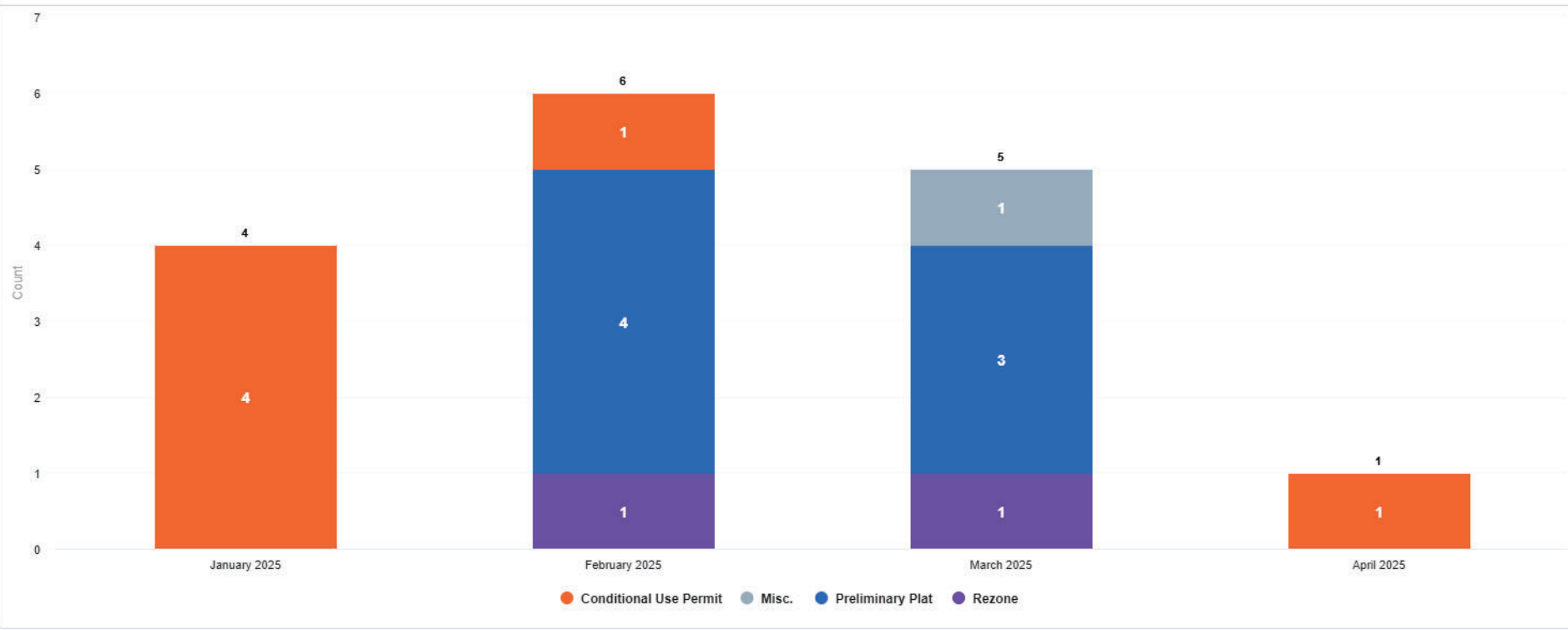
Commissioner Joe Halstead stepped down from the Planning& Zoning Commission, with his last day being March 26th. During the April 23rd meeting, Jeanne Reveal joined the Commission. Jeff Twait was elected chair, and Sonja Earsley stepped into the Co-Chair position.



Project Planning

May 07, 2025 | 14:53:19

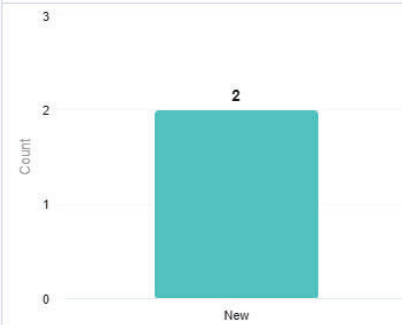
YTD Planning Applications



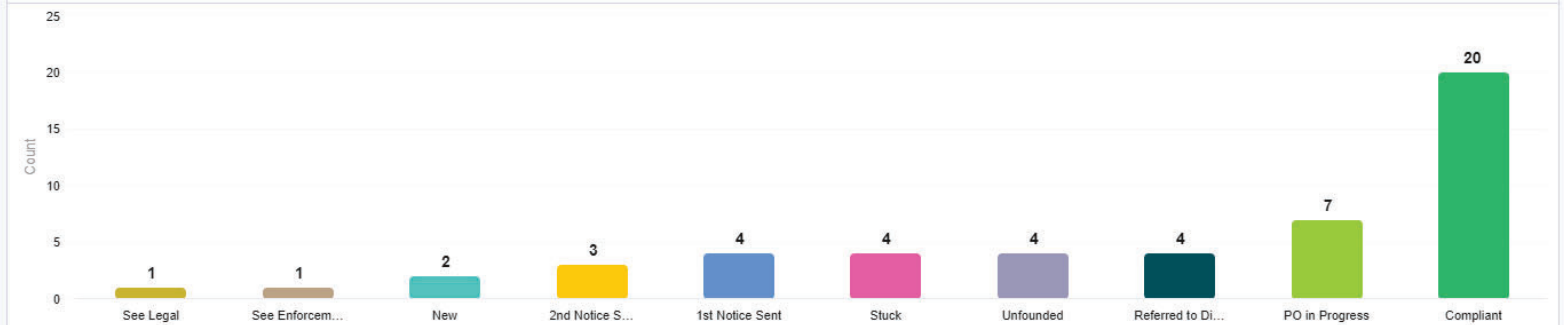
Complaints

May 07, 2025 | 14:45:21

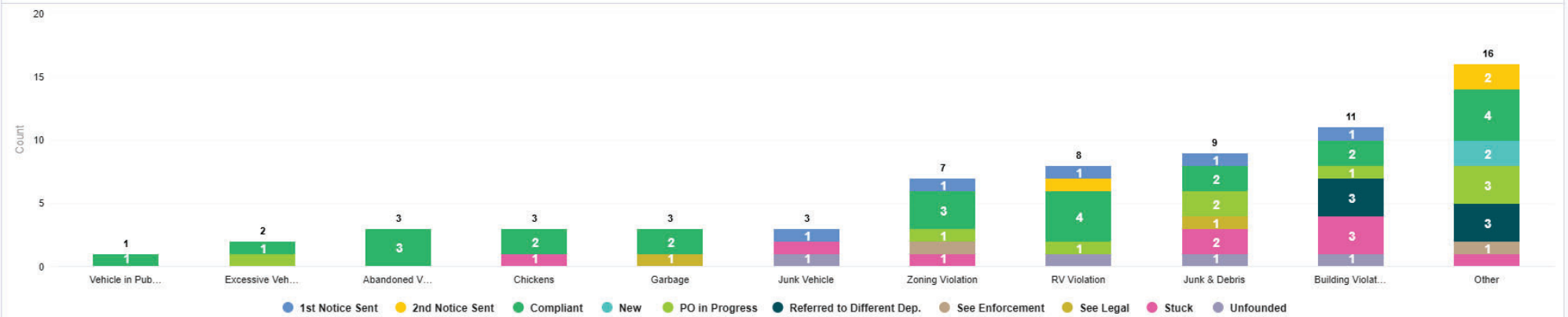
Last Month



Case Status



Cases by Violation Type (Can Overlap)





KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: David Ross, Police Chief

DATE: May 5, 2025

SUBJECT: **Police & Communications Department Activity – April 2025**

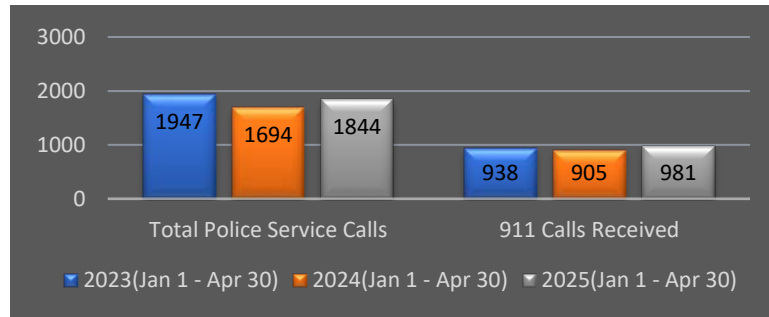
Police handled 476 calls for service in April and 206 calls were received by dispatch via 911. Officers made 34 arrests. Traffic enforcement resulted in 164 traffic contacts with 45 traffic citations issued and there were 6 DUI arrests. There were 12 reported motor vehicle collisions. There were no collisions involving moose or caribou, and 1 collision involving drugs or alcohol.

One new Officer completed his third of four months at the Police Academy in Sitka. The officer on the regional SWAT team attended two days of training. One police supervisor attended the Alaska Emergency Management Conference for four days in Anchorage. Two police supervisors attended two Incident Command System classes, hosted in Kenai, for five days. One officer attended a week-long Crisis Negotiation class in Nevada. One Officer attended a week-long Child Interview class in Anchorage. One dispatcher attended the week-long Navigator 2025 Public Safety Conference in Florida.

One new police officer from Utah will start employment in Kenai on May 12th and that officer is a lateral officer with significant experience. Due to a new vacancy, the Dispatch Center is recruiting for for a full-time dispatcher position.

Pursuant to Kenai Municipal Code section 7.15.090(d)(2), 14,350 rounds of .40 & .45 caliber ammunition were traded to 907 Ammo and Great Northern Guns in exchange for 9mm ammunition (The Department has undergone a transition to 9mm handguns). This notification of disposal is intended to meet the requirements of KMC 7.15.090(d) to report the disposal of police property to the City Manager and City Council.

The School Resource Officer (SRO) participated in an intruder drill at KCHS and also participated in Prom. The SRO taught DARE classes at Kaleidoscope. The SRO also handled a number of police related calls at various schools.





KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Lee Frey, Public Works Director
DATE: May 12, 2025
SUBJECT: **Public Works Mid-month Report May 2025**

Capital Projects currently in process:

- Parks & Recreation Master Plan – Project ongoing
- Emergency Services Facility Assessment – Project ongoing
- Dugout Replacement Construction – Project ongoing
- KMA Apron Sealcoating and Crack Sealing – Bids opened, Waiting for FAA Funding
- Kenai Municipal Airport Runway Rehabilitation Project - In design phase
- Kenai Municipal Airport Operations Building HVAC Controls Upgrade & Boiler Replacement Project – Construction/Submittal approvals through FAA
- Kenai Municipal Airport Master Plan Update – In process
- USACE Kenai Bluff Bank Stabilization Project – Construction to start May 16
- Wastewater Plant Digester Blowers Replacements – Reviewing bid
- Water Treatment Plant Pumphouse – In design
- Harbor Float Replacement – Procuring materials
- Aliak Storm Drain Repairs – Contracting with design engineer to begin project
- Community Wildfire Protection – Out to Bid
- Vintage Pointe Recarpeting – Reviewing quotes

Capital Projects in planning to be released this fiscal year:

- Senior Center Front Entry and Canopy Repair
- Vintage Point Kitchen/Bathroom Remodel Design
- Sewer Lift Station Upgrades
- Street Lighting Improvement Design
- Trading Bay Road Sewer Insulation

The Building Department has issued 28 residential and 17 commercial building permits so far in calendar year 2025.

Hydrant flushing is completed and utility crews are spending significant time completing locates for Enstar work. The Streets crew has begun ditching operations on the west side of town. The Shop is preparing equipment for summer operations and starting on the surplus auction. The Building crew has been assisting with dugout construction and installing pre-filters on buildings to reduce potential of volcanic ash entering HVAC systems.

Branden Skinner is filling our vacant Utility Operator position and expected to start on June 2nd.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
THROUGH: Kathy Romain, Senior Center Director
FROM: Astrea Piersee, Administrative Assistant III
DATE: May 1, 2025
SUBJECT: April 2025 Monthly Report

April arrived at the Kenai Senior Center along with the return of late-season snowbirds and seniors eager to get out of the house and enjoy the warming temperatures. The center has seen an increase in participation in both the Widows and Widowers grief support group and the Stronger Together caregiver support group. This month's highlights included a no-host dinner at China Sea, an Easter celebration complete with egg decorating and an egg hunt, an Easter-themed sewing craft project, and a performance by the center's choir.

	2025	2024
Home Delivered Meals	2023	2016
Individuals	104	98
Dining Room (Congregate) Meals	979	1070
Individuals	145	134
Transportation (1-way rides)	150	275
Individuals	21	21
Grocery Shopping Assistance	11/28	11/23
Writers Group	29	23
Caregiver Support Group	8	15
Growing Stronger Exercise	298	272
Tai Chi Class	57	41
TOPS Weight Loss Class	65	80
Bluegrass & Music Sessions	88	43
Card Games	105	68
Wii Bowling	16	17
Arts & Crafts	29	14
Total Event Sign-ins *	2027	1869
Individuals *	212	196
Vintage Pointe Manor Vacancies	0	0

* (not including home meals clients)



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

THROUGH: David Swarner, Finance Director

FROM: Jennifer Anderson, Controller

DATE: April 25, 2025

SUBJECT: **Quarterly Financial Report – March 31, 2025**

Attached is a relatively easily produced quarterly financial report for the General Fund, Personal Use Fishery Fund, Airport Fund, Water/Sewer Fund, and Senior Fund as of March 31, 2025.

This report is essentially on a cash basis, so there are accounts that may not look reasonable. In the General Fund, for example, the majority of the property tax is collected in September and November, thus, tax revenues will level out over the remainder of the year.

State and Federal revenue 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 that 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 year-to-date expenditures are in line with expectations across all funds.

**Quarterly General Fund
Expenditure Report
For Quarter Ended March 31, 2025**

Page 172

	7/1/2023 6/30/2024	7/1/2024 7/1/2024 Original *	7/1/2024 6/30/2025	7/1/2024 3/31/2025		
	FY2024 Actual	FY2025 Budget	Amended Budget	YTD Actual	Variance	%
REVENUES						
Appropriation of Fund Balance	\$ -	\$ 855,826	\$ 1,004,909	\$ -	\$ (1,004,909)	0.00%
Taxes	14,415,221	14,550,814	14,550,814	10,722,225	(3,828,589)	73.69%
Licenses/Permits and Ambulance	1,193,996	1,119,395	1,119,395	1,188,038	68,643	106.13%
State/Federal	570,399	697,430	700,509	324,515	(375,994)	46.33%
Dock/Multipurpose/Miscellaneous	251,531	208,600	208,600	241,197	32,597	115.63%
Fines and Forfeitures	71,047	74,200	74,200	57,484	(16,716)	77.47%
Interest and Miscellaneous	1,403,781	839,020	867,020	1,055,318	188,298	121.72%
Transfers/Central Admin Fees	2,044,449	2,060,478	2,060,478	1,375,650	(684,828)	66.76%
Total Revenues	19,950,424	20,405,763	20,585,925	14,964,428	(5,621,498)	72.69%
EXPENDITURES & TRANSFERS						
General Government						
01 City Clerk	\$ 343,325	\$ 395,086	\$ 395,086	\$ 255,645	\$ 139,441	35.29%
11 Legislative	154,621	193,758	193,758	133,722	60,036	30.99%
12 Legal	392,939	453,734	453,734	329,551	124,183	27.37%
13 City Manager	479,894	509,738	510,238	382,380	127,858	25.06%
14 Human Resources	207,654	215,294	215,294	147,322	67,972	31.57%
15 Finance	898,315	1,019,688	1,019,688	684,601	335,087	32.86%
16 Land Administration	14,357	93,400	135,650	48,256	87,394	64.43%
18 Non-Departmental	815,167	1,225,517	1,224,284	809,857	414,427	33.85%
19 Planning and Zoning	271,792	382,395	382,395	247,715	134,680	35.22%
20 Safety	1,635	3,500	3,500	2,105	1,395	39.86%
Total General Government	3,579,699	4,492,110	4,533,627	3,041,154	1,492,473	32.92%
Public Safety						
21 Police	3,721,924	3,905,469	3,905,469	2,744,167	1,161,302	29.74%
22 Fire	3,690,044	3,947,290	3,947,290	2,863,046	1,084,244	27.47%
23 Communications	904,050	1,039,422	1,039,422	756,551	282,871	27.21%
29 Animal Control	471,494	499,669	499,669	341,687	157,982	31.62%
Total Public Safety	8,787,512	9,391,850	9,391,850	6,705,451	2,686,399	28.60%
Public Works						
31 Public Works Administration	172,412	203,895	260,891	178,112	82,779	31.73%
32 Shop	651,121	779,642	779,642	529,312	250,330	32.11%
33 Streets	1,082,800	1,159,575	1,159,575	530,110	629,465	54.28%
34 Buildings	367,619	470,051	470,051	282,170	187,881	39.97%
35 Street Lighting	225,553	237,097	237,097	138,843	98,254	41.44%
60 Dock	40,589	63,689	63,689	15,139	48,550	76.23%
Total Public Works	2,540,094	2,913,950	2,970,946	1,673,686	1,297,260	43.66%
Parks and Recreation & Culture						
03 Visitor Center	162,292	209,453	210,186	152,967	57,219	27.22%
40 Library	962,802	1,010,418	1,013,497	709,092	304,405	30.04%
45 Parks, Recreation & Beautification	1,260,366	1,293,847	1,321,847	886,819	435,028	32.91%
Total Parks and Recreation & Culture	2,385,460	2,513,718	2,545,529	1,748,878	796,651	31.30%
Total Operating Expenditures	17,292,765	19,311,627	19,441,952	13,169,168	6,272,783	32.26%
Transfer to other funds						
Street Improvement Capital Project Fund	892,085	385,663	435,500.00	435,500.00	-	0.00%
Kenai Recreation Center Capital Project Fund	75,000	-	-	-	-	-
Public Safety Capital Project Fund	100,000	140,631	140,631.00	140,631.00	-	0.00%
Municipal Facility Improvement Cap Proj Fund	94,847	-	-	-	-	-
Multipurpose Facility Capital Proj. Fund	-	-	-	-	-	-
Visitor Center Improvement Capital Proj. Fund	-	-	-	-	-	-
Information Technology Capital Proj. Fund	-	-	-	-	-	-
City Hall Improvement Capital Proj. Fund	50,000	-	-	-	-	-
Animal Shelter Capital Project Fund	-	-	-	-	-	-
Public Safety Building Capital Proj. Fund	-	-	-	-	-	-
Kenai Fine Arts Center Imp. Cap. Proj. Fund	-	-	-	-	-	-
Kenai Cemetery Imp. Capital Project Fund	-	25,000	25,000.00	25,000	-	0.00%
Kenai Senior Center Imp. Capital Project Fund	-	50,000	50,000.00	50,000	-	0.00%
Park Improvement Capital Project Fund	125,000	144,625	144,625.00	144,625	-	0.00%
Senior Citizen Special Revenue Fund	199,476	217,467	217,467.00	108,734	108,733	50.00%
Debt Service	130,625	130,750	130,750.00	116,625	14,125	10.80%
Total Transfer to other funds	1,667,033	1,094,136	1,143,973	1,021,115	122,858	10.74%
Total Expenditures & Transfers	18,959,798	20,405,763	20,585,925	14,190,283	6,395,641	31.07%
Net Revenues over(under) Expenditures	\$ 990,626	\$ -	\$ -	\$ 774,145	\$ 774,143	

* Note: The original budget includes outstanding encumbrances at 6/30/2024.

**Quarterly PU Fisheries
Expenditure Report
For Quarter Ended March 31, 2025**

Page 173

	FY2024 Actual	Original * FY2025 Budget	Amended Budget	YTD Actual	Variance	%
<u>REVENUES</u>						
Appropriation of Fund Balance	\$ -	\$ 49,397	\$ 49,397	\$ -	\$ (49,397)	0.00%
Beach Parking	157,839.00	164,980	164,980	173,592	8,612	105.22%
Beach Camping	216,085.00	210,102	210,102	238,852	28,750	113.68%
Dock Launch & Park	100,489.00	100,754	100,754	88,543	(12,211)	87.88%
Dock Parking Only	12,460.00	12,495	12,495	11,483	(1,012)	91.90%
Participant Drop-off Fee	6,275.00	4,707	4,707	4,110	(597)	87.32%
Interest Earnings	19,502.00	5,000	5,000	-	(5,000)	0.00%
PERS Grant	249.00	1,861	1,861	-	(1,861)	0.00%
Credit Card Fees	(11,202.00)	(11,500)	(11,500)	(11,453)	47	99.59%
Transfer from Other Funds	-	-	-	-	-	0.00%
Total Revenue	<u>501,697</u>	<u>537,796</u>	<u>537,796</u>	<u>505,127</u>	<u>(32,669)</u>	<u>93.93%</u>
<u>EXPENDITURES & TRANSFERS</u>						
Public Safety	\$ 122,066	\$ 136,531	\$ 136,531	\$ 91,517	\$ 45,014	32.97%
Streets	26,517	39,302	39,302	11,133	28,169	71.67%
Boating Facility	41,120	42,815	42,815	30,391	12,424	29.02%
Parks, Recreation & Beautification	206,597	244,148	244,148	169,809	74,339	30.45%
Total Operating Expenditures	<u>396,300</u>	<u>462,796</u>	<u>462,796</u>	<u>302,850</u>	<u>159,946</u>	<u>34.56%</u>
Transfers to Other Funds	75,000	75,000	75,000	-	75,000	0.00%
Total Expenditures & Transfers	<u>471,300</u>	<u>537,796</u>	<u>537,796</u>	<u>302,850</u>	<u>234,946</u>	<u>43.69%</u>
Net Revenues over Expenditures	<u>\$ 30,397</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 202,277</u>	<u>\$ (202,277)</u>	

* Note: The original budget includes outstanding encumbrances at 6/30/2024.

**Quarterly Airport Fund
Expenditure Report
For Quarter Ended March 31, 2025**

Page 174

	FY2024 Actual	Original * FY2025 Budget	Amended Budget	YTD Actual	Variance	%
REVENUES						
Appropriation of Fund Balance	\$ -	\$ 137,346	\$ 145,522	\$ 145,522	\$ -	100.00%
State/Federal	185,760	37,700	37,700	-	(37,700)	0.00%
Interest , Leases & Fees	906,504	1,131,083	1,131,083	645,960	(485,123)	57.11%
Terminal Revenues	1,250,769	934,842	934,842	742,398	(192,444)	79.41%
Landing Fees	407,678	384,855	384,855	252,583	(132,272)	65.63%
Transfers In	1,065,855	1,090,387	1,090,387	-	(1,090,387)	0.00%
Total Revenues	<u>3,816,566</u>	<u>3,716,213</u>	<u>3,724,389</u>	<u>1,786,463</u>	<u>(1,937,926)</u>	<u>47.97%</u>
EXPENDITURES & TRANSFERS						
Terminal Area	\$ 561,253	\$ 693,273	\$ 693,273	\$ 404,222	\$ 289,051	41.69%
Airfield	2,046,384	2,225,638	2,225,638	1,369,794	855,844	38.45%
Administration	354,463	378,370	378,370	260,081	118,289	31.26%
Other Buildings & Areas	175,856	224,878	224,878	120,008	104,870	46.63%
Training Facility	159,337	168,237	168,237	86,315	81,922	48.69%
Total Expenditures	<u>3,297,293</u>	<u>3,690,396</u>	<u>3,690,396</u>	<u>2,240,420</u>	<u>1,449,976</u>	<u>39.29%</u>
Transfer to other funds						
Airport Improvement Capital Projects	796,875	25,817	33,993	33,993	-	0.00%
Total Transfer to other funds	<u>796,875</u>	<u>25,817</u>	<u>33,993</u>	<u>33,993</u>	<u>-</u>	<u>0.00%</u>
Total Expenditures & Transfers	<u>4,094,168</u>	<u>3,716,213</u>	<u>3,724,389</u>	<u>2,274,412</u>	<u>1,449,976</u>	<u>38.93%</u>
Net Revenues over Expenditures	<u>\$ (277,602)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (487,949)</u>	<u>\$ (487,950)</u>	

* Note: The original budget includes outstanding encumbrances at 6/30/2024.

**Quarterly Water/ Sewer Fund
Expenditure Report
For Quarter Ended March 31, 2025**

Page 175

	FY2023 Actual	Original * FY2024 Budget	Amended Budget	YTD Actual	Variance	%
REVENUES						
Appropriation of Fund Balance	\$ -	\$ 191,029	\$ 191,029	\$ -	\$ (191,029)	0.00%
State/Federal	20,117	35,719	35,719	-	(35,719)	0.00%
Water/Sewer Fees	3,229,357	3,416,136	3,416,136	2,555,603	(860,533)	74.81%
Penalty and Interest	39,038	42,588	42,588	32,821	(9,767)	77.07%
Interest and Miscellaneous	283,629	80,000	80,000	266,219	186,219	332.77%
Transfers In	30,000	-	-	-	-	0.00%
Total Revenues	<u>3,602,141</u>	<u>3,765,472</u>	<u>3,765,472</u>	<u>2,854,642</u>	<u>(910,829)</u>	<u>75.81%</u>
EXPENDITURES & TRANSFERS						
Water	\$ 883,063	\$ 1,144,481	\$ 1,144,481	\$ 704,135	\$ 440,346	38.48%
Sewer	458,611	761,507	761,507	357,375	404,132	53.07%
Wastewater Treatment Plant	1,113,532	1,237,094	1,237,094	749,397	487,697	39.42%
Total Expenditures	<u>2,455,206</u>	<u>3,143,082</u>	<u>3,143,082</u>	<u>1,810,907</u>	<u>1,332,175</u>	<u>42.38%</u>
Transfer to other funds -						
Water & Sewer Capital Projects	679,970	622,390	622,390	622,390	-	0.00%
Total Transfer to other funds	<u>679,970</u>	<u>622,390</u>	<u>622,390</u>	<u>622,390</u>	<u>-</u>	<u>0.00%</u>
Total Expenditures & Transfers	<u>3,135,176</u>	<u>3,765,472</u>	<u>3,765,472</u>	<u>2,433,297</u>	<u>1,332,175</u>	<u>35.38%</u>
Net Revenues over Expenditures	<u>\$ 466,965</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 421,345</u>	<u>\$ 421,346</u>	

* Note: The original budget includes outstanding encumbrances at 6/30/2024.

**Quarterly Senior Fund
Expenditure Report
For Quarter Ended March 31, 2025**

Page 176

	FY2024 Actual	Original * FY2025 Budget	Amended Budget	YTD Actual	Variance	%
REVENUES						
Appropriation of Fund Balance	\$ -	\$ 45,021	\$ 45,021	\$ 45,021	\$ -	100.00%
State Grants	278,855	261,646	308,305	131,731	(176,574)	42.73%
Federal Grants	-	-	-	-	-	0.00%
USDA Grant	25,005	22,000	22,000	15,377	(6,623)	69.90%
Choice Waiver	103,427	80,000	80,000	75,099	(4,901)	93.87%
KPB Grant	186,143	186,143	186,143	178,091	(8,052)	95.67%
United Way	-	-	-	-	-	0.00%
Rents & Leases	12,479	10,000	10,000	8,322	(1,678)	83.22%
Miscellaneous Donations	14,683	21,500	21,500	20,136	(1,364)	93.66%
Donations - Senior Connection	102,850	120,000	120,000	23,330	(96,670)	19.44%
Meal Donations	93,718	97,650	97,650	65,020	(32,630)	66.58%
Ride Donations	6,037	6,000	6,000	3,156	(2,844)	52.60%
Transfer from General Fund - Operations	199,476	217,467	217,467	108,734	(108,733)	50.00%
Other	60	300	2,800	2,958	158	105.64%
Total Revenues	1,022,733	1,067,727	1,116,886	676,974	(439,911)	60.61%
EXPENDITURES & TRANSFERS						
Senior Citizen Access	\$ 178,900	\$ 188,954	\$ 188,774	\$ 130,751	\$ 58,023	30.74%
Congregate Meals	120,790	155,349	197,217	112,676	84,541	42.87%
Home Meals	406,096	374,786	382,235	261,947	120,288	31.47%
Senior Transportation	92,367	103,410	103,527	73,033	30,494	29.45%
Choice Waiver	58,148	77,928	77,694	34,048	43,646	56.18%
Total Expenditures	856,301	900,427	949,447	612,456	336,991	35.49%
Transfer to other funds -	174,800	167,300	167,300	125,475	41,825	0.00%
Total Transfer to other funds	174,800	167,300	167,300	125,475	41,825	0.00%
Total Expenditures & Transfers	1,031,101	1,067,727	1,116,886	737,931	378,816	33.92%
Net Revenues over Expenditures	\$ (8,368)	\$ -	\$ -	\$ (60,957)	\$ (61,095)	

* Note: The original budget includes outstanding encumbrances at 6/30/2024.



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Dave Swarner, Finance Director

DATE: May 14, 2025

SUBJECT: March 2025 Quarterly Investment Report

City of Kenai Investment Portfolio

At March 31, 2025 the City had investments with a market value of \$39,130,635. That is up from \$38,379,667 at December 31, 2024. The City's portfolio is yielding 3.76% that is down from 3.95% at December 31, 2024. The Federal Fund Rate held steady during the quarter with the rate between at 4.25%-4.50%. Fair market value adjustments to the portfolio through March 31, 2025 are a negative \$157,503. As of June 30, 2024, the portfolios fair market value adjustment was a negative \$567,359. Rates are projected to decrease and further decreasing the negative fair market value adjustment but lower yield for the portfolio will also occur.

City's Investment Portfolio

US Agency Securities	\$31,825,894
AML Investment Pool	4,084,575
Wells Fargo Money Market	64,934
FDIC Insured Certificates of Deposit	727,880
Bank Balance	<u>2,427,352</u>
Total	\$ <u>39,130,635</u>

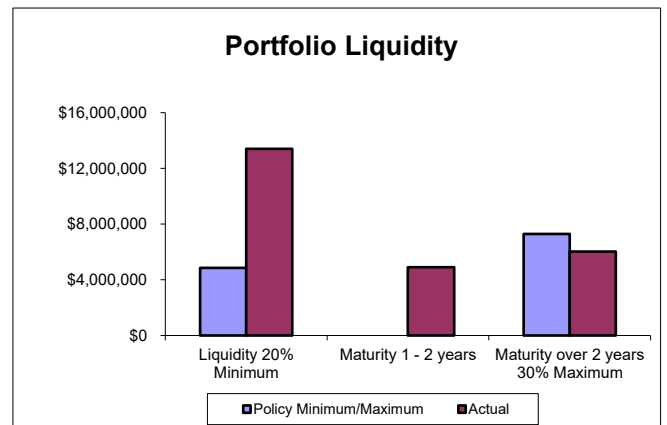
Permanent Fund Investments

At March 31, 2025, the portfolio value was \$36,232,267. That is up from \$36,183,194 at December 31, 2024. It is comprised of \$29,907,651, 82.54% Airport Land Sale Permanent Fund, \$3,847,313, 10.62% General Land Sale Permanent Fund monies, \$1,314,537, 3.63% Kenai Senior Connection monies, \$894,786, 2.47% Kenai Senior Center Cone Memorial Trust monies, and \$267,980, 0.74% Kenai Community Foundation holdings.

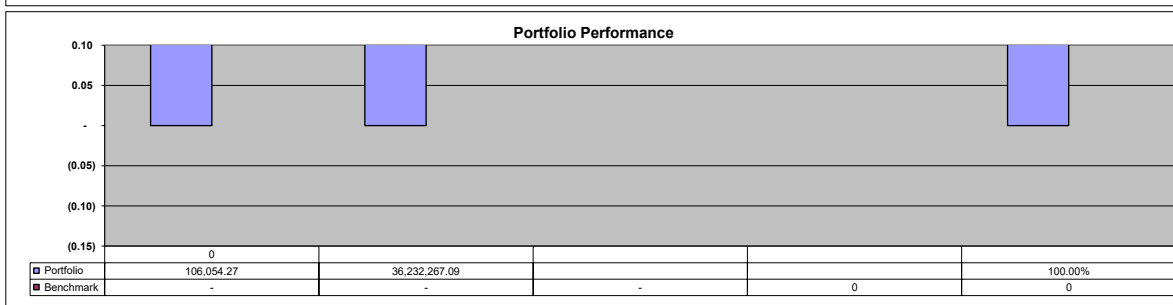
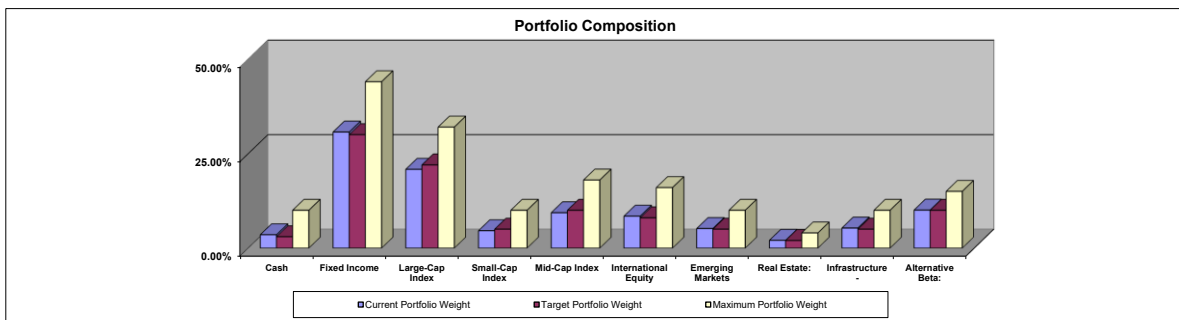
CITY OF KENAI
INVESTMENT PORTFOLIO SUMMARY
March 31, 2025

	March 31, 2025 Fair Market Value	Current Yield
Cash & Cash Equivalents		
Wells Fargo Checking	\$ 2,427,352	0.01%
Wells Fargo Secured Money Market	64,934	5.36%
FDIC Insured Certificates of Deposit	727,880	3.40%
Alaska Municipal League Investment Pool	<u>4,084,575</u>	<u>5.36%</u>
Total Cash & Cash Equivalents	7,304,741	3.39%
		Average Yield
Government Securities		
Maturities Less than 1 Year	8,750,343	4.20%
Maturities 1 to 2 Years	14,324,637	3.65%
Maturities Greater than 2 Years	<u>8,750,914</u>	<u>3.83%</u>
Total Government Securities	<u>31,825,894</u>	<u>3.85%</u>
Total Portfolio	<u><u>\$ 39,130,635</u></u>	<u><u>3.76%</u></u>

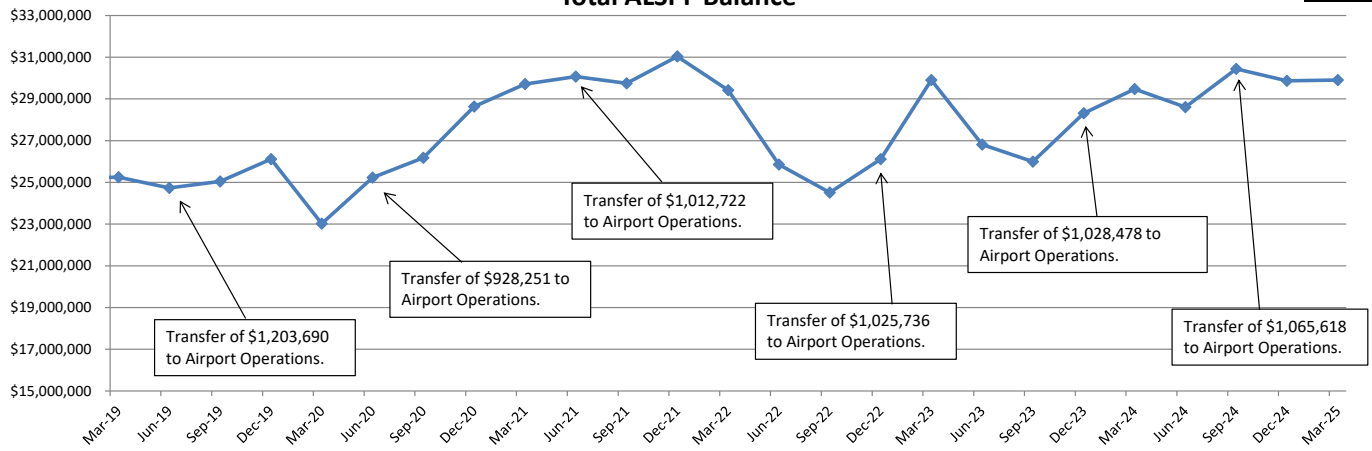
Investment Portfolio - Purchase Price	\$ 39,697,994
Investment Portfolio - Fair Value 12/31/24	<u>39,130,635</u>
Fair Value Adjustment - 06/30/24	(567,359)
Fair Value Adjustment thru - 03/31/2025	<u>409,856</u>
Cummulative Change in Fair Value	<u><u>\$ (157,503)</u></u>



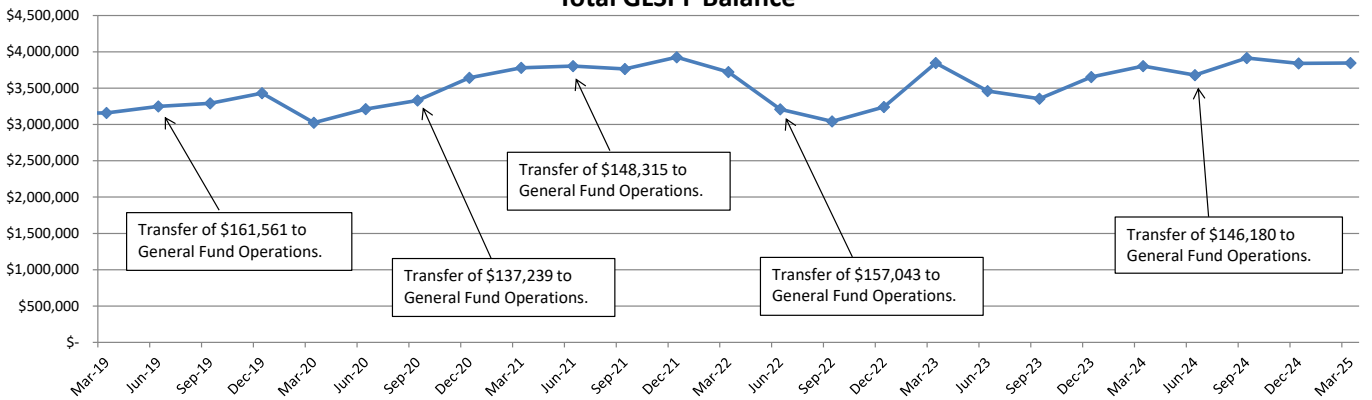
	Fair Market Value					Current or	Current	Target	Portfolio
	31-Mar-24	30-Jun-24	30-Sep-24	31-Dec-24	31-Mar-25	Yield	Weight	Weight	Maximum
Cash									
Cash & Cash Equivalents	1,128,803	1,307,136	1,579,661	1,932,083	1,278,221	5.31%	3.53%	3.00%	10.00%
Fixed Income									
Investment Grade Government & Corporate Securities									
Government Securities	7,328,908	7,305,846	7,459,932	7,069,475	7,485,453	2.52%	20.66%		
Corporate Securities Investment Grade	2,087,936	2,167,855	2,246,755	2,165,812	2,186,555	5.36%	6.03%		
Total Investment Grade Government & Corporate Securities	9,416,844	9,473,701	9,706,687	9,235,287	9,672,008	3.23%	26.69%	26.00%	36.00%
Domestic Fixed Income Exchange Traded Funds -									
Vanguard Short-term TIPS	-	-	-	-	-		0.00%		
High Yield Domestic -									
SPDR Portfolio High Yield Bonds	-	-	-	-	-		0.00%		
Vanguard Hi Yield Corporate Fund Admiral Shares	1,364,730	1,318,826	1,445,842	1,419,728	1,449,212		4.00%		
Total High Yield Domestic	1,364,730	1,318,826	1,445,842	1,419,728	1,449,212		4.00%	4.00%	8.00%
Total Fixed Income	10,781,574	10,792,527	11,152,529	10,655,015	11,121,220	3.23%	30.69%	30.00%	44.00%
Equities:									
Domestic Equities:									
Large-Cap Index	8,042,786	7,773,957	8,197,973	8,197,973	7,550,527		20.83%	22.00%	32.00%
Small-Cap Index	1,744,116	1,629,232	1,786,564	1,786,564	1,662,186		4.59%	5.00%	10.00%
Mid-Cap Index	3,786,897	3,497,995	3,721,439	3,721,439	3,387,568		9.35%	10.00%	18.00%
Total Domestic Equities	13,573,799	12,901,184	13,705,976	13,705,976	12,600,281		34.77%	37.00%	60.00%
International Equities:									
International Equity	2,890,317	2,730,483	2,925,345	2,925,345	3,057,638		8.44%	8.00%	16.00%
Emerging Markets	1,756,309	1,763,546	1,891,372	1,891,372	1,871,949		5.17%	5.00%	10.00%
Total International Equities	4,646,626	4,494,029	4,816,717	4,816,717	4,929,587		13.61%	13.00%	26.00%
Real Estate:									
JP Morgan Beta Builders MSCI Reit	658,865	625,038	718,459	718,459	742,397		2.05%	2.00%	4.00%
Total Real Estate	658,865	625,038	718,459	718,459	742,397		2.05%	2.00%	4.00%
Infrastructure -									
Flexshares Stoxx Global Broad Infrastructure	1,734,647	1,636,071	1,827,700	1,827,700	1,920,853		5.30%	5.00%	10.00%
Total Equities	20,613,937	19,656,322	21,068,852	21,068,852	20,193,118		55.73%	57.00%	100.00%
Alternative Beta:									
Blackrock Systematic Multi-Strategy	756,883	904,462	955,055	955,055	931,232		2.57%		
IQ Hedge Multi-Strategy Tracker	945,975	544,266	562,683	562,683	1,257,848		3.47%		
JPMORGAN:HEDGED EQ I	941,799	911,796	958,891	958,891	172,454		0.48%		
Calamos Market Neutral	-	-	-	-	1,278,174		3.53%		
Core Alternative ETF	371,390	542,644	595,823	595,823	-		0.00%		
Total Alternative Beta	3,016,047	2,903,168	3,072,452	3,072,452	3,639,708		10.05%	10.00%	15.00%
Total Portfolio	35,540,361	34,659,153	36,873,494	36,728,402	36,232,267	4.69%	100.00%	100.00%	169.00%
Total ALSPF Balance	29,477,710	28,609,136	30,436,945	29,867,144	29,907,651				
Total GLSPF Balance	3,804,352	3,680,273	3,915,402	3,842,103	3,847,313				36,232,267
Total Kenai Community Foundation	202,211	256,345	272,723	267,617	267,980				-
Total Kenai Senior Connection	1,254,845	1,257,463	1,337,801	1,312,757	1,314,537				
Total Cone Memorial Trust Permanent Fund	801,241	855,936	910,621	893,574	894,786				



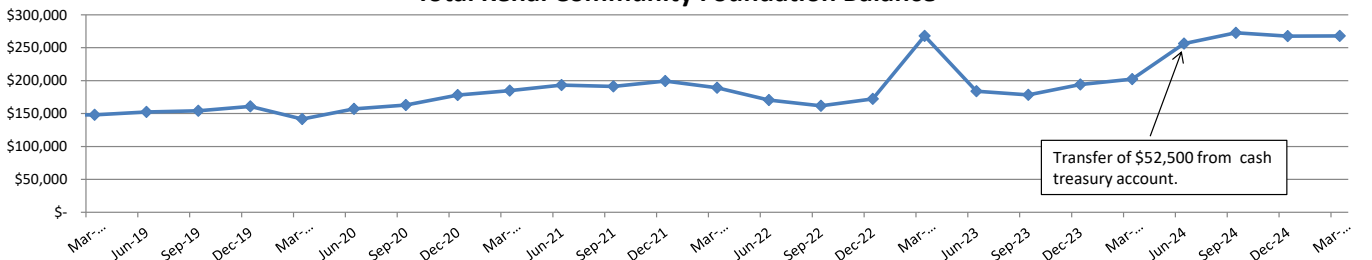
Total ALSPF Balance



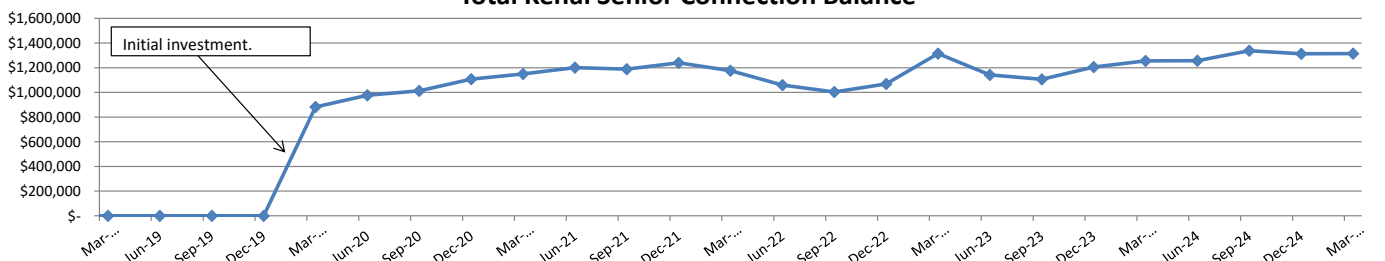
Total GLSPF Balance



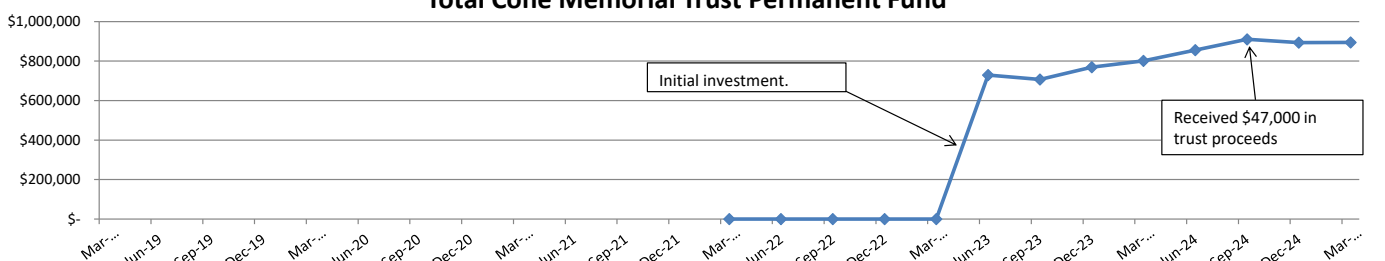
Total Kenai Community Foundation Balance



Total Kenai Senior Connection Balance



Total Cone Memorial Trust Permanent Fund





ALASKA PERMANENT
CAPITAL MANAGEMENT

Registered Investment Adviser

CITY OF KENAI PERMANENT FUNDS Investment Report

March 2025

Portfolio Overview

BEGINNING VALUE
+ ACCRUED **\$36,959,224**

TRANSFERS IN/
OUT **-\$516**

REALIZED GAINS/
LOSSES **\$326**

CHANGE IN
MARKET VALUE **-\$831,226**

INTEREST INCOME **\$44,770**

DIVIDEND INCOME **\$46,445**

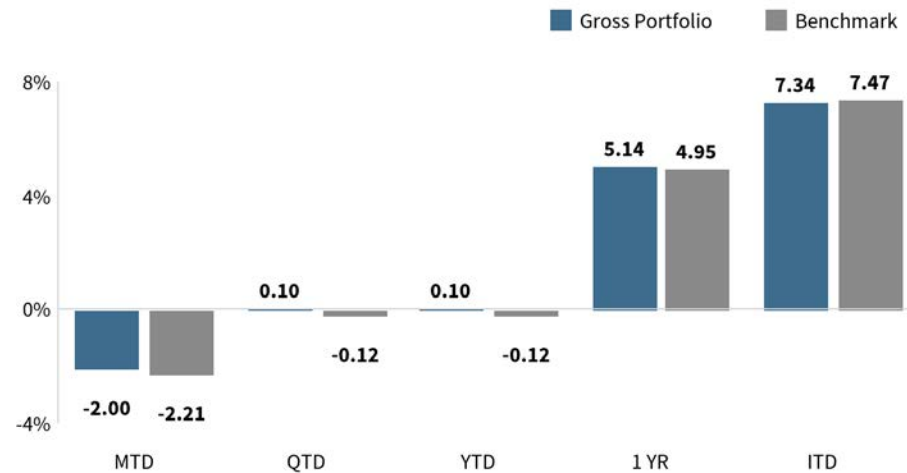
ENDING VALUE +
ACCRUED **\$36,219,022**

Portfolio Composition



U.S. Fixed Income	26.7%
U.S. Large Cap Equity	20.8%
Alternative Beta	10.1%
U.S. Mid Cap Equity	9.3%
Developed International Equity	8.4%
Infrastructure	5.3%
Emerging Market Equity	5.2%
U.S. Small Cap Equity	4.6%
U.S. High Yield Fixed Income	4.0%
Cash	3.6%
REITs	2.1%

Investment Performance



Performance is annualized for periods greater than one year. Inception to date performance begins October 01, 2008

Past performance is not indicative of future results.

Portfolio Summary and Target

	MARKET VALUE (\$)	ASSETS (%)	TARGET (%)	RANGE
RISK CONTROL				
U.S. Fixed Income	9,671,533	26.7%	26%	6% to 36%
Cash	1,308,692	3.6%	3%	0% to 10%
Risk Control Total	10,980,225	30.3%		
RISK ASSET				
U.S. High Yield Fixed Income	1,441,558	4.0%	4%	0% to 8%
U.S. Large Cap Equity	7,522,793	20.8%	22%	12% to 32%
U.S. Mid Cap Equity	3,386,227	9.3%	10%	0% to 18%
U.S. Small Cap Equity	1,661,796	4.6%	5%	0% to 10%
Developed International Equity	3,055,739	8.4%	8%	4% to 16%
Emerging Market Equity	1,869,476	5.2%	5%	0% to 10%
Risk Asset Total	18,937,588	52.3%		
ALTERNATIVES				
REITs	742,950	2.1%	2%	0% to 4%
Alternative Beta	3,640,405	10.1%	10%	0% to 15%
Infrastructure	1,917,854	5.3%	5%	0% to 10%
Alternatives Total	6,301,209	17.4%		
TOTAL PORTFOLIO	36,219,022	100.0%		

We urge you compare the account statement we provide with the account statement you receive from your custodian. We cannot guarantee the accuracy of this information for tax purposes. Please verify all information from trade confirmations.

Past performance is not indicative of future results.

Disclosures

S&P 500 Total Return Index

The S&P 500® Index is the Standard & Poor's Composite Index and is widely regarded as a single gauge of large cap U.S. equities. It is market cap weighted and includes 500 leading companies, capturing approximately 80% coverage of available market capitalization.

S&P MidCap 400 Total Return Index

The S&P MidCap 400 Index, more commonly known as the S&P 400, is a stock market index from S&P Dow Jones Indices. The index serves as a barometer for the U.S. mid-cap equities sector and is the most widely followed mid-cap index.

S&P Small Cap 600 Total Return Index

The S&P SmallCap 600® seeks to measure the small-cap segment of the U.S. equity market. The index is designed to track companies that meet specific inclusion criteria to ensure that they are liquid and financially viable.

MSCI EAFE Net Total Return USD Index

The MSCI EAFE Index (Europe, Australasia, Far East) is a free float-adjusted market capitalization-weighted index that is designed to measure the equity market performance of developed markets, excluding the United States and Canada. The MSCI EAFE Index consists of the following 21 developed market countries: Australia, Austria, Belgium, Denmark, Finland, France, Germany, Hong Kong, Ireland, Israel, Italy, Japan, the Netherlands, New Zealand, Norway, Portugal, Singapore, Spain, Sweden, Switzerland and the United Kingdom.

MSCI Emerging Net Total Return USD Index

The MSCI Emerging Markets Index is a free float-adjusted market capitalization-weighted index that is designed to measure equity market performance of emerging markets. The MSCI Emerging Markets Index consists of the following 26 emerging market country indices: Argentina, Brazil, Chile, China, Colombia, Czech Republic, Egypt, Greece, Hungary, India, Indonesia, Korea, Malaysia, Mexico, Peru, Philippines, Poland, Qatar, Russia, Saudi Arabia, South Africa, Taiwan, Thailand, Turkey and United Arab Emirates.

STOXX Global Broad Infrastructure Index Net Return USD

The STOXX Global Broad Infrastructure Index is derived from the STOXX. Developed and Emerging Markets Total Market Index (TMI) and offers a diversified representation of companies that generate more than 50% of their revenue from selected infrastructure sectors. STOXX partnered with Revere Data, which defines 17 subsectors for the infrastructure industry. These 17 subsectors are rolled into five supersectors - Communications, Energy, Government Outsourcing/Social, Transportation and Utilities.

S&P USA REIT USD Total Return Index

The S&P United States REIT Index defines and measures the investable universe of publicly traded real estate investment trusts domiciled in the United States.

Bloomberg Commodity Index Total Return

The Bloomberg Commodity Index provides broad-based exposure to commodities, and no single commodity or commodity sector dominates the index. Rather than being driven by micro-economic events affecting one commodity market or sector, the diversified commodity exposure of the index potentially reduces volatility in comparison with non-diversified commodity investments.

Wilshire Liquid Alternative Total Return Index

The Wilshire Liquid Alternative IndexSM measures the collective performance of the five Wilshire Liquid Alternative strategies that make up the Wilshire Liquid Alternative Universe. Created in 2014, with a set of time series of data beginning on December 31, 1999, the Wilshire Liquid Alternative Index (WLIQA) is designed to provide a broad measure of the liquid alternative market by combining the performance of the Wilshire Liquid Alternative Equity Hedge Index (WLIQAEH), Wilshire Liquid Alternative Global Macro Index (WLIQAGM), Wilshire Liquid Alternative Relative Value Index (WLIQARV), Wilshire Liquid Alternative Multi-Strategy Index (WLIQAMS), and Wilshire Liquid Alternative Event Driven Index (WLIQAED).

Bloomberg US Agg Total Return Value Unhedged USD

The Bloomberg U.S. Aggregate Index measures the performance of investment grade, U.S. dollar-denominated, fixed-rate taxable bond market, including Treasuries, government-related and corporate securities, MBS (agency fixed-rate and hybrid ARM pass-throughs), ABS, and CMBS. It rolls up into other flagship indices, such as the multi-currency Global Aggregate Index and the U.S. Universal Index, which includes high yield and emerging markets debt.

Bloomberg VLI: High Yield Total Return Index Value Unhedged USD

The Bloomberg VLI: High Yield Total Return Index is a component of the US Corp High Yield Index that is designed to track a more liquid component of the USD-denominated, high yield, fixed-rate corporate bond market.

Bloomberg GLA xUSD Float Adj RIC Capped Index TR Index Value Hedged USD

The Bloomberg Barclays Global Aggregate ex-USD Float-Adjusted RIC Capped Index is a customized subset of the Global Aggregate Index that meets the same diversification guidelines that a fund must pass to qualify as a regulated investment company (RIC). This multi-currency benchmark includes fixed-rate treasury, government-related, corporate and securitized bonds from developed and emerging markets issuers while excluding USD denominated debt. The Global Aggregate ex-USD Float Adjusted RIC Capped Index is largely comprised of two major regional aggregate components: the Pan-European Aggregate and the Asian-Pacific Aggregate Index.

FTSE 3 Month Treas Bill Local Currency

The FTSE 3 Month US T Bill Index Series is intended to track the daily performance of 3 month US Treasury bills. The indices are designed to operate as a reference rate for a series of funds.

Disclosures

Bloomberg Muni 1-15 Year Blend (1-17) Total Return Index Value

The Bloomberg Municipal 1-15 Year Index measures the performance of USD-denominated long-term, tax-exempt bond market with maturities of 1-15 years, including state and local general obligation bonds, revenue bonds, insured bonds, and prerefunded bonds.

Bloomberg Intermediate US Govt/Credit TR Index Value Unhedged

The Bloomberg U.S. Government Intermediate Index measures the performance of the U.S. Treasury and U.S. agency debentures with maturities of 1-10 years. It is a component of the U.S. Government/Credit Index and the U.S. Aggregate Index.

Bloomberg 1-5 Yr Gov/Credit Total Return Index Value Unhedge

The Bloomberg US 1-5 year Government/Credit Float-Adjusted Bond Index is a float-adjusted version of the US 1-5 year Government/Credit Index, which tracks the market for investment grade, US dollar-denominated, fixed-rate treasuries, government-related and corporate securities.

FTSE High Dividend Yield Total Return Index

The FTSE High Dividend Yield Index is designed to represent the performance of companies with relatively high forecast dividend yields

WisdomTree U.S. MidCap Dividend Index Total Return

The WisdomTree U.S. MidCap Dividend Index is a fundamentally weighted index that measures the performance of the mid-capitalization segment of the US dividend-paying market. The Index is comprised of the companies that compose the top 75% of the market capitalization of the WisdomTree U.S. Dividend Index after the 300 largest companies have been removed. The index is dividend weighted annually to reflect the proportionate share of the aggregate cash dividends each component company is projected to pay in the coming year, based on the most recently declared dividend per share.

WisdomTree U.S. SmallCap Dividend Index Total Return

The WisdomTree U.S. SmallCap Dividend Index is a fundamentally weighted index measuring the performance of the small-capitalization segment of the US dividend-paying market. The Index is comprised of the companies that compose the bottom 25% of the market capitalization of the WisdomTree U.S. Dividend Index after the 300 largest companies have been removed. The index is dividend weighted annually to reflect the proportionate share of the aggregate cash dividends each component company is projected to pay in the coming year, based on the most recently declared dividend per share.

Bloomberg U.S. Long Government/Credit Unhedged USD

The Bloomberg U.S. Government Credit Long Index measures the performance of the non-securitized component of the U.S. Aggregate Index with maturities of 10 years and greater, including Treasuries, government-related issues, and corporates. It is a subset of the U.S. Aggregate Index.

Bloomberg Intermediate US Govt/Credit TR Index Value Unhedged

The Bloomberg U.S. Government Credit Intermediate Index measures the performance of the non-securitized component of the U.S. Aggregate Index with maturities of 1-10 years, including Treasuries, government-related issues, and corporates. It is a subset of the U.S. Aggregate Index.

Bloomberg Municipal Bond 5 Year (4-6) Total Return Index Unhedged USD

An index designed to measure the performance of tax-exempt U.S. investment grade municipal bonds with remaining maturities between four and six years. Index returns assume reinvestment of distributions, but do not reflect any applicable sales charges or management fees.

MSCI ACWI IMI Net Total Return USD Index

The MSCI ACWI Investable Market Index (IMI) captures large, mid and small cap representation across 23 Developed Markets (DM) and 24 Emerging Markets (EM) countries. The MSCI AXWI IMI includes the following 23 developed market countries : Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Hong Kong, Ireland, Israel, Italy, Japan, Netherlands, New Zealand, Norway, Portugal, Singapore, Spain, Sweden, Switzerland, United Kingdom, and United States. The MSCI AXWI IMI includes the following 24 emerging market countries: : Brazil, Chile, China, Colombia, Czech Republic, Egypt, Greece, Hungary, India, Indonesia, Korea, Kuwait, Malaysia, Mexico, Peru, Philippines, Poland, Qatar, Saudi Arabia, South Africa, Taiwan, Thailand, Turkey and United Arab Emirates.

Bloomberg 1-3 Yr Gov Total Return Index Value Unhedged USD

The Bloomberg U.S. Government/Credit 1-3 Year Index is an unmanaged index considered representative of performance of short-term U.S. corporate bonds and U.S. government bonds with maturities from one to three years.

Bloomberg 1-5 Yr Gov TR Index

Bloomberg Barclays Municipal 1-5 Yr TR USD includes all medium and larger issues of U.S. government, investment-grade corporate, and investment-grade international dollar-denominated bonds that have maturities of between 1 and 5 years and are publicly issued.

ICE BofA US 3-Month Treasury Bill Index

The ICE BofA 3 Month U.S. Treasury Index measures the performance of a single issue of outstanding treasury bill which matures closest to, but not beyond, three months from the rebalancing date. The issue is purchased at the beginning of the month and held for a full month; at the end of the month that issue is sold and rolled into a newly selected issue.

Bloomberg US Treasury TIPS 0-5 Years Total Return Index Unhedged USD

Bloomberg US Treasury Inflation-Protected Securities (TIPS) 0-5 Year Index is a market value-weighted index that measures the performance of inflation-protected securities issued by the US Treasury that have a remaining average life between 0 and 5 years.

Bloomberg U.S. Treasury Bellwethers: 1 Yr

The Bloomberg U.S. Treasury Bellwethers 1 Yr. Index is an unmanaged index representing the on-the-run (most recently auctioned) U.S. Treasury bond with 1 years' maturity.



Client Relationship Manager

Blake Phillips, CFA®

blake@apcm.net

Portfolio Manager

Bill Lierman, CFA®

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