



Kenai City Council - Regular Meeting

March 05, 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*)

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

E. PUBLIC HEARINGS

1. **Ordinance No. 3451-2025** - Accepting and Appropriating Donations to the Kenai Community Library for Library Materials, Equipment, Furniture, and Programming. (Administration)
2. **Ordinance No. 3452-2025** - Accepting and Appropriating a Polar Bear and Brown Bear Taxidermy Donation from the Warren E Johnson Estate for Display in the Kenai Municipal Airport Terminal. (Administration)
3. **Ordinance No. 3453-2025** - Amending Kenai Municipal Code Chapter 7.15 - Purchases and Sales, Sections 7.15.060 - Procurement of Professional Services and 7.15.070 - Innovative Procurements and Other Exceptions, to Allow Insurance Coverages to be Procured by Direct Negotiation and Authorize Other Procurement Exceptions Subject to City Council Approval by Resolution. (Knackstedt)
4. **Ordinance No. 3454-2025** - Amending Kenai Municipal Code 23.35.032 - Arbitration Panel to Amend the Member Terms from Indefinite Terms to Three-Year Terms. (City Clerk)
5. **Ordinance No. 3455-2025** - Authorizing the Purchase of a Used Ventrac Tractor and Attachments from KNC Golf, Inc., that Deviates from Procurement Procedures Authorized by Kenai Municipal Code Chapter 7.15 Purchases and Sales. (Administration)
6. **Resolution No. 2025-16** - Authorizing a Professional Service Agreement and Corresponding Purchase Order for the 2026 Airport Perimeter and Security Fence Line Improvement Project for the Kenai Municipal Airport. (Administration)

- [7.](#) **Resolution No. 2025-17** - Authorizing the City Manager to Renew the Memorandum of Understanding for the Kenai Watershed Forum Kenai River Water Quality Monitoring Program. (Administration)
- [8.](#) **Resolution No. 2025-18** - Authorizing the Use of the Fleet Replacement Fund for the Purchase of Equipment to Upfit Three New Police Vehicles. (Administration)

F. **MINUTES**

- [1.](#) *Regular Meeting of February 19, 2025. (City Clerk)

G. **UNFINISHED BUSINESS**

H. **NEW BUSINESS**

- [1.](#) ***Action/Approval** - Bills to be Ratified. (Administration)
- [2.](#) ***Action/Approval** - Non-Objection to the Issuance of a Package Store Sampling Endorsement for Three Bears Alaska, Inc. DBA Three Bears - License No. 4118. (City Clerk)
- [3.](#) ***Action/Approval** - Non-Objection to the Issuance of a Restaurant Endorsement for Salamatof Cannery Lodge, LLC. DBA Salamatof Cannery Lodge - License No. 15960. (City Clerk)
- [4.](#) ***Action/Approval** - Non-Objection to the Renewal of a Seasonal Golf Course Liquor License for Griffin Golf, LLC. DBA Kenai Golf Course - License No. 5788. (City Clerk)
- [5.](#) ***Action/Approval** - Non-Objection to the Renewal of a Package Store Liquor License for AK, Inc. DBA Speedway Express - License No. 4544. (City Clerk)
- [6.](#) ***Action/Approval** - Non-Objection to the Renewal of a Retail Marijuana Store License and a Standard Marijuana Cultivation License for Majestic Gardens LLC., DBA: Majestic Gardens LLC. - License No.'s 15393 and 15395. (City Clerk)
- [7.](#) ***Action/Approval** - Non-Objection to the Renewal of a Restaurant Eating Place Liquor License for Ramon Gonzalez DBA Playa Azul - License No. 5224. (City Clerk)
- [8.](#) ***Ordinance No. 3456-2025** - Accepting and Appropriating a Grant Received Through Best Friends Animal Society to the Kenai Animal Shelter for Attendance at the Best Friends National Conference. (Administration)
- [9.](#) ***Ordinance No. 3457-2025** - Accepting and Appropriating Donations Designated by Tom Anderson from the Alaska Community Foundation for the Construction of Softball Dugouts and the Dedication of a Dugout in Memoriam of Hannah Hill. (Administration)
- [10.](#) ***Ordinance No. 3458-2025** - Accepting and Appropriating a Grant Received Through the Alaska Geriatric Exchange Network to the Kenai Senior Center for Attendance at the 2025 Legislative Fly-In. (Administration)
- [11.](#) ***Ordinance No. 3459-2025** - Determining that Real Property Described as Lot 10, Block 1, Etolin Subdivision Number 3, According to Plat 82-103, City-Owned Airport Land Located Outside the Airport Reserve, is Not Needed for a Public Purpose and Authorizing the Sale of the Property to LOROC, LLC. (Administration)
- [12.](#) ***Ordinance No. 3460-2025** - Determining that Real Property Described as Lot 11, Block 1, Etolin Subdivision Number 3, According to Plat 82-103, City-Owned Airport Land Located Outside the Airport Reserve, is Not Needed for a Public Purpose and Authorizing the Sale of the Property to LOROC, LLC. (Administration)

- [13.](#) ***Ordinance No. 3461-2025** - Amending the Official Zoning Map and Land Use Table by Rezoning the Properties at 202 North Forest Drive and 1408 Second Avenue from Suburban Residential (RS) to General Commercial (CG) Zoning District. (Administration)
- [14.](#) **Action/Approval** - Harbor Commission 2025 Work Plan. (City Clerk)
- [15.](#) **Action/Approval** - Nominations Received for Council Consideration of Robert Molloy and Vaughn Dosko for Appointment to the Personnel Arbitration Board. (City Clerk)

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/Nsefj--SR4622m40ewm53A>



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3451-2025**

AN ORDINANCE ACCEPTING AND APPROPRIATING DONATIONS TO THE KENAI COMMUNITY LIBRARY FOR LIBRARY MATERIALS, EQUIPMENT, FURNITURE, AND PROGRAMMING.

WHEREAS, the Kenai Community Library received \$13,850 in donations from community members and the Friends of the Kenai Community Library; and,

WHEREAS, the donations will be used for the purchase of library materials, shelving and signage, equipment, and programming supplies; and,

WHEREAS, the acquisition of library materials will enhance physical and digital collections, ensuring continued growth and relevance to meet the needs of patrons; and,

WHEREAS, additional shelving will accommodate the growing collections and improve organization; and,

WHEREAS, new signage will enhance wayfinding, improving navigation and accessibility for all visitors and ensuring a more user-friendly environment; and,

WHEREAS, the equipment will support school readiness and literacy skill-building in young learners; and,

WHEREAS, the funds for programming will enhance our Summer Reading Program 2025 and other programs; and,

WHEREAS, acceptance of these donations to further the mission of the Kenai Community Library 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 a grant in the amount of \$13,850.

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

General Fund:

Increase Estimated Revenues –	
Miscellaneous Donation	<u>\$13,850</u>
Increase Appropriations –	
Library – Small Tools/Equipment	\$ 6,500
Library – Operating and Repair Supplies	1,500
Library – Advertising	200
Library – Printing and Binding	200
Library – Books	<u>5,450</u>
	<u>\$13,850</u>

Section 3. That the City Manager is authorized to expend these funds in line with the intentions of the donors.

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 5TH DAY OF MARCH, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



Introduced:	February 19, 2025
Enacted:	March 5, 2025
Effective:	March 5, 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: Katja Wolfe, Library Director

DATE: February 11, 2025

SUBJECT: **Ordinance No. 3451-2025 - Accepting and Appropriating Donations to the Kenai Community Library for Library Materials, Equipment, Furniture, and Programming.**

The Kenai Community Library received \$13,850 in generous donations from community members and the Friends of the Kenai Community Library. These funds will be utilized to enhance library services and facilities, including:

- Expanding our physical and digital collections to meet patron needs.
- Adding shelving to accommodate growing collections and improve organization.
- Installing new signage to enhance wayfinding and accessibility for all visitors.
- Acquiring equipment to support school readiness and literacy for young learners.
- Funding programming supplies, with a focus on the 2025 Summer Reading Program and other initiatives.

These enhancements will ensure continued growth and improve the library's ability to serve the community effectively.

We are deeply grateful for the continued support of our library!

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3452-2025**

AN ORDINANCE ACCEPTING AND APPROPRIATING A POLAR BEAR AND BROWN BEAR TAXIDERMY DONATION FROM THE WARREN E JOHNSON ESTATE FOR DISPLAY IN THE KENAI MUNICIPAL AIRPORT TERMINAL.

WHEREAS, a polar bear and brown bear taxidermy have been on display at the Kenai Municipal Airport since 2014 and will continue to be displayed; and,

WHEREAS, Laurie Ramsey is the co-personal representative of the Warren E Johnson Estate that owns the two pieces of taxidermy and would like to donate the polar bear and brown bear to the Kenai Municipal Airport; and,

WHEREAS, the value of the polar bear is estimated to be approximately \$25,000 and the value of the brown bear is \$15,000; and,

WHEREAS, the Airport Commission recommended approval at their regularly scheduled meeting on February 13, 2025; and,

WHEREAS, it is in the best interest of the City of Kenai to accept and appropriate this donation.

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

Section 1. That the City Manager is authorized to accept a donation valued in the amount of \$40,000.

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

Airport Special Revenue Fund:

Increase Estimated Revenues–
Donations

\$40,000

Increase Appropriations–
Machinery and Equipment

\$40,000

Section 3. That the City Manager is authorized to appropriate these assets for display at the Kenai Municipal Airport.

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 5TH DAY OF MARCH, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



Introduced:

February 19, 2025

Enacted:

March 5, 2025

Effective:

March 5, 2025



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Derek Ables, Airport Manager

DATE: February 8, 2025

SUBJECT: **Ordinance No. 3452-2025 - Accepting and Appropriating a Polar Bear and Brown Bear Taxidermy Donation from the Warren E Johnson Estate for Display in the Kenai Municipal Airport Terminal.**

The Kenai Municipal Airport currently has a polar bear and brown bear taxidermy on display in the terminal since 2014. The Airport reached out to the owner to see if they wanted to renew the term of display and they prefer to donate the bears. Laurie Ramsey is the co-personal representative of the Warren E Johnson Estate that owns the two pieces of taxidermy. The value of the polar bear is estimated to be approximately \$25,000 and the brown bear \$15,000.

Your support accepting this donation is respectfully requested.



Sponsored by: Vice Mayor Knackstedt

**CITY OF KENAI
ORDINANCE NO. 3453-2025**

AN ORDINANCE AMENDING KENAI MUNICIPAL CODE CHAPTER 7.15 – PURCHASES AND SALES, SECTIONS 7.15.060 – PROCUREMENT OF PROFESSIONAL SERVICES AND 7.15.070 – INNOVATIVE PROCUREMENTS AND OTHER EXCEPTIONS, TO ALLOW INSURANCE COVERAGES TO BE PROCURED BY DIRECT NEGOTIATION AND AUTHORIZE OTHER PROCUREMENT EXCEPTIONS SUBJECT TO CITY COUNCIL APPROVAL BY RESOLUTION.

WHEREAS, Kenai Municipal Code Chapter 7.15 – Purchases and Sales, determines the City's process for procuring goods and services as well as sales of surplus items; and,

WHEREAS, Ordinance 2852-2015 repealed and reenacted the Chapter to expand public solicitation requirements, redefine professional services and define management services; and,

WHEREAS, due to limited competition and the complexity of comparing insurance coverages, an exception to permit direct negotiation with providers is likely to produce the greatest benefit to the City; and,

WHEREAS, permitting a Council-approved exception for direct negotiation or limited solicitation when in the best interest of the City, not prohibited by the funding source, and supported by sufficient evidence of a fair and reasonable price will allow the City to take advantage of unique opportunities and allow for the City to obtain necessary goods and services when standard solicitation methods may not work, and,

WHEREAS, requiring City Council approval by resolution ensures transparency, public notice, and an opportunity for public input; and,

WHEREAS, these amendments support the City's ability to efficiently procure necessary insurance coverages and other goods and services while maintaining oversight and fiscal responsibility and are in the best interests of the City.

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

Section 1. Amendment of Section of Kenai Municipal Code: That Kenai Municipal Code, Section 7.15.060 – Procurement of Professional Services is hereby amended as follows:

7.15.060 Procurement of Professional Services.

- (a) Professional services for a total contract amount, including all reasonably foreseeable change orders and modifications, less than ten thousand dollars (\$10,000.00) may be procured in any reasonable manner.
- (b) Professional services for a total contract amount, including all reasonably foreseeable change orders and modifications, of between ten thousand dollars (\$10,000.00) and thirty-five thousand dollars (\$35,000.00) require the solicitation of three (3) or more quotes with written documentation on an applicable purchasing form. If three (3) quotes cannot reasonably be obtained, a written justification must be documented on an applicable purchasing form.

(c) Professional services procured in an amount in excess of thirty-five thousand dollars (\$35,000.00) must be solicited by issuing a request for proposals. The request for proposals shall state, or incorporate by reference, all specifications and contractual terms and conditions to which a proposal must respond, and shall state the factors to be considered in evaluating proposals and the relative importance of those factors. Public notice of a request for proposals shall be published a minimum of two (2) times at least two (2) weeks prior to the date proposals are due in a newspaper of general circulation within the City and may be advertised in other appropriate forums. A request for proposals may be modified or interpreted only in written addenda.

(d) The City may negotiate with one (1) or more qualified and responsible proponents whose proposals are determined to be reasonably responsive to the request for proposals. Negotiations shall be used to clarify and assure full understanding of the requirements of the request for proposals. Proponents may be permitted to revise their proposals after submission and prior to award to obtain best and final offers. Proponents deemed eligible for negotiations shall be treated equally regarding any opportunity to discuss and revise proposals. Specific fee schedules shall be kept confidential until after the notice of intent to award is distributed.

(e) Awards shall be made by written notice to the qualified and responsible proponent whose final proposal is determined to be most advantageous to the City. No criteria other than those set forth in the request for proposals may be used in proposal evaluation. If the City Manager determines that it is in the best interest of the City to do so, the City may reject any and all proposals.

(f) Legal services may be procured by direct negotiation with an attorney or law firm qualified to undertake the type of legal assistance required subject to Council approval for services of fifteen thousand dollars (\$15,000.00) or greater. Negotiations or contracts for the services of legal counsel shall be pursued by the City Attorney, or in the case of a conflict of interest, the City Council or City Manager.

(g) Group insurance coverage for employees, including life, medical, dental, and vision, as well as other insurance such as general liability, workers compensation, property, marine and airport liability may be procured by direct negotiation subject to Council approval by resolution.

Section 2. Amendment of Section 7.15.070 of Kenai Municipal Code: That Kenai Municipal Code, Section 7.15.070 – Innovative Procurements and Other Exceptions, is hereby amended as follows:

7.15.070 Innovative Procurements and Other Exceptions

(a) A contract may be awarded for supplies, services, professional services, or construction using an innovative procurement process, with or without competitive sealed bidding or competitive sealed proposals. A contract may be awarded under this section only when the City Manager or designee determines in writing to the City Council that it is advantageous to the City to use an innovative competitive procurement process in the procurement of new or unique requirements of the City, new technologies, or to achieve the best value. This process is appropriate when it may be in the best interest of the City to consider an award to other than the lowest priced offer or other than the highest technically rated offer.

(1) To utilize an innovative procurement procedure the requesting department shall submit:

(A) A detailed procurement plan to the City Manager for review and approval before public notice is issued as required under KMC 7.15.040. The plan shall, at a minimum, address the method of solicitation, scope, method of award, protest procedures, and proposed contract provisions; and

(B) An explanation of how use of this procedure will achieve the best value, or why it is advantageous to the City. To the maximum extent allowed by law, costs and benefits associated with the location of the bidder, may be considered in determining the best value for the City.

(2) When using the process authorized in this section, all of the following apply:

(A) The City Manager must first approve the use of the proposed innovative procurement plan.

(B) All evaluation factors and significant sub-factors that will affect the contract award and their relative importance shall be clearly stated in the solicitation.

(C) The solicitation shall state whether all evaluation factors other than cost or price, when combined, are significantly more important than, approximately equal to, or significantly less important than cost or price.

(D) In developing evaluation factors, generally, where the requirement is clearly definable and the risk of unsuccessful contract performance is minimal, cost or price may play a dominant role in source selection. The less definitive the requirement, the more development work required, or the greater the performance risk, the more technical or past performance considerations may play a dominant role in source selection.

(b) The following may be purchased without giving an opportunity for competitive bidding:

(1) Supplies, materials, equipment, or contractual services which can be furnished only by a single dealer or which has a uniform price wherever bought.

(2) Supplies, materials, equipment, or contractual services purchased from another unit of government at a price deemed below that obtainable from private dealers, including war surplus.

(3) Contractual services purchased from a public utility corporation at a price or rate determined by State or government authority.

(4) Supplies, materials, equipment or contractual services purchasable under the contract of another governmental agency in which contract the City is authorized to participate.

(5) The City may award a contract for supplies, contractual services, or professional services without competition, formal advertising or other formal procedure where the City Manager determines in writing that an emergency threatening the public health, safety or welfare requires that the contract be awarded without delay. The City Manager shall make a report on such contract to the Council no later than the next regular meeting following award of the contract.

(A) For purposes of this subsection, an "emergency" is defined as the occurrence or imminent threat of widespread or severe damage, injury, loss of life or property, or shortage of food, water, or fuel resulting from:

(i) An incident such as storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, avalanche, snowstorm, prolonged extreme cold, drought, fire, flood, epidemic, explosion or riot;

(ii) The release of oil or a hazardous substance if the release requires prompt action to avert environmental danger or mitigate environmental damage;

(iii) Equipment failure if the failure is not a predictably frequent or recurring event or preventable by adequate equipment maintenance or operation;

(iv) Enemy or terrorist attack or a credible threat of imminent enemy or terrorist attack in or against the State that the Adjutant General of the Department of Military and Veterans Affairs or a designee of the Adjutant General, in consultation with the Commissioner of Public Safety or a designee of the Commissioner of Public Safety, certifies to the Governor has a high probability of occurring in the near future; the certification must meet the standards of AS 26.20.040(c); in this subsection, "attack" has the meaning given under AS 26.20.200; or

(v) An outbreak of disease or a credible threat of an imminent outbreak of disease that the Commissioner of Health and Social Services or a designee of the Commissioner of Health and Social Services certifies to the Governor has a high probability of occurring in the near future; the certification must be based on specific information received from local, state, federal, or international agency, or another source that the Commissioner or the designee determines is reliable.

(6) The City Council may approve any purchase or award any contract by resolution when the solicitation of bids or proposals has been limited or the procurement is by direct negotiation if found to be in the best interest of the City, sufficient information is available to ensure a fair and reasonable price, and the procurement exception complies with any applicable funding source requirements.

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5TH DAY OF MARCH, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced:	February 19, 2025
Enacted:	March 5, 2025
Effective:	April 4, 2025



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Vice Mayor Henry Knackstedt

DATE: February 11, 2025

SUBJECT: **Ordinance No. 3453-2025 - Amending Kenai Municipal Code Chapter 7.15 – Purchases and Sales, Sections 7.15.060 – Procurement of Professional Services and 7.15.070 – Innovative Procurements and Other Exceptions, to Allow Insurance Coverages to be Procured by Direct Negotiation and Authorize Other Procurement Exceptions Subject to City Council Approval by Resolution.**

Ordinance No. 3453-2025 proposes amendments to Kenai Municipal Code Chapter 7.15 – Purchases and Sales, to allow for direct negotiation in the procurement of insurance coverages and to authorize additional procurement exceptions with Council approval by resolution.

The first proposed change to KMC 7.15.060 Procurement of Professional Services, improves efficiency by streamlining the complex insurance procurement process. The market for insurance is unique and the City contracts with a brokerage firm to assist in exploring the market and retaining the best coverages for the City. Limited competition and lack of standard products makes typical bidding or solicitation of proposals less effective and sometimes not feasible. Additionally, the City's general purchasing procedures do not afford the City the flexibility to take advantage of different incentives offered by the market that are often not disclosed on the front end of the procurement process. Allowing direct negotiation will enable the City to secure the most comprehensive coverage at the best value.

The second proposed change amends KMC 7.15.070-Innovative Procurement and Other Exceptions, by allowing award of purchases when the solicitation of bids or proposals has been limited or by direct negotiation if it is found to be in the best interest of the City, evidence of a fair and reasonable price is presented and the purchase does not conflict with the funding sources., such as grants that require a low bid procurement process. This amendment also expands procurement options for specialized goods and services, provided fair pricing is documented, to ensure that procurement processes remain agile and responsive without compromising fiscal oversight. Examples of when this exception could be used include the purchase of used equipment with exceptional value and negotiations with the market after traditional bidding or proposal solicitations have failed to yield any responses or viable options. This proposed change is not intended to be commonly used and are in line with purchasing exceptions employed by other local governments, including the Borough and Soldotna.

The ordinance includes safeguards to ensure that all exceptions are justified, preventing unnecessary expenditures while allowing the City to take advantage of unique procurement opportunities. The exceptions require the City Council to approve the purchase by resolution ensuring continued transparency and public notice of the procurement decision while allowing flexibility for unique or time-sensitive purchases.

These amendments will improve the City's ability to efficiently obtain necessary insurance coverages and other goods and services while maintaining proper oversight and competitive pricing measures. The added flexibility in procurement methods will ensure that the City can act strategically and responsibly when standard solicitation processes are impractical.

Thank you for your consideration.





Sponsored by: City Clerk

**CITY OF KENAI
ORDINANCE NO. 3454-2025**

AN ORDINANCE AMENDING KENAI MUNICIPAL CODE 23.35.032 - ARBITRATION PANEL, TO AMEND THE MEMBER TERMS FROM INDEFINITE TERMS TO THREE-YEAR TERMS.

WHEREAS, Kenai Municipal Code 23.35.032 establishes an Arbitration Panel to hear certain employer grievances; and,

WHEREAS, the Arbitration Panel meets only on an as-needed basis, often times more than ten years pass between meetings; and,

WHEREAS, currently membership terms are indefinite; and,

WHEREAS, during the February 5, 2025 regular City Council meeting, the Council discussed the challenges of managing membership on the panel with indefinite terms for the members; and,

WHEREAS, amendments to Kenai Municipal Code 23.35.032 establish three-year staggered terms for the twelve-member panel is in the City's best interest.

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: That Kenai Municipal Code, Section 23.35.032 - Arbitration Panel is hereby amended as follows:

23.35.032 Arbitration Panel

- (a) There is hereby established an Arbitration Panel consisting of twelve (12) members who shall be chosen by the City Council from nominees made by City employees and by members of the City Council.
- (b) A member of the Arbitration Panel must be a resident of the City of Kenai and must not hold any other office or position in the government of the City of Kenai. If a member moves their residence outside of City limits or is elected or appointed as an officer or employee of the City, the term of such member will terminate immediately.
- (c) [MEMBERS OF THE PANEL SHALL SERVE FOR INDEFINITE TERMS UNTIL TERMINATION BY THE COUNCIL, RESIGNATION BY THE MEMBER, DEATH, MOVE FROM THE CITY OF KENAI, ELECTION OR APPOINTMENT AS AN OFFICER OR EMPLOYEE OF THE CITY OF KENAI, OR INCAPACITY OF THE MEMBER.] Terms of appointments will be for three years beginning January 1st and ending December 31st. Effective April 4, 2025 terms will be staggered terms, terms for four members will be one-year; terms for four members will be two-years; and terms for four members will be for three-years.
- (d) When an appointment is to fill a vacancy created prior to the end of a term, the appointment will be for the remainder of that term.
- (e) After completion of a full or partial term, the City Council may reappoint the member or select a replacement from nominations received from City employees or Council members.

([D]f) By adoption of the ordinance codified in this chapter, the city hereby waives any claim or cause of action it might have against any member of the Arbitration Panel based on his or her service thereon or on a Personnel Board. Any employee in the classified service, by filing an appeal under the provisions of this chapter, likewise waives any claim or cause of action such employee might have against any member of the Arbitration Panel based on his or her service thereon or on a Personnel Board, and if requested such employee will execute and file a formal waiver at time of filing appeal.

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5TH DAY OF MARCH, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced:	February 19, 2025
Enacted:	March 5, 2025
Effective:	April 4, 2025



KENAI

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MEMORANDUM

TO: Mayor Gabriel and City Council Members

FROM: Shellie Saner, City Clerk

DATE: February 6, 2025

SUBJECT: **Ordinance No. 3454-2025 - Amending Kenai Municipal Code 23.35.032 - Arbitration Panel to Amend the Member Terms from Indefinite Terms to Three-Year Terms.**

Current Terms for the Arbitration Panel

Terms for the Arbitration Panel are established in KMC 23.35.032(c) and are as follows:

Members of the panel shall serve for indefinite terms until termination by the Council, resignation by the member, death, move from the City of Kenai, election or appointment as an officer or employee of the City of Kenai, or incapacity of the member.

The Arbitration Panel meets only on an as-needed basis, and often more than ten years pass between meetings. The last appointment to the panel was in 2013. Serving on a group that meets infrequently and has indefinite terms creates challenges. Of the twelve members serving since 2013, three indicated they are willing to continue serving, four have indicated they are only interested in serving for one more year, three have moved out of the City, and two are deceased. There are currently five vacancies on the panel.

Amending the terms to staggered three-year terms is recommended to effectively manage the membership of the Arbitration Panel and is consistent with how membership terms are managed for City Standing Commissions.

During the February 5, 2025 City Council meeting, City Council provided general direction to the City Clerk to bring forward legislation amending the terms of the Arbitration Panel Members, establishing three-year staggered terms. This would include assigning initial terms as follows:

- Four members to three-year terms
- Four members to two-year terms
- Four members to one-year terms

The proposed change would allow for annual recruitment for the Arbitration Panel alongside other Commission recruitment. It would also ensure that sitting members remain interested in serving and remind members of the need to resign if they relocate outside the City.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3455-2025**

AN ORDINANCE AUTHORIZING THE PURCHASE OF A USED VENTRAC TRACTOR AND ATTACHMENTS FROM KNC GOLF, INC., THAT DEVIATES FROM PROCUREMENT PROCEDURES AUTHORIZED BY KENAI MUNICIPAL CODE CHAPTER 7.15 PURCHASES AND SALES.

WHEREAS, the Parks and Recreation Department planned to purchase two tractors and attachments in fiscal years 2025 and 2026 using standard procurement procedures in KMC Chapter 7.15-Purchases and Sales; and,

WHEREAS, an unexpected opportunity with change in the Kenai Golf Course management has resulted in opportunity to purchase one tractor and attachments from KNC Golf, Inc., at a value to the City that cannot otherwise be obtained through standard procurement methods provided in KMC Chapter 7.15; and,

WHEREAS, cost savings, value, efficiency, and enhanced functionality by purchasing the tractor and attachments directly from KNC Golf, Inc, justify not following the competitive procurement processes in City Code 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 procurement provisions required in KMC Chapter 7.15 are hereby waived in the best interest of the City for cost savings, value, efficiency and enhanced functionality for the purpose of purchasing a Ventrac tractor and attachments from KNC Golf, Inc. for \$45,000.

Section 2. That the City Manager is authorized to execute any documents necessary to complete the purchase described in Section 1 above.

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5TH DAY OF MARCH, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Ordinance No. 3455-2025
Page 2 of 2

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



Introduced:	February 19, 2025
Enacted:	March 5, 2025
Effective:	April 4, 2025



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: February 12, 2025

SUBJECT: **Ordinance 3455-2025 - Authorizing the Purchase of a Used Ventrac Tractor and Attachments from KNC Golf, Inc., that Deviates from Procurement Procedures Authorized by Kenai Municipal Code Chapter 7.15 Purchases and Sales.**

In the FY25 budget, there is a capital project for the Parks and Recreation Department (Department) to purchase a tractor and several attachments. Additionally, the approved capital improvement plan for FY26 includes a request to fund the purchase of a second tractor and attachments. These two tractors are intended to replace aging mowers and provide greater versatility and efficiency for the Department.

Recently, the new management of the Kenai Golf Course presented the City with a unique opportunity. KNC Golf, Inc., owns a tractor similar to the one the Department was planning to purchase, along with a large number of attachments. KNC Golf, Inc., has determined the tractor does not meet its needs and is offering it for sale along with all the attachments. Some of the attachments align with the Department's original purchase plan, while others were not initially planned to be purchased but would significantly enhance the Department's capabilities. The additional attachments would replace other aging small equipment used by the Department.

KNC Golf, Inc., is offering the tractor and its attachments to the City at an exceptional value that far exceeds the City's spending power in the new equipment market. The tractor has very low hours, and some attachments have never been used. While it is understood the used tractor does not have a warranty, the City Shop is familiar with the equipment and can provide needed maintenance and repair services within reason. The value of the potential purchase and alignment with existing plans for the purchase of similar equipment is significant enough for Administration to take the rare step of recommending Council approve this purchase outside of standard purchasing procedures provided for in the City's purchasing code.

This opportunity provides substantial benefits in four key areas:

1. **Value:** The value new of the tractor and attachments offered is \$103,640 which is offered to the City for \$45,000.

2. **Future Cost Efficiency:** The new attachments the City would be acquiring in addition to what it originally intended to acquire will replace other aging equipment that the Department needs replaced in the next five years.
3. **Enhanced Functionality:** The purchase increases the number of available attachments, improving operational capabilities and versatility within the Department.
4. **Immediate Budget Impact:** Purchasing the equipment will save money compared to the original purchase plan for FY25 and FY26 and provide an increased number of attachments.

Recommendation:

Based on these benefits, the Administration recommends enactment of a non-code ordinance authorizing the purchase of the Ventrac Tractor from KNC Golf, Inc. by direct negotiation. The purchase will address immediate operational needs while delivering long-term financial and functional benefits for the City. Below are tables representing the values of all the tractors and equipment.

Table 1.A represents the current purchase plan for new equipment of the Parks Department from the FY25 and FY26 Capital Improvement Plans.

1.A

Equipment	FY25 Budget	FY26 Request	Total FY25 Budget and FY26 Request
Ventrac Tractor	\$33,700	\$33,700	\$ 67,400
Contour Mower	10,000	-	10,000
Attachment Broom	5,075	-	5,075
Ball Park Groomer	5,975		5,975
Wide Area mower	8,400	-	8,400
Power Bucket	-	3,190	3,190
48" Snow Blower	-	6,810	6,810
Tiller	-	4,310	4,310
Rough Cut Mower	-	5,625	5,625
Dual wheel kit	1,795	1,795	3,590
Trailer	-	8,000	8,000
Total	\$64,945	\$63,430	\$128,375



Table 1. B represents a revised purchase plan which includes purchase of the unit and attachments from KNC Golf, Inc.

1.B

Equipment	FY25 Budget	FY26 Request	Total FY25 Budget and FY26 Request
Ventrac Tractor & Attachments	\$45,000	\$33,700	\$78,700
Attachment Broom	5,075	-	5,075
Ball Park Groomer	5,975	-	5,975
Wide Area mower	8,400	-	8,400
Dual Wheel Kit	1,795	1,795	3590
48" Snow Blower	-	6,810	6,810
Tiller	-	4,310	4,310
Rough Cut Mower	-	5,625	5,625
Trailer	-	8,000	8,000
Total	\$66,245	\$60,240	\$126,485

Table 1.C Represents the value of the attachments the City will receive when purchasing the KNC Golf, Inc. unit

1.C

Equipment	Cost New
Ventrac Tractor	\$33,700
Reel Mower	18,500
Blower	7,015
Aerator	7,940
Roller and Seeder Kit	3,685
Sod cutter	605
72 in Finish Mower	5,275
Vac loader	9,340
Trencher	7,580
Contour Mower	10,000
Total	\$103,640

Conclusion

The proposed acquisition of equipment from the KNC Golf, Inc. will result in a total cost reduction, doubles the number of attachments, and will improve the operational functionality of the Parks Department. Your support for enactment of Ordinance 3455-2025 is respectfully requested.





Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2025-16**

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT AND CORRESPONDING PURCHASE ORDER FOR THE 2026 AIRPORT PERIMETER AND SECURITY FENCE LINE IMPROVEMENT PROJECT FOR THE KENAI MUNICIPAL AIRPORT.

WHEREAS, the 2026 Airport Perimeter and Security Fence Line Improvement project is a planned project in coordination with the Federal Aviation Administration and the Kenai Municipal Airport's Capital Improvement Program; and,

WHEREAS, HDL Engineering Consultants working under their current term services agreement has provided a proposal dated December 9, 2024 for the not to exceed amount of \$38,999; and,

WHEREAS, this agreement will provide for completion of the National Environment Policy Act Review Assessment required by the Federal Aviation Administration; and,

WHEREAS, sufficient funding for the City share and to cover the initial costs of design for this project was provided through approval of the fiscal year 2025 annual budget; and,

WHEREAS, this work will be grant eligible under the cost share of 95.00% Federal Aviation Administration and 5.00% City.

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

Section 1. That the City Manager is authorized to execute a contract award and corresponding purchase order to HDL Engineering Consultants in the amount of \$38,999 for the National Environment Policy Act Review Assessment.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5TH DAY OF MARCH, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____

DS



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Derek Ables, Airport Manager

DATE: February 24, 2025

SUBJECT: **Resolution 2025-16 - Authorizing a Professional Service Agreement and Corresponding Purchase Order for the 2026 Airport Perimeter and Security Fence Line Improvement Project for the Kenai Municipal Airport.**

The purpose of this memo is to request Council's approval to award a Professional Services agreement to HDL Engineering Consultants to provide environmental services in support of improving the Airport Perimeter Fence. The project includes the replacement of existing gates, installation of new gates, replacement of fencing, and construction of up to 600 feet of new fence. As a result, the City is required to complete the National Environmental Policy Act review prior to the FAA issuing a federal grant.

HDL's work will include preparing the scope and concept level design to serve as the basis for the NEPA review. HDL will Coordinate with local, state, and federal agencies and prepare the necessary documents to distribute to tribal entities to satisfy the needs for Environment Justice and government-to-government consultation. They will consult with the Alaska Department of Environmental Conservation on soil and groundwater issues. Additionally, a cultural resource survey will be completed and the Section 106 consultation with the State Historic Preservation Officer and tribal entities.

Completion of this work is a priority for the Airport and will allow the City to apply for a grant in the 2026 fiscal year. Council's support is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2025-17**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO RENEW THE MEMORANDUM OF UNDERSTANDING FOR THE KENAI WATERSHED FORUM KENAI RIVER WATER QUALITY MONITORING PROGRAM.

WHEREAS, the Kenai Watershed Forum has conducted baseline water quality monitoring beginning in 2000; and,

WHEREAS, the data collected and analysis performed have resulted in science-based decision-making affecting the Kenai River; and,

WHEREAS, the City entered into a Memorandum of Understanding with the Kenai Watershed Forum on June 6, 2015 through December 31, 2019, at which time the City continued to contribute financially to the project through special project grants; and,

WHEREAS, continued collection of baseline monitoring data is important and necessary to safeguard the health of the Kenai River and is in the best interests of the City.

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

Section 1. That the City Manager is authorized to execute a Memorandum of Understanding (MOU) for the Kenai Watershed Forum Kenai River Water Quality Monitoring Program.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5TH DAY OF MARCH, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Terry Eubank, City Manager

DATE: February 20, 2025

SUBJECT: **Resolution 2025-17 - Authorizing the City Manager to Renew the Memorandum of Understanding for the Kenai Watershed Forum Kenai River Water Quality Monitoring Program.**

The Kenai Watershed Forum has been conducting baseline water quality monitoring on the Kenai River since 2000, providing critical data that has informed science-based decision-making to protect this important resource. The proposed resolution authorizing the City Manager to renew the Memorandum of Understanding (MOU) for this program reaffirms the City's commitment to safeguarding the health of the Kenai River.

Historically, the City of Kenai has supported this project with an annual contribution of \$5,000. However, last year, that amount was reduced to \$1,500, with the City also offering the use of the City's Water & Sewer Lab for sample testing if needed. It is important to note that not all parties to the MOU provide direct financial contributions to the project, making continued support from the City of Kenai all the more valuable in sustaining long-term monitoring efforts.

The ongoing collection of baseline data remains essential to ensuring the health of the Kenai River and the long-term well-being of our community. The Kenai Watershed Forum has also shared a short video explaining the significance of this project, which can be viewed at the following link: <https://www.youtube.com/watch?v=hHYw0c-CHHc>

Your consideration is appreciated.



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Memo: Kenai River Water Quality Monitoring Memorandum of Understanding

Brian Gabriel
Mayor's Office, City of Kenai
210 Fidalgo Ave.
Kenai, AK 99611

February 7, 2025

Dear Mayor Gabriel,

The Kenai River Baseline Water Quality Monitoring program is one of Alaska's longest-running and most robust efforts to assess water quality in the state. Since the year 2000 the program has partnered with over a dozen government, tribal, private, and non-governmental organizations. Results have provided critical data for management decisions at the local level that help keep the Kenai River thriving and accessible.

The project's Memorandum of Understanding (MOU) document outlines the roles of partnering organizations, and is due for renewal. We are requesting a renewal signature from your office as confirmation of continued support for this project. The MOU is a non-binding document and does not legally commit any entities or individuals to financial support or management actions.

We are eager to share more about the project with your office and look forward to speaking with you. Additional details and resources are linked on the project [website](#), as well as in the Project Status Summary attached here.

Thank you for your support and consideration. Sincerely,

A handwritten signature in black ink, appearing to read 'Ben Meyer'.

Benjamin Meyer
Research Coordinator
Kenai Watershed Forum
ben@kenaiwatershed.org
(907) 232-0280

A handwritten signature in black ink, appearing to read 'Trent Dodson'.

Trent Dodson
Executive Director
Kenai Watershed Forum
executivedirector@kenaiwatershed.org
(907) 260-5449 ext. 1206

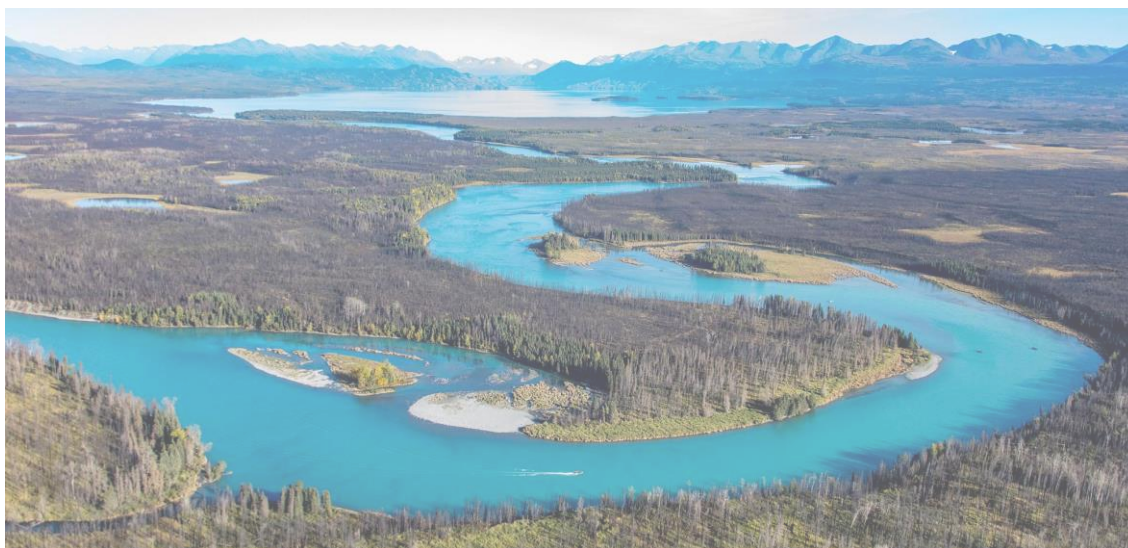


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Memorandum of Understanding (MOU) Kenai River Baseline Water Quality Monitoring 2025 Renewal

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The Kenai River flows from Skilak Lake. Photo Credit: Ian Reid

Learn more at <https://www.kenaiwatershed.org/kenai-river-baseline-water-quality-monitoring/>



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Document A: Project Status Summary

January 2025

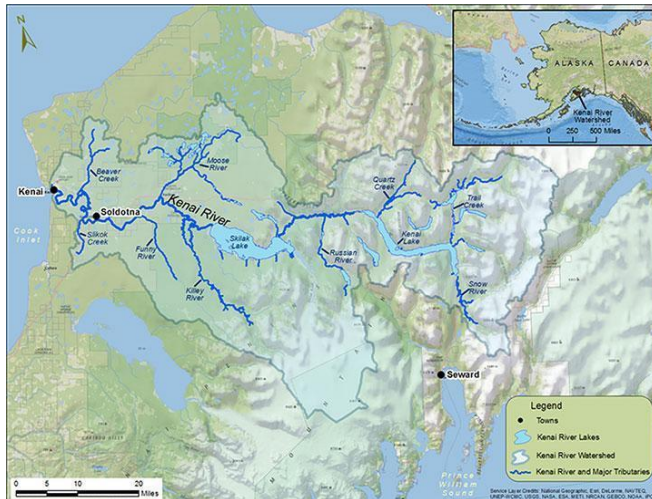
The Kenai River Baseline Water Quality Monitoring Project – 24 years of Community Driven Research

Introduction



Collecting a water sample from a tributary of the Kenai River

The Kenai River in southcentral Alaska is among the worlds most famed, supporting diverse fisheries and industries and the people who rely on them. Since the year 2000 [Kenai Watershed Forum](http://www.kenaiwatershed.org) has coordinated the efforts of government, tribal, private, and nonprofit partners to monitor water quality trends throughout the river as specified in the Alaska Department of Natural Resources' 1997 [Kenai River Special Management Area Comprehensive Management Plan](#). The twenty-four year continuous effort has produced a long and robust water quality dataset that is applied to identify and address critical local water management issues. The program serves as a remarkable example of how community partnerships can generate outsized impact.



Twice annually, the program measures water quality at twenty-two sites throughout the Kenai River and its tributaries. The project surveys for a diverse list of substances including bacteria, metals, nutrients, fuels, and more. All results are published in the public domain and are assessed against state and federal water quality standards. Comprehensive reports have been published in 2007 and 2016, with another planned for analysis in 2025. Visit the [project website](http://www.kenaiwatershed.org)¹ for details and additional resources.

Map of the Kenai River watershed in southcentral Alaska ([click link for an online interactive version of the map](#))

¹ <https://www.kenaiwatershed.org/kenai-river-baseline-water-quality-monitoring/>



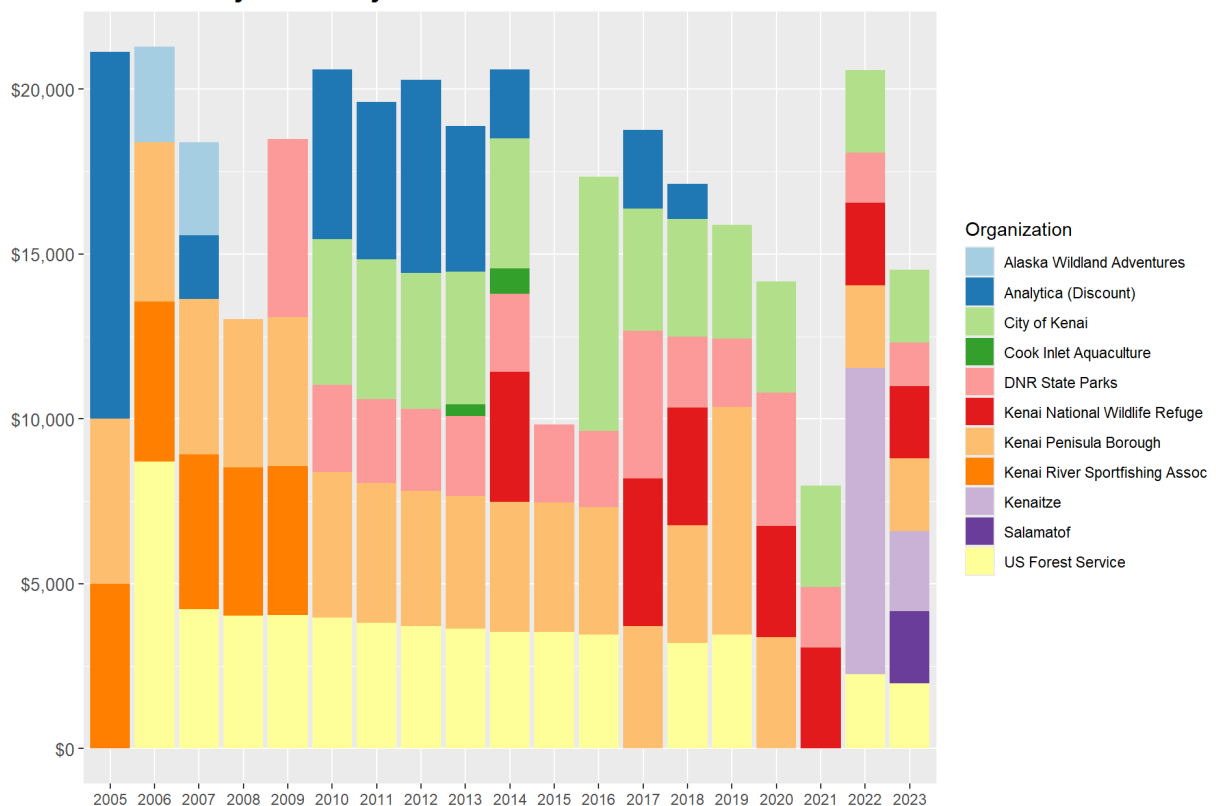
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Inflation Has Reduced Project Purchasing Power

As of January 2025, annual project income no longer supports base level expenses. We are tasked with reducing some monitoring and analysis efforts unless income levels increase.

Over fifteen organizations support monitoring work each year with in-kind and/or financial backing. While the overall level of annual financial contribution has remained relatively steady, a 56% rise in inflation of the US dollar since 2005 has lessened the purchasing power of resources available to the project. In 2022, a one-time contribution of EPA pass-through funds from Kenaitze Indian Tribe allowed the project to continue as planned through 2024, but future years will need to identify additional funds to continue providing the same level of service. Access additional project financial details at https://kenai-watershed-forum.github.io/kenai-river-wqx/finance_history.html.

Inflation Adjusted Project Income 2005-2023



Inflation-adjusted financial contribution to the Kenai River Baseline Water Quality Monitoring Project 2005 - 2023.



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Sustaining Future Project Activities

Kenai Watershed Forum is actively pursuing funding from new public and private sources to support this work, including the U.S. Bureau of Restoration, the ConocoPhillips Community Grants program, and others. However, annual support from existing long-term local partners remains the most viable way to secure this project into the future.

As your organization considers renewing the Memorandum of Understanding (MOU), the level of financial support required to sustain the work will be part of the discussion. *Note that the MOU does not contractually commit any organization to specific financial support.*

We look forward to discussing this work further with your office and are eager to share the next comprehensive report. Thank you for your time and consideration.

Further Reading and Links

- Updating Boat Motors Reduces Hydrocarbon Pollution (EPA, 2011)
 - https://19january2017snapshot.epa.gov/sites/production/files/2015-10/documents/ak_kenai.pdf
- Kenai River Comprehensive Management Plan (AKDNR, 1997)
 - <https://dnr.alaska.gov/parks/plans/krsmapl/kenrvpln.htm>
- Kenai River Baseline Water Quality Monitoring Project – Homepage (KWF, 2024)
 - <https://www.kenaiwatershed.org/kenai-river-baseline-water-quality-monitoring/>
- Kenai River Baseline Water Quality Monitoring – Presentation to International River Symposium (KWF, 2022)
 - <https://www.youtube.com/watch?v=znROWo6MfAg>

Document B: Signatories for the 2015 Kenai River Baseline Water Quality Monitoring Project Memorandum of Understanding²

- Commissioner, Alaska Department of Environmental Conservation

² View at https://bit.ly/kwf_mou_2015



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- Commissioner, Alaska Department of Fish and Game
- Commissioner, Alaska Department of Natural Resources
- Principal, Analytica, Inc.
- Mayor, City of Kenai
- Mayor, City of Soldotna
- Executive Director, Cook Inlet Aquaculture Association
- Mayor, Kenai Peninsula Borough
- Executive Director, Kenaitze Indian Tribe
- Executive Director, Kenai Watershed Forum
- Alaska Regional Director, U.S. Fish and Wildlife Service
- Forest Supervisor, Chugach National Forest



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Document C: 2025 Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING

JANUARY 2025

BETWEEN

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

AND

ALASKA DEPARTMENT OF FISH AND GAME

AND

ALASKA DEPARTMENT OF NATURAL RESOURCES

AND

SGS LABORATORIES, INC.

AND

CITY OF KENAI

AND

CITY OF SOLDOTNA

AND

COOK INLET AQUACULTURE ASSOCIATION

AND

THE KENAI PENINSULA BOROUGH

AND

THE KENAITZE INDIAN TRIBE

AND

SALAMATOF TRIBE

AND

TYONEK TRIBAL CONSERVATION DISTRICT

AND

KENAI WATERSHED FORUM

AND

U.S. FISH AND WILDLIFE SERVICE, ALASKA REGION

AND

U.S. FOREST SERVICE, CHUGACH NATIONAL FOREST

AND

TROUT UNLIMITED ALASKA

AND

DEFENDERS OF WILDLIFE



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This Memorandum of Understanding between the above-listed parties, hereinafter referred to as Agencies/Organizations, reflects the general policy guidelines within which the Agencies/Organizations agree to operate in relation to the “[Kenai River Watershed Water Quality Monitoring Program](#)”, hereinafter referred to as the WQ Program.

WHEREAS, Water quality monitoring was identified in the “Kenai River Comprehensive Management Plan”¹ adopted December 1997 as an important component to the management of the Kenai River and its health, and

WHEREAS, The goal of the 1998 Framework for Water Quality Monitoring of the Kenai River² is to provide a water quality monitoring strategy to ensure the environmental integrity of the Kenai River Watershed, and

WHEREAS, Water quality monitoring began in 2000, resulting in data being collected under the WQ Program for 24 years, and

WHEREAS, The water quality data collected under this program has been used to establish baseline conditions, conduct ongoing water quality trend analysis for numerous streams in the Kenai River Watershed and to prepare two water quality reports (years 2007 and 2016) summarizing all data, trends and management implications³⁻⁵, and

WHEREAS, The data from this program have been used to identify problems in the Kenai River which have been addressed and resolved, maintaining the health and integrity of the Kenai River, and

WHEREAS, Water quality data from this program have been collected under Quality Assurance Project Plan plans approved by Alaska Department of Environmental Conservation and the U.S. Environmental Protection Agency, and

WHEREAS, The data collected under this project are in the public domain and available to the public, which fosters agency and community understanding of the current and future conditions of the Kenai River, and

WHEREAS, Local, State, and Federal Agencies, and non-governmental organizations party to this Memorandum of Understanding recognize the Kenai River to be important to the human and ecological community of the central Kenai Peninsula, and

WHEREAS, There is a benefit to collecting water quality information for improving the understanding of the Kenai River Watershed, and



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WHEREAS, There are benefits in coordinating efforts for the planning, collection, analysis, management and presentation of water quality data, and

WHEREAS, The previous Memorandum of Understanding for the Kenai River Water Quality Monitoring Program signed in 2015 has expired.

NOW, THEREFORE, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

1. To work cooperatively to facilitate a long-term Water Quality Monitoring Program for the Kenai River Watershed.
2. To support the collection and analysis of water samples for the Kenai River Watershed Water Quality sampling effort through funding, in-kind services or other mechanisms to the degree allowed by normal planning and budget constraints and to the extent allowable by applicable laws, regulations and policies.
3. Public access to Memorandum of Understanding must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552).
4. Modifications within the scope of this Memorandum of Understanding must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being performed. Requests for the modification should be made, in writing, at least 30 days prior to implementation of the requested change.
5. Any of the parties, in writing, may terminate this Memorandum of Understanding in whole, or in part, at any time before the date of expiration.
6. The parties to this Memorandum of Understanding agree to be responsible for damages to their own property and injuries to their own employees/volunteers, except for damage/injuries resulting from the fault or negligence of the other party. Any claim for damage to property or persons made against the Government will be pursued in accordance with the provision of the Federal Tort Claims Act.
7. No member of, or Delegate to, Congress shall be admitted to any share or part of this Memorandum of Understanding, or any benefits that may arise there from; but this provision shall not be construed to extend to this agreement if made a corporation for its general benefit.
8. To acknowledge that this Memorandum of Understanding does not:
 - a. Limit agencies, local governments, tribes or organizations in the collection or use of data for purposes other than that of the cooperative effort;
 - b. Authorize any of the parties to obligate or transfer funds. Specific projects or activities that involve the transfer of funds, services, or property among the parties require execution of separate agreements and are contingent upon the availability of appropriated funds.



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- c. Intend to conflict with federal, state, or local laws or regulations, with an understanding if there are conflicts, this agreement will be amended at the first opportunity to bring it into conformance with applicable laws or regulations; and
- d. Intend to enlarge or diminish the responsibilities or statutory authority of any of the signatories or any other party over the management of water or its resources within the Kenai River drainage.

This Memorandum of Understanding will be effective through December 31st, 2030, at which time all parties will reevaluate the need and desire to enter into any subsequent understanding. Once all parties have signed and returned the Memorandum of Understanding, each party will receive a copy of the signatory pages.

By signature below, each party certifies that the individual listed in the individual parties is authorized to act in their respective areas for matters related to this Memorandum of Understanding. In witness whereof, the parties hereto have executed this Memorandum of Understanding as of the last date written below.



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Document D: Signature Page

See separate attached document in email.



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References

1. AKDNR. *Kenai River Comprehensive Management Plan*. https://www.kenaifishpartnership.org/wp-content/uploads/2021/10/krsma_1997_editable_sm.pdf (1997).
2. The Nature Conservancy of Alaska. *1998 Framework for Water Quality Monitoring of the Kenai River*. <https://www.kenaiwatershed.org/wp-content/uploads/2024/09/1998-Framework-for-Water-Quality-Monitoring-of-the-Kenai-River-.pdf> (1998).
3. Guerron Orejuela, E. *Water Quality Assessment of the Kenai River Watershed from July 2000 to July 2014*. <https://dec.alaska.gov/media/16756/kenai-river-baseline-monitoring-report-final-zncuappendix.pdf> (2016).
4. McCard, J. J. *Water Quality Assessment of the Kenai River Watershed from July 2000 to July 2006*. <https://www.kenaiwatershed.org/wp-content/uploads/2024/09/Water-Quality-Assessment-of-the-Kenai-River-Watershed-from-July-2000-to-July-2006.pdf> (2007).
5. KWF. *Kenai River Baseline Water Quality Monitoring*. <https://www.kenaiwatershed.org/kenai-river-baseline-water-quality-monitoring/> (2024).



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2025-18**

A RESOLUTION AUTHORIZING THE USE OF THE FLEET REPLACEMENT FUND FOR THE PURCHASE OF EQUIPMENT TO UPFIT THREE NEW POLICE VEHICLES.

WHEREAS, Resolution 2024-48 authorized the purchase of three new vehicles to replace existing police vehicles and those vehicles are expected to arrive in the coming months and will require police equipment to be installed; and,

WHEREAS, upfitting the police vehicles requires a number of vendors for things such as push bumpers, light bars, siren controllers, consoles, gun locks, partitions, transport seats, window barriers, decals, winter tires and rims, and other accessories; and,

WHEREAS, the police department has worked closely with the City shop, where the vehicle equipment will be installed, to determine the cost utilizing a number of vendors and it is anticipated that \$45,000 should be adequate to complete the upfitting of the three police vehicles; and,

WHEREAS, the purchases were planned in the Fleet Replacement Fund where sufficient funding is available.

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

Section 1. That the City Manager is authorized to use the Fleet Replacement Fund to upfit these three vehicles at an estimated cost of \$45,000.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5TH DAY OF MARCH, 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: Dave Ross, Police Chief

DATE: February 18, 2025

SUBJECT: **Resolution No. 2025-18 - Authorizing the Use of the Fleet Replacement Fund for the Purchase of Equipment to Upfit Three New Police Vehicles.**

Resolution 2024-48 previously authorized the purchase of three Ford Police Interceptors (SUVs) to replace existing police vehicles. This resolution would authorize the use of the Fleet Replacement Fund for the equipment necessary to upfit those three vehicles into police vehicles. The purchase of the equipment will come from various vendors.

Needed equipment and services for upfitting those vehicles includes but is not limited to: push bumpers, light bars, siren controllers, consoles, gun locks, partitions, transport seats, window barriers, decals and the installation of decals, winter tires and rims, etc.

The total anticipated cost to upfit the three vehicles is anticipated to be less than \$45,000 and this resolution would authorize the use of the Fleet Replacement Fund up to that amount.

Thank you for your consideration.

**KENAI CITY COUNCIL – REGULAR MEETING
FEBRUARY 19, 2025 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
MAYOR BRIAN GABRIEL, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on February 19, 2025, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Mayor Gabriel led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Brian Gabriel, Mayor
Phil Daniel
Alex Douthit
Sovala Kisenia

Henry Knackstedt, Vice Mayor
Deborah Sounart (*remote participation*)
Victoria Askin

A quorum was present.

Also in attendance were:

**Xiling Tanner, Student Representative
Terry Eubank, City Manager
Scott Bloom, City Attorney
David Swarner, Finance Director
Stephanie Randall, Human Resource Director
Tyler Best, Parks and Recreation Director
Lee Frey, Public Works Director
Dave Ross, Police Chief
Shellie Saner, City Clerk

3. Agenda and Consent Agenda Approval

MOTION:

Vice Mayor Knackstedt **MOVED** to approve the agenda and consent agenda. Council Member Askin **SECONDED** the motion.

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

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

UNANIMOUS CONSENT was requested.

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

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

B. SCHEDULED ADMINISTRATIVE REPORTS - None.

C. SCHEDULED PUBLIC COMMENTS

1. Project Homeless Connect 2025, Executive Director of Love INC Leslie Rohr.

Leslie Rohr, Executive Director of Love INC, presented an overview of the 2025 Project Homeless Connect event; provided statistical information from the data collected; and highlighted the success of the event and its positive impact on the participants.

D. UNSCHEDULED PUBLIC COMMENTS - None.

E. PUBLIC HEARINGS

1. **Ordinance No. 3449-2025** - Increasing Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting Grants from the United States Department of Justice and Alaska Municipal League Joint Insurance Association for the Purchase of Ballistic Vests. (Administration)

MOTION:

Vice Mayor Knackstedt **MOVED** to enact Ordinance No. 3449-2025. Council Member Daniel **SECONDED** the motion.

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

Appreciation was expressed to Chief Ross for obtaining the grant; clarification was provided that the ballistic vests are on a five-year replacement cycle.

VOTE:

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

NAY: None

**Student Representative Tanner: Yea

MOTION PASSED.

2. **Ordinance No. 3450-2025** - Amending Sections of Kenai Municipal Code Title 23 - Personnel Regulations, Sections 23.05.070 - Definitions, 23.25.080 - Promotion, 23.30.030 - Probationary Period for Employees in the Classified Service, and 23.55.020 - Compensation Structure by Grade for Employees in the Classified Service, to Ensure a Consistent Approach to Pay Adjustments for City Employees. (Administration)

MOTION:

Vice Mayor Knackstedt **MOVED** to enact Ordinance No. 3450-2025. Council Member Daniel **SECONDED** the motion.

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

It was reported that this Ordinance will amend the City's current personnel structure, including amendments to employee probationary period, step increases and anniversary date definition.

Appreciation was conveyed to staff; and support was expressed for the Ordinance.

VOTE:

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

NAY: None

**Student Representative Tanner: Yea

MOTION PASSED.

3. **Resolution No. 2025-15** - Authorizing the City Manager to Execute a Lease of Airport Reserve Lands Between the City of Kenai and ENA, Limited Liability Corporation for Lots 5A and 5B, FBO Subdivision No. 10, to be Described as Lot 5C, FBO Subdivision 2024 Addition Upon Approval of Final Plat. (Administration)

MOTION:

Vice Mayor Knackstedt **MOVED** to adopt Resolution No. 2025-15. Council Member Askin **SECONDED** the motion.

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

Support was expressed for execution of the lease, as it would allow Everts to move forward with development of a hangar. Clarification was provided that the lease allows for three years to complete development with the possibility of two one-year extensions; and the lessee would vacate their current lease space once development is complete.

UNANIMOUS CONSENT was requested.

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

F. MINUTES

1. *Regular Meeting of February 5, 2025. (City Clerk)

G. UNFINISHED BUSINESS - None.

H. NEW BUSINESS

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

Approved by the consent agenda.

2. ***Action/Approval** - First Extension to the Agreement with Guardian Security Systems, Inc. for Security Guard Services at the Kenai Municipal Airport. (Administration)

Approved by the consent agenda.

3. ***Action/Approval** - Council Confirmation of Mayoral Nomination of Gina Kuntzman to the Council on Aging Commission. (Gabriel)

Approved by the consent agenda.

4. ***Ordinance No. 3451-2025** - Accepting and Appropriating Donations to the Kenai Community Library for Library Materials, Equipment, Furniture, and Programming. (Administration)

Introduced by the consent agenda and Public Hearing set for March 5, 2025.

5. ***Ordinance No. 3452-2025** - Accepting and Appropriating a Polar Bear and Brown Bear Taxidermy Donation from the Warren E Johnson Estate for Display in the Kenai Municipal Airport Terminal. (Administration)

Introduced by the consent agenda and Public Hearing set for March 5, 2025.

6. ***Ordinance No. 3453-2025** - Amending Kenai Municipal Code Chapter 7.15 – Purchases and Sales, Sections 7.15.060 – Procurement of Professional Services and 7.15.070 – Innovative Procurements and Other Exceptions, to Allow Insurance Coverages to be Procured by Direct Negotiation and Authorize Other Procurement Exceptions Subject to City Council Approval by Resolution. (Knackstedt)

Introduced by the consent agenda and Public Hearing set for March 5, 2025.

7. ***Ordinance No. 3454-2025** - Amending Kenai Municipal Code 23.35.032 - Arbitration Panel to Amend the Member Terms from Indefinite Terms to Three-Year Terms. (City Clerk)

Introduced by the consent agenda and Public Hearing set for March 5, 2025.

8. ***Ordinance No. 3455-2025** - Authorizing the Purchase of a Used Ventrac Tractor and Attachments from KNC Golf, Inc., that Deviates from Procurement Procedures Authorized by Kenai Municipal Code Chapter 7.15 Purchases and Sales. (Administration)

Introduced by the consent agenda and Public Hearing set for March 5, 2025.

9. **Action/Approval** - Authorizing the City Manager to Modify the Agreement with the Kenai Peninsula Borough for Accepting Landfill Leachate at the Waste Water Treatment Plant. (Administration)

MOTION:

Vice Mayor Knackstedt **MOVED** to authorize the City Manager to Modify the Agreement. Council Member Askin **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

10. **Discussion/Action** - Digester Blowers Standardization. (Administration)

MOTION:

Vice Mayor Knackstedt **MOVED** to support the standardization of the digester blowers at the Waste Water Treatment Facility. Council Member Daniel **SECONDED** the motion.

It was reported that replacement of digester blowers would create significant energy savings to City; replacement equipment from the same manufacturer as the previous blowers would result in greater efficiency in regards to maintenance of parts and operator training; a grant was received for the project and the EPA concurred and approved the City's bid document with designated manufacturer.

Support was expressed for standardization of equipment; and it was suggested that Council members tour the Waste Water Treatment Facility.

UNANIMOUS CONSENT was requested on the motion.

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

11. **Discussion** - Grants to Other Agencies - Annual Reports. (Douthit)

Council Member Douthit proposed the possibility of creating a standard requirement for all annual recipients of legislative grants to provide a report each year on their use of the grant funding; and he explained that updated annual information could help guide the Council's decisions during the budget process.

There was discussion regarding whether all grantees would need to report annually; how the reporting process could be administered; and what information the grantees could provide on their reports.

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging Commission

Vice Mayor Knackstedt reported on the February 13, 2025 work session, next meeting March 13, 2025.

2. Airport Commission

Council Member Daniel reported on the February 13, 2025 meeting, next meeting March 13, 2025.

3. Harbor Commission

Council Member Kisenia reported on the February 10, 2025 meeting, next meeting March 10, 2025.

4. Parks and Recreation Commission

Council Member Douthit reported on the February 6, 2025 meeting, next meeting March 6, 2025.

5. Planning and Zoning Commission

Council Member Askin reported on the February 12, 2025 meeting, next meeting February 26, 2025.

6. Beautification Commission

Meeting cancelled due to no quorum, next meeting April 8, 2025.

J. **REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Attended Job Shadow Day at the Kenai Chamber of Commerce.
- Upcoming employee evaluation surveys for City Manager, Attorney and Clerk.

K. **ADMINISTRATION REPORTS**

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

- Several employees and first responders in Dispatch, Police and Fire Departments have been nominated for Lifesaver Awards for their response to a recent house fire.
- PERS employer portal update: State has portal up and running; City will be able to upload employee payroll data between March 20 and April 9.
- James Hagar, Utility Lead Operator has been promoted to Utility Foreman position; recruitment underway for two Utility Lead Operator positions, a firefighter and seasonal summer positions in Police and Parks & Recreation Departments.
- Airport Manager Ables met with consultant regarding Airline Operating Agreement, which expires June 30, 2025; draft agreement will be presented to the Airport Commission.
- Staff met with representatives from KSRM to discuss the City's radio advertising program.
- Special Use Permit for Kenai Silver Salmon Derby has been submitted; scheduled for September 9-14, 2025.
- Employee Appreciation Event is scheduled for April 25, 2025.
- Several new position and reclassification requests have been received; Administration is working on how to incorporate them into the FY2026 budget process.
- Working with Army Corps of Engineers to facilitate a contractor and public meeting to discuss the bluff erosion project; and construction scheduled to start on May 16, 2025.

2. City Attorney - No report.

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

- One nomination has been received for the Personnel Arbitration Panel.
- Commission Training Event will be held on February 24, 2025 at 5:30 p.m. at the Kenai Visitor and Cultural Center.

L. **ADDITIONAL PUBLIC COMMENTS**

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

2. Council Comments

Council Member Sounart noted touring the Hoover Dam; and she would appreciate touring Waste Water Treatment Facility.

Council Member Douthit warned of the dangers of black ice on the roads; and expressed appreciation to City staff for fixing potholes.

Student Representative Tanner reported on an upcoming Connections Homeschool ski trip; provided an update on Kenai Central High School sports and band.

Council Member Askin noted that she attended a lunch with Amazon that was held to solicit businesses for a local hub; and warned about black ice.

Council Member Daniel expressed gratitude for the City's first responders.

Council Member Kisena expressed appreciation for the new Commission applicants; spoke highly of new Council on Aging Commissioner Gina Kuntzman; and said he was looking forward to attending the Commission Training Event.

Vice Mayor Knackstedt noted he would attend the Commission Training Event; Dorothy Grey would be giving a talk on the history of the Russian church in Alaska at the Chamber of Commerce; Bronze Bear Project promotion and fundraising efforts include a Paint and Sip fundraiser at the Chamber of Commerce; expressed appreciation for Three Bears and Grant Aviation for their donations to the project.

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 7:23 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of February 19, 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.*

PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: MARCH 5, 2025

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	114,464.38
ENSTAR NATURAL GAS	GAS USAGE	VARIOUS	UTILITIES	46,992.89
PREMERA	INSURANCE PREMIUM	VARIOUS	HEALTH INSURANCE	218,731.26

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
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KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Shellie Saner, City Clerk

FROM: Meghan Thibodeau, Deputy City Clerk

DATE: February 19, 2025

SUBJECT: **Action/Approval – Non-Objection to the Issuance of a Package Store Sampling Endorsement for Three Bears Alaska, Inc. DBA Three Bears - License No. 4118.**

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

Applicant: Three Bears Alaska, Inc.
D/B/A: Three Bears
License Type: Package Store Sampling Endorsement
License No.: 4118

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

Your consideration is appreciated.

Submit

by Meghan Thibodeau 1/21/2025 5:07:00 PM (Form Submission)

Approve

by Cindy Herr 1/21/2025 5:39:02 PM (Legal Asst Review)

■ There are no monies owed in fines or restitution.

- The task was assigned to Cindy Herr. The due date is: January 30, 2025 5:00 PM 1/21/2025 5:07:03 PM

Approve

by David Ross 1/22/2025 9:23:14 AM (Police Department Review)

- The task was assigned to David Ross. The due date is: January 30, 2025 5:00 PM 1/21/2025 5:07:02 PM

Approve

by Brandon McElrea 1/22/2025 9:35:38 AM (Lands Review)

■ No known Code violations.

- The task was assigned to Brandon McElrea. The due date is: January 30, 2025 5:00 PM 1/21/2025 5:07:03 PM

Approve

by Tina Williamson 1/22/2025 9:54:14 AM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: January 30, 2025 5:00 PM 1/21/2025 5:07:03 PM

Approve

by Kevin Buettner 1/22/2025 9:55:31 AM (P&Z Department Review)

- The task was assigned to Planning_Director. The due date is: January 31, 2025 5:00 PM 1/22/2025 9:54:16 AM
- Kevin Buettner assigned the task to Kevin Buettner 1/22/2025 9:55:06 AM

Approve

by Jeremy Hamilton 1/22/2025 10:37:58 AM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: January 30, 2025 5:00 PM 1/21/2025 5:07:02 PM

Approve

by Joe Fisher 1/22/2025 10:51:45 AM (Building Official Review)

- The task was assigned to Joe Fisher. The due date is: January 30, 2025 5:00 PM 1/21/2025 5:07:02 PM

Approve

by David Swarner 1/22/2025 12:26:13 PM (Finance Review)

- The task was assigned to David Swarner. The due date is: January 31, 2025 5:00 PM 1/22/2025 9:54:16 AM

Approve

by Scott Bloom 2/19/2025 9:21:26 AM (Legal Review)

- The task was assigned to City_Attorney. The due date is: January 31, 2025 5:00 PM 1/22/2025 9:54:16 AM
- Scott Bloom assigned the task to Scott Bloom 2/19/2025 9:21:22 AM

AMCO License Application

Date

1/21/2025

Establishment Information**License Type**

Package Store Sampling Endorsement

Licensee

Three Bears Alaska, Inc.

Doing Business As

Three Bears

Premises Address

10575 Kenai Spur Hwy

City, State

Kenai, AK

Contact Information**Contact Licensee**

Joan Travostino

Contact Phone No.

[REDACTED]

Contact Email

[REDACTED]

Additional Contact Information**Name****Phone No.****Email****Documents****File Upload**

PSE App. 2094. Master Lic. 4118 PSL.pdf

110.21KB



Document reference ID : 2094

Licensing Application Summary

Application ID: 2094

Applicant Name: Three Bears Alaska, Inc.

License Type applied for: Package Store Sampling Endorsement (PSE) (AS 04.09.490)

Application Status: In Review

Application Submitted On: 01/05/2024 10:37 AM

Entity Information

Business Structure: Corporation

FEIN/SSN Number: [REDACTED]

Alaska Entity Number (CBPL): 24136D

Entity Contact Information

Name	Phone	Email	Relation
Joan Travostino	[REDACTED]	[REDACTED]	Designated Licensee

Entity Address: [REDACTED]

Initial Application Information

Authority Type: I am authorized user by the designated licensee with binding authority

Legal First Name: Joan

Legal Last Name: Travostino

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Email Address:

Phone Number:

Ownership / Principal Party Details

Principal Parent Entity	Principal Party	Role	%Ownership
Three Bears Alaska, Inc.	Three Bears Investment Group, Llc	Stockholder/Shareholder	100
Three Bears Alaska, Inc.	David A Weisz Sr.	President	
Three Bears Alaska, Inc.	Paul D Sonnenberg	Vice President	
Three Bears Alaska, Inc.	Stephen D Mierop	Vice President	
Three Bears Alaska, Inc.	Robert Andy Baldrige	Secretary	
Three Bears Alaska, Inc.	Joan Travostino	Vice President	
Three Bears Alaska, Inc.	Julie Morales	Vice President	

Premises Address

Address: 10575 Kenai Spur Hwy, Kenai, AK, USA

Does the proposed site include a valid street address? Yes

Primary license number

Primary License Information

License Number - 4118 - Package Store License(PSL) - Kenai

Business/Trade Name:

Three Bears

Local Government and Community Council Details

City/Municipality

Kenai (City of)

Borough

Kenai Peninsula Borough

Attestations

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 305.700.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

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

I certify that all proposed licensees have been listed with Division of Corporation, Business, and Professional Licensing.

I certify that I and any individual identified in the business entity ownership section of this application, has or will read AS 04 and its implementing regulations.

Signature

Payment Info

Payment Type : CC

Payment Id: b3d7ba5e-5935-457b-9642-6ffaa1b5c1ec

Receipt Number: 100750423

Payment Date: 1/5/2024 10:38:18 AM



Monday, February 3, 2025

Sent via email: cityclerk@kenai.city

Shellie Saner, City Clerk
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant	:	Three Bears Alaska, Inc.
Business Name	:	Three Bears
License Type	:	Package Store
License Location	:	10575 Kenai Spur Highway, Kenai, AK 99611, City of Kenai
License No.	:	4118
Application Type	:	Endorsements

Dear Ms. Saner,

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

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

Sincerely,

Michele Turner, CMC
Borough Clerk

cc: [REDACTED];

<mailto:amco.localgovernmentonly@alaska.gov>



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Shellie Saner, City Clerk

FROM: Meghan Thibodeau, Deputy City Clerk

DATE: February 19, 2025

SUBJECT: **Action/Approval – Non-Objection to the Issuance of a Restaurant Endorsement for Salamatof Cannery Lodge, LLC. DBA Salamatof Cannery Lodge - License No. 15960.**

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

Applicant: Salamatof Cannery Lodge, LLC
D/B/A: Salamatof Cannery Lodge
License Type: Restaurant Endorsement
License No.: 15960

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

Your consideration is appreciated.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community
and Economic Development
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

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January 27, 2025

City of Kenai
VIA Email: cityclerk@kenai.city;

Kenai Peninsula Borough
VIA Email: micheleturner@kpb.us; sessert@kpb.us; mjenkins@kpb.us; nscarlett@kpb.us; mboehmler@kpb.us;
rraidmae@kpb.us; slopez@kpb.us; bcarter@kpb.us; irasor@kpb.us

License Type:	Beverage Dispensary - Tourism	License Number:	15960
Licensee:	Salamatof Cannery Lodge, LLC		
Doing Business As:	Salamatof Cannery Lodge		
Premises Address	2291 Bowpicker Ln, Kenai, AK 99611		
Endorsement Type(s):	Restaurant Endorsement		

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,
Anna White, Licensing Examiner II
For
Lizzie Kubitz, Acting Director
amco.localgovernmentonly@alaska.gov

Submit

by Meghan Thibodeau 1/27/2025 1:36:24 PM (Form Submission)

Approve

by Tina Williamson 1/27/2025 2:04:31 PM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: February 5, 2025 5:00 PM
1/27/2025 1:36:26 PM

Approve

by Joe Fisher 1/27/2025 2:24:22 PM (Building Official Review)

- Currently occupancy is limited to 99 occupants until an approved fire sprinkler system is installed and approved.

- The task was assigned to Joe Fisher. The due date is: February 5, 2025 5:00 PM 1/27/2025 1:36:26 PM

Approve

by David Ross 1/27/2025 3:07:01 PM (Police Department Review)

- The task was assigned to David Ross. The due date is: February 5, 2025 5:00 PM
1/27/2025 1:36:26 PM

Approve

by Brandon McElrea 1/27/2025 4:10:35 PM (Lands Review)

- No known Code violations.

- The task was assigned to Brandon McElrea. The due date is: February 5, 2025 5:00 PM
1/27/2025 1:36:27 PM

Approve

by Cindy Herr 1/31/2025 5:49:58 PM (Legal Asst Review)

- There are no monies owed in fines or restitution.

- The task was assigned to Cindy Herr. The due date is: February 5, 2025 5:00 PM 1/27/2025 1:36:26 PM

Approve

by Kevin Buettner 2/1/2025 9:38:07 AM (P&Z Department Review)

- The task was assigned to Planning_Director. The due date is: February 11, 2025 5:00 PM
1/31/2025 5:50:01 PM
- Kevin Buettner assigned the task to Kevin Buettner 2/1/2025 9:37:52 AM

Approve

by David Swarner 2/1/2025 9:47:48 PM (Finance Review)

- The task was assigned to David Swarner. The due date is: February 11, 2025 5:00 PM
1/31/2025 5:50:00 PM

Approve

by Scott Bloom 2/18/2025 11:40:59 AM (Legal Review)

- The task was assigned to City_Attorney. The due date is: February 11, 2025 5:00 PM
1/31/2025 5:50:00 PM
- Scott Bloom assigned the task to Scott Bloom 1/31/2025 5:54:16 PM

Approve

by Jeremy Hamilton 2/19/2025 3:07:33 PM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: February 5, 2025 5:00 PM
1/27/2025 1:36:25 PM

AMCO License Application

Page 60

Date

1/27/2025

Establishment Information

License Type

Restaurant Endorsement

Licensee

Salamatof Cannery Lodge, LLC

Doing Business As

Salamatof Cannery Lodge

Premises Address

2291 Bowpicker Ln

City, State

Kenai, AK

Contact Information

Contact Licensee

Eric Morrison

Contact Phone No.

[REDACTED]

Contact Email

[REDACTED]

Additional Contact Information

Name

Kate Schadle

Phone No.

[REDACTED]

Email

[REDACTED]

Documents

File Upload

#15960 The Cannery Lodge Restaurant Endorsement.pdf

4.7MB

15960 Endorsement LGB Notice.pdf

247.28KB



Document reference ID : 3787

Licensing Application Summary

Application ID: 3787
Applicant Name: Salamatof Cannery Lodge
License Type applied for: Restaurant Endorsement (RE) (AS 04.09.450)
Application Status: In Review
Application Submitted On: 10/26/2024 02:21 PM

Entity Information

Business Structure: Limited liability company
FEIN/SSN Number: [REDACTED]
Member Managed or Manager Managed: Manager Managed
Alaska Entity Number (CBPL): 10193951
Alaska Entity Formed Date: 04/22/2022
Home State: AK

Entity Contact Information

Name	Phone	Email	Relation
Eric Morrison	[REDACTED]	[REDACTED]	Designated Licensee
Kate Schadle	[REDACTED]	[REDACTED]	Executive Management

Entity Address: [REDACTED]

Initial Application Information

Authority Type: I am authorized user by the designated licensee with binding authority
Legal First Name: Kate
Legal Last Name: Schadle
Email Address: [REDACTED]
Phone Number: [REDACTED]

Registered Agent Information

Name Salamatof Tribal Council Salamatof Tribal Council
Agent's Phone Number [REDACTED] 0

Agent's Email

[REDACTED]

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Address

[REDACTED]

The registered agent is either an individual resident of the state or a domestic corporation authorized to transact business in the state and whose business office is the same as the registered office?

Yes

Ownership / Principal Party Details

Principal Parent Entity	Principal Party	Role	%Ownership
Salamatof Cannery Lodge	Salamatof Tribal Council	Manager, Member	100
Salamatof Cannery Lodge	Kate Schadle	Manager	
Salamatof Cannery Lodge	Eric Morrison	Manager	
Salamatof Cannery Lodge	Tiffani Swanson	Manager	

Premises Address

Address:

2291 Bowpicker Ln, Kenai, AK, 99611, USA

Mailing Address:

[REDACTED]

Does the proposed site include a valid street address?

Yes

Primary license number

Primary License Information

License Number - 15960 - Beverage Dispensary Tourism License (BDTL) - Kenai

Basic Business information

Business/Trade Name:

Salamatof Cannery Lodge

Premises Contact Details

Address:

[REDACTED]

Local Government and Community Council Details

City/Municipality

Kenai (City of)

Borough

Kenai Peninsula Borough

Premises Diagram

Will the license or permit embrace the entire premises address?

Yes

Premises Diagram

- [6111 AB-02.pdf](#)

Security Plan

- [19-New Application - 11.07.23 - 6111 SEC PLAN.pdf](#)
- [Large Resort Endorsement Security Plan.pdf](#)

Restaurant Detail

Dining after standard closing hours: AS 04.16.010(c) Yes

Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2) Yes

Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3) Yes

Employment for any persons under 21 years of age: AS 04.16.049(c) Yes

List where within the premises minors are anticipated to have access in the course of either dining or employment. (Example: Minors will only be allowed in the dining area. OR Minors will only be employed and present in the Kitchen.)

All alcohol is located and locked up in The Cannery Club. Locations include a locked storage room, Locked shelving and refrigeration units located in the back bar, and directly above the front bar. The storage room remains locked at all times and is only accessed by bartenders or management. Alcohol located in the front and back bar is only unlocked during hours of operation Tuesday through Sunday 11am until 10pm. Only Cannery lodge staff over the age of 21 and with a current TAP card will be allowed behind the bar. Minors employed by The Cannery Lodge will not have access to The Cannery Club. Their access is limited to rooms and common areas located around The Cannery Club but not inside. These areas include Hen House, registration office, The Galley, Cannery Lodge and Hyde out. If a private event is being held in either Hyde Out or The galley where a bartender is present minor staff will not be permitted to enter. The Cannery Lodge will allow minors to dine with parents or legal guardians until 9pm

Describe the policies, practices and procedures that will be in place to ensure that minors do not gain access to alcohol while dining or employed at your premises.

Minor Access. All alcohol is located and locked up in The Cannery Club. Locations include a locked storage room, Locked shelving and refrigeration units located in the back bar, and directly above the front bar. The storage room remains locked at all times and is only accessed by bartenders or management. Alcohol located in the front and back bar is only unlocked during hours of operation Tuesday through Sunday 11am until 10pm. Only Cannery lodge staff over the age of 21 and with a current TAP card will be allowed behind the bar. Minors employed by The Cannery Lodge will not have access to The Cannery Club. Their access is limited to rooms and common areas located around The Cannery Club but not inside. These areas include Hen House, registration office, The Galley, Cannery Lodge and Hyde out. If a private event is being held in either Hyde Out or The galley where a bartender is present minor staff will not be permitted to enter. The Cannery Lodge will allow minors to dine with parents or legal guardians until 9pm

Is an owner, manager, or assistant manager who is 21 years of age or older always present on the premises during business hours? Yes

Food Service Permit

Is your license located in Municipality of Anchorage? No

Do you have Approved food service permit for this premises? Yes

Copy of the current food service permit for this premises OR the plan review approval. [Food Permit.pdf](#)

Entertainment & Service

Are any forms of entertainment offered or available within the licensed business or within the proposed licensed premises? Yes

Describe the entertainment offered or available and the hours in which the entertainment may occur:

The Event Center is located on the 2nd floor of the Old Admin with a capacity of 75-100 people and contains a portable bar with approximately 2200 sq. feet of space. The 1st floor of the old Admin building has a full-service bar and seating for 20 guests with approximately 900 sq. feet of space. Additional locations on the campus serving alcohol are at the "Hyde Out" which can be catered for small private events of 30-35 guests, an outdoor venue with a deck overlooking the river with a small "Spirit Shack" for dispensing food and liquor. The outdoor venue space and Spirit Shack are used for weddings, concerts, and corporate parties with a capacity of approximately 300 guests. The covered stage area, has a grass amphitheater with seating for 250 guests and is used seasonally for summer concerts or other events. This covered stage area may be serviced by personnel in the Spirit Shack or by a portable bar at the stage site. Several bartenders and several servers work these functions. All personnel involved have completed TAPS training and a bar manager is the administrator for these operations. Hours of operation for these various facilities are variable within the legal liquor service periods of operation. Several indoor/outdoor concert events may take place. The indoor concerts are generally held in the 2nd floor reception area and the outdoor concert events held on summer weekends are held at the outdoor stage. Gates opening at 4 PM, closing time is generally 11 PM. Age Restrictions: It is possible that guests under the age of 21 may be in attendance with the guests. This age exception would be for private invitation only at client events with ticket sales or private events utilizing the Property. Tickets for concerts are not sold individually to guests under the age of 21. Proper identification is required at point of sale in accordance with our liquor license. ID's may also be checked at the entrance to the concert events with wristbands issued. Concert security is determined by the type of event and the requirements of the specific performers but generally off-duty police or a private security company provides this service. No firearms are kept on the premises. No complaints or police engagements were reported by the previous owner.

Food and beverage service offered or anticipated is:

Table
Service

Restaurant Declaration

Please upload the finalized or expected Food and Alcohol Menu.

[Menu.pdf](#)

There are tables or counters at my establishment for consuming food in a dining area on the premises. I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons.

This menu includes entrées that are regularly sold and prepared by the licensee at the licensed premises.

I certify that the license for which I am requesting designation is either a Beverage Dispensary, Beverage Dispensary Tourism, Club, Sporting Activity or Event License, Outdoor Recreation Lodge, Golf Course, Destination Resort, OR Restaurant or Eating Place, Seasonal REPL Tourism License.

Hours Of Operation

Sunday	11:00 AM - 10:00 PM
Monday	Close
Tuesday	11:00 AM - 10:00 PM
Wednesday	11:00 AM - 10:00 PM
Thursday	11:00 AM - 10:00 PM
Friday	11:00 AM - 10:00 PM
Saturday	11:00 AM - 10:00 PM

Attestations

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 305.700.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

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

I certify that all proposed licensees have been listed with Division of Corporation, Business, and Professional Licensing.

I certify that I and any individual identified in the business entity ownership section of this application, has or will read AS 04 and its implementing regulations.

I certify I have provided a menu of a variety of types of food appropriate for meals that are prepared on the licensed premises.

I certify that non-employees under 21 years of age will not enter and remain on the licensed premises except for the purposes of dining only.

I certify that the sale and service of food and alcoholic beverages and any other business on the licensed premises is under the sole control of the licensee.

I certify the licensed premises is a bona fide restaurant as defined in AS 04.21.080(b).

I certify there is supervision on the licensed premises adequate to reasonably ensure that a person under 21 years of age will not gain access to alcoholic beverages.

Signature

Electronic Signature not collected; application submitted based on paper form.

Payment Info

Payment Type : Check

Check Number: 100777061

Payment Date: 2/22/2024 3:12:00 AM

Documents

#	File Name	Type	Added On
1	6111 AB-02.pdf	License Location Diagram Document	10/26/2024 05:39 AM
2	19-New Application - 11.07.23 - 6111 SEC PLAN.pdf	License Location Diagram Security Plan Document	10/26/2024 05:39 AM
3	Large Resort Endorsement Security Plan.pdf	License Location Diagram Security Plan Document	10/26/2024 05:39 AM
4	Food Permit.pdf	LicenseRestaurantDetailFoodServicePermitDocument	10/26/2024 05:50 AM
5	Menu.pdf	LicenseRestaurantDeclarationFoodAlcoMenuDocument	10/26/2024 06:15 AM

Download



Thursday, February 6, 2025

Sent via email: cityclerk@kenai.city

Shellie Saner, City Clerk
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant	:	Salamatof Cannery Lodge LLC
Business Name	:	Salamatof Cannery Lodge LLC
License Type	:	Beverage Dispensary/Tourism
License Location	:	2101 Bowpicker Lane, Unit 13, City of Kenai
License No.	:	15960
Application Type	:	Endorsements

Dear Ms. Saner,

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

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

Sincerely,

Michele Turner, CMC
Borough Clerk

cc:

[REDACTED]

<mailto:amco.localgovernmentonly@alaska.gov>



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Shellie Saner, City Clerk

FROM: Meghan Thibodeau, Deputy City Clerk

DATE: February 19, 2025

SUBJECT: **Action/Approval – Non-Objection to the Renewal of a Seasonal Golf Course Liquor License for Griffin Golf, LLC. DBA Kenai Golf Course - License No. 5788.**

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

Applicant: Griffin Golf, LLC
D/B/A: Kenai Golf Course
License Type: Golf Course – Seasonal Liquor License
License No.: 5788

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

Your consideration is appreciated.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

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

February 14, 2025

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

Licensee: Griffin Golf, LLC

DBA: Kenai Golf Course

VIA email: [REDACTED]

CC: None

Local Government 1: Kenai

Local Government 2: Kenai Peninsula Borough

Via Email: cityclerk@kenai.city; micheleturner@kpb.us; sessert@kpb.us; mjenkins@kpb.us;
nscarlett@kpb.us; mboehmler@kpb.us; rraidmae@kpb.us; slopez@kpb.us; bcarter@kpb.us;
jrasor@kpb.us

Community Council: n/a

Via Email: n/a

Re: Golf Course – Seasonal License #5788 Combined Renewal Notice for 2025-2026 Renewal Cycle

License Number:	#5788
License Type:	Golf Course – Seasonal
Licensee:	Griffin Golf, LLC
Doing Business As:	Kenai Golf Course
Physical Address:	1500 Lawton Drive, Kenai, AK 99611
Designated Licensee:	Griffin Golf, LLC
Phone Number:	[REDACTED]
Email Address:	[REDACTED]

☒ License Renewal Application

☐ Endorsement Renewal Application

Dear Licensee:

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

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises are in Anchorage or certain locations in the Matanuska-

Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **April 15th, 2025** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

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

Dear Local Government:

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

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

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

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

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

Sincerely,
Alysha Pacarro, Licensing Examiner II
For
Kevin Richard, Director

Submit

by Meghan Thibodeau 2/18/2025 9:21:58 AM (Form Submission)

Approve

by Tina Williamson 2/18/2025 10:24:40 AM (Finance Asst Review)

- The task was assigned to Finance_AR. The due date is: February 27, 2025 5:00 PM 2/18/2025 9:22:02 AM
- Tina Williamson assigned the task to Tina Williamson 2/18/2025 10:24:35 AM

Approve

by David Ross 2/18/2025 10:39:04 AM (Police Department Review)

- The task was assigned to Police_Chief. The due date is: February 27, 2025 5:00 PM 2/18/2025 9:22:02 AM
- David Ross assigned the task to David Ross 2/18/2025 10:38:59 AM

Approve

by Brandon McElrea 2/18/2025 11:05:35 AM (Lands Review)

- Lessee in compliance with current lease agreement. License in the process of being transferred to new lessee.
- The task was assigned to Lands. The due date is: February 27, 2025 5:00 PM 2/18/2025 9:22:03 AM
- Brandon McElrea assigned the task to Brandon McElrea 2/18/2025 10:42:53 AM

Approve

by Joe Fisher 2/18/2025 11:34:00 AM (Building Official Review)

- The task was assigned to Building_Official. The due date is: February 27, 2025 5:00 PM 2/18/2025 9:22:01 AM
- Joe Fisher assigned the task to Joe Fisher 2/18/2025 11:33:48 AM

Approve

by Cindy Herr 2/18/2025 3:54:04 PM (Legal Asst Review)

- There are no monies owed in fines or restitution.
- The task was assigned to Legal_Asst. The due date is: February 27, 2025 5:00 PM 2/18/2025 9:22:03 AM
- Cindy Herr assigned the task to Cindy Herr 2/18/2025 3:53:43 PM

Approve

by Scott Bloom 2/18/2025 4:00:02 PM (Legal Review)

- The task was assigned to City_Attorney. The due date is: February 27, 2025 5:00 PM 2/18/2025 3:54:05 PM
- Scott Bloom assigned the task to Scott Bloom 2/18/2025 3:59:58 PM

Approve

by David Swarner 2/18/2025 4:01:55 PM (Finance Review)

- The task was assigned to Finance_Director. The due date is: February 27, 2025 5:00 PM 2/18/2025 3:54:05 PM
- David Swarner assigned the task to David Swarner 2/18/2025 4:01:52 PM

Approve

by Kevin Buettner 2/18/2025 4:36:35 PM (P&Z Department Review)

- The task was assigned to Planning_Director. The due date is: February 27, 2025 5:00 PM 2/18/2025 3:54:06 PM
- Kevin Buettner assigned the task to Kevin Buettner 2/18/2025 4:36:21 PM

Approve

by Jeremy Hamilton 2/19/2025 2:07:48 PM (Fire Marshall Review)

- The task was assigned to Fire_Marshall. The due date is: February 27, 2025 5:00 PM 2/18/2025 9:22:01 AM
- Jeremy Hamilton assigned the task to Jeremy Hamilton 2/19/2025 2:04:29 PM

Establishment Information

License Type

Golf Course – Seasonal

Licensee

Griffin Golf, LLC

Doing Business As*

Kenai Golf Course

Premises Address

1500 Lawton Drive

City, State

Kenai, AK

Date*

2025-02-18

Contact Information

Contact Licensee

Mark A. Griffin

Contact Phone No.

[REDACTED]

Contact Email

[REDACTED]

Additional Contact Information

Name

Lara J. Griffin

Phone No.

[REDACTED]

Email

Documents

File Upload

#5788 - Complete Renewal Application.pdf

173.24KB

#5788 - NOV AM 24-1725 with response.pdf

4.73MB

#5788 Kenai Golf Course - Renewal Notice.pdf

337.16KB



Document reference ID : 4128

Renewal Application Summary

Application ID:	4128
License No:	5788
License Type applied for Renewal:	Golf Course License (GCL)
Licensee Name:	Griffin Golf, Llc
Application Status:	In Review
Application Submitted On:	11/10/2024 02:46 PM

Entity Information

Business Structure:	Limited liability company
FEIN/SSN Number:	
Alaska Entity number (CBPL):	10095955
Alaska Entity Formed Date:	
Home State:	

Entity Contact Information

Entity Address:



Renewal Information

Are there any changes to your ownership structure that have not been reported to AMCO prior to this application?:

No

As set forth in AS 04.11.330, how many hours did you operate during the first calendar year for this renewal period?:

The license was regularly operated continuously throughout the first calendar year for this renewal period.

As set forth in AS 04.11.330, how many hours did you operate during the second calendar year for this renewal period?:

The license was regularly operated continuously throughout the second calendar year for this renewal period.

Please select the seasonality:

Seasonal

Please Provide your six-month operating period:

April 15-October 15

Operation Period Details:

Operated license late April/early May thru September in 2023 and 2024

Has any person or entity in this application been convicted or disciplined for a violation of Title 04, 3 AAC 304 or 305, or a local ordinance adopted under AS 04.21.010 in the preceding two calendar years?:

Yes

Have any notices of violation or citations been issued for this license during the preceding two years?:

Yes

Please provide an explanation of the type of violation or offense.:

TAPS card—paid fine. TAPS card now current. Other violations addressed by phone at ABC board meeting 09/10/2024

Attestations

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

I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.

I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.

I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the business license and have provided all required documents for any new or changes of officers.

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 305.700.

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

Signature

This application was digitally signed by : Mark Griffin on 11/09/2024 03:00 PM

Payment Info

Payment Type : CC

Payment Id: eb9d93c0-3279-415a-a0da-582bf183a83e

Receipt Number: 100955113

Payment Date: 11/10/2024 2:52:38 PM

Documents

#	File Name	Type	Added On
1	Scanned Document 2024-11-10 at 2.20.53?PM.pdf	Current Year Operating Hours Document	11/10/2024 02:27 PM
2	Scanned Document 2024-11-10 at 2.41.52?PM.pdf	Last Year Operating Hours Document	11/10/2024 02:44 PM



Document reference ID : 4128

Licensing Application Summary

Application ID: 4128

Applicant Name: Griffin Golf, Llc

License Type applied for: Golf Course License (GCL) (AS 04.09.300)

Application Status: In Review

Application Submitted On: 11/10/2024 02:46 PM

Entity Information

Business Structure: Limited liability company

Alaska Entity Number (CBPL): 10095955

Entity Contact Information

Entity Address: [REDACTED]

Ownership / Principal Party Details

Principal Parent Entity	Principal Party	Role	%Ownership
Griffin Golf, Llc	Mark A. Griffin	Member	50
Griffin Golf, Llc	Lara J. Griffin	Member	50

Premises Address

Address: 1500 Lawton Drive, Kenai, AK, USA

Does the proposed site include a valid street address? Yes

Basic Business information

Business/Trade Name: Kenai Golf Course

Local Government and Community Council Details

City/Municipality Kenai (City of)

Borough Kenai Peninsula Borough

Seasonal Information

Are you conducting seasonal business? Yes

Please Provide your six-month operating period April 15-October 15

Operation Period Details Migration

Public Notice Posting Attestation and Publishers Affidavit

Attestations

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 305.700.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Page 78

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

I certify that all proposed licensees have been listed with Division of Corporation, Business, and Professional Licensing.

I certify that I and any individual identified in the business entity ownership section of this application, has or will read AS 04 and its implementing regulations.

Signature

This application was digitally signed by : Mark Griffin on 11/9/2024 3:00:00 PM

Payment Info

Payment Type : CC

Payment Id: eb9d93c0-3279-415a-a0da-582bf183a83e

Receipt Number: 100955113

Payment Date: 11/10/2024 2:52:38 PM



Tuesday, February 18, 2025

Sent via email: cityclerk@kenai.city

Shellie Saner, City Clerk
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant	:	Griffin Golf, LLC
Business Name	:	Kenai Golf Course
License Type	:	Golf Course
License Location	:	1500 Lawton Drive, Kenai, AK 99611, City of Kenai
License No.	:	5788
Application Type	:	License Renewal

Dear Ms. Saner,

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

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

Sincerely,

Michele Turner, CMC
Borough Clerk

cc:

[REDACTED]

<mailto:amco.localgovernmentonly@alaska.gov>



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Shellie Saner, City Clerk

FROM: Meghan Thibodeau, Deputy City Clerk

DATE: February 19, 2025

SUBJECT: **Action/Approval – Non-Objection to the Renewal of a Package Store Liquor License for AK, Inc. DBA Speedway Express - License No. 4544.**

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

Applicant: AK, Inc.
D/B/A: Speedway Express
License Type: Package Store Liquor License
License No.: 4544

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

Your consideration is appreciated.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

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

January 24, 2025

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

Licensee: **AK, Inc.**

DBA: Speedway Express

VIA email: [REDACTED]

CC: None

Local Government 1: Kenai

Local Government 2: Kenai Peninsula Borough

Via Email: micheleturner@kpb.us; sessert@kpb.us; mjenkins@kpb.us; nscalett@kpb.us;
mboehmler@kpb.us; rraidmae@kpb.us; slopez@kpb.us; bcarter@kpb.us; jrasor@kpb.us

Community Council: n/a

Via Email: n/a

Re: Package Store License #4544 Combined Renewal Notice

License Number:	#4544
License Type:	Package Store License
Licensee:	AK, Inc.
Doing Business As:	Speedway Express
Physical Address:	11120 Kenai Spur Highway Kenai, AK 99611
Designated Licensee:	AK, Inc.
Phone Number:	[REDACTED]
Email Address:	[REDACTED]

☒ License Renewal Application

☐ Endorsement Renewal Application

Dear Licensee:

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

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

Your application will be scheduled for the **April 15th, 2025** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

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

Dear Local Government:

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

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

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

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

Please contact the local governing body with jurisdiction over the proposed premises for information regarding the review of this application. Comments or objections you may have about the application should first be presented to the local governing body.

If you have any questions, please email Alcohol.licensing@alaska.gov

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

Submit

by Meghan Thibodeau 2/5/2025 12:13:13 PM (Form Submission)

Approve

by Brandon McElrea 2/5/2025 12:17:47 PM (Lands Review)

- No known Code violations.

- The task was assigned to Lands. The due date is: February 14, 2025 5:00 PM 2/5/2025 12:13:15 PM
- Brandon McElrea assigned the task to Brandon McElrea 2/5/2025 12:16:35 PM

Approve

by David Ross 2/5/2025 3:16:18 PM (Police Department Review)

- The task was assigned to Police_Chief. The due date is: February 14, 2025 5:00 PM 2/5/2025 12:13:14 PM
- David Ross assigned the task to David Ross 2/5/2025 3:16:14 PM

Approve

by Cindy Herr 2/5/2025 3:19:00 PM (Legal Asst Review)

- There are no monies owed in fines or restitution.

- The task was assigned to Legal_Asst. The due date is: February 14, 2025 5:00 PM 2/5/2025 12:13:15 PM
- Cindy Herr assigned the task to Cindy Herr 2/5/2025 3:18:34 PM

Approve

by Joe Fisher 2/10/2025 11:37:24 AM (Building Official Review)

- The task was assigned to Building_Official. The due date is: February 14, 2025 5:00 PM 2/5/2025 12:13:14 PM
- Joe Fisher assigned the task to Joe Fisher 2/10/2025 11:33:59 AM

Approve

by Tina Williamson 2/18/2025 10:25:06 AM (Finance Asst Review)

- The task was assigned to Finance_AR. The due date is: February 14, 2025 5:00 PM 2/5/2025 12:13:14 PM
- Tina Williamson assigned the task to Tina Williamson 2/18/2025 10:25:01 AM

Approve

by Kevin Buettner 2/18/2025 10:34:13 AM (P&Z Department Review)

- The task was assigned to Planning_Director. The due date is: February 27, 2025 5:00 PM 2/18/2025 10:25:08 AM
- Kevin Buettner assigned the task to Kevin Buettner 2/18/2025 10:33:25 AM

Approve

by Scott Bloom 2/18/2025 10:40:44 AM (Legal Review)

- The task was assigned to City_Attorney. The due date is: February 27, 2025 5:00 PM 2/18/2025 10:25:07 AM
- Scott Bloom assigned the task to Scott Bloom 2/18/2025 10:40:39 AM

Approve

by David Swarner 2/18/2025 10:51:52 AM (Finance Review)

- The task was assigned to Finance_Director. The due date is: February 27, 2025 5:00 PM 2/18/2025 10:25:07 AM
- David Swarner assigned the task to David Swarner 2/18/2025 10:51:49 AM

Approve

by Jeremy Hamilton 2/19/2025 2:07:21 PM (Fire Marshall Review)

- The task was assigned to Fire_Marshall. The due date is: February 14, 2025 5:00 PM 2/5/2025 12:13:14 PM
- Jeremy Hamilton assigned the task to Jeremy Hamilton 2/19/2025 2:07:11 PM

Establishment Information

License Type

Package Store License

Licensee

AK, Inc.

Doing Business As*

Speedway Express

Premises Address

11120 Kenai Spur Highway

City, State

Kenai, AK

Date*

2025-02-05

Contact Information

Contact Licensee

Rawa Anabi

Contact Phone No.

[REDACTED]

Contact Email

[REDACTED]

Additional Contact Information

Name

Michael Schwarz

Phone No.

[REDACTED]

Email

[REDACTED]

Documents

File Upload

#4544 - Complete Renewal Application.pdf

170.58KB

#4544 Speedway Express - Renewal Notice.pdf

282.4KB

4544_2025-02-04_ABC_Non_Obj_Letter.pdf

220.7KB



Document reference ID : 3991

Renewal Application Summary

Application ID:	3991
License No:	4544
License Type applied for Renewal:	Package Store License(PSL)
Licensee Name:	Ak, Inc.
Application Status:	In Review
Application Submitted On:	11/05/2024 05:17 AM

Entity Information

Business Structure:	Corporation
FEIN/SSN Number:	[REDACTED]
Alaska Entity number (CBPL):	10024884
Alaska Entity Formed Date:	
Home State:	

Entity Contact Information

Entity Address:	[REDACTED]
------------------------	------------

Renewal Information

Are there any changes to your ownership structure that have not been reported to AMCO prior to this application?:

No

Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in the next two years?:

No

As set forth in AS 04.11.330, how many hours did you operate during the first calendar year for this renewal period?:

The license was regularly operated continuously throughout the first calendar year for this renewal period.

As set forth in AS 04.11.330, how many hours did you operate during the second calendar year for this renewal period?:

The license was regularly operated continuously throughout the second calendar year for this renewal period.

Please select the seasonality:

Year-round

Has any person or entity in this application been convicted or disciplined for a violation of Title 04, 3 AAC 304 or 305, or a local ordinance adopted under AS 04.21.010 in the preceding two calendar years?:

No

Have any notices of violation or citations been issued for this license during the preceding two years?:

No

Attestations

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

I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.

I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.

I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the business license and have provided all required documents for any new or changes of officers.

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 305.700.

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

Signature

This application was digitally signed by : Rawa Anabi on 11/04/2024 03:00 PM

Payment Info

Payment Type : Check

Check Number: 123

Payment Date: 11/8/2024 11:13:54 AM



Document reference ID : 3991

Licensing Application Summary

Application ID: 3991

Applicant Name: Ak, Inc.

License Type applied for: Package Store License(PSL) (AS 04.09.230)

Application Status: In Review

Application Submitted On: 11/05/2024 05:17 AM

Entity Information

Business Structure: Corporation

FEIN/SSN Number: [REDACTED]

Alaska Entity Number (CBPL): 10024884

Entity Contact Information

Name	Phone	Email	Relation
Rawa Anabi	[REDACTED]	[REDACTED]	Designated Licensee
Michael Schwarz	[REDACTED]	[REDACTED]	Legal Counsel
Entity Address:		[REDACTED]	

Ownership / Principal Party Details

Principal Parent Entity	Principal Party	Role	%Ownershi p
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Ak, Inc.	Rawa Anabi As Trustee Of The Sammer And Rawa Anabi Family Trust	Stockholder/Shareholder	51	Page 89
Ak, Inc.	Sammer I. Anabi As Trustee Of The Sammer And Rawa Anabi Family Trust	Stockholder/Shareholder	49	
Ak, Inc.	Rawa Anabi	Secretary		
Ak, Inc.	Sammer Anabi	President,Treasurer		

Premises Address

Address: 11120 Kenai Spur Highway, Kenai, AK, USA

Does the proposed site include a valid street address? Yes

Basic Business information

Business/Trade Name: Speedway Express

Local Government and Community Council Details

City/Municipality Kenai (City of)

Borough Kenai Peninsula Borough

Public Notice Posting Attestation and Publishers Affidavit

Attestations

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show

a current course card or a photocopy of the card certifying completion of approved alcohol education course, if required by 3 AAC 305.700.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

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

I certify that all proposed licensees have been listed with Division of Corporation, Business, and Professional Licensing.

I certify that I and any individual identified in the business entity ownership section of this application, has or will read AS 04 and its implementing regulations.

Signature

This application was digitally signed by : Rawa Anabi on 11/4/2024 3:00:00 PM

Payment Info

Payment Type : Check

Check Number: 123

Payment Date: 11/8/2024 11:13:54 AM



Monday, February 3, 2025

Sent via email: cityclerk@kenai.city

Shellie Saner, City Clerk
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant	:	AK, Inc.
Business Name	:	Speedway Express #60206
License Type	:	Package Store
License Location	:	11120 Kenai Spur Highway, Kenai, AK 99611, City of Kenai
License No.	:	4544
Application Type	:	License Renewal

Dear Ms. Saner,

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

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

Sincerely,

Michele Turner, CMC
Borough Clerk

cc:

[REDACTED]

<mailto:amco.localgovernmentonly@alaska.gov>



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Kenai Council Members

THROUGH: Shellie Saner, City Clerk

FROM: Meghan Thibodeau, Deputy City Clerk

DATE: February 19, 2025

SUBJECT: **Action/Approval – Non-Objection to the Renewal of a Retail Marijuana Store License and a Standard Marijuana Cultivation License for Majestic Gardens LLC., DBA: Majestic Gardens LLC. - License No.'s 15393 and 15395.**

The following establishment submitted applications to the Alcohol and Marijuana Control Office (AMCO) for a renewal of marijuana licenses:

Applicant: Majestic Gardens, LLC.
D/B/A: Majestic Gardens, LLC.

License Type: Retail Marijuana Store
License No: 15393

License Type: Standard Marijuana Cultivation
License No: 15395

Pursuant to KMC 2.40 a review of City accounts has been completed and the applicant has satisfied all obligations to the City. With the approval of Council, letters of non-objection to the marijuana license renewals will be forwarded to AMCO and applicant.

Your consideration is appreciated.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

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

January 30, 2025

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

Licensee: **Majestic Gardens LLC**

DBA: Majestic Gardens LLC

VIA email: [REDACTED]

Local Government: Kenai (City Of), Kenai Peninsula Borough

Via Email: micheleturner@kpb.us; seesert@kpb.us; mjenkins@kpb.us; nscarlett@kpb.us; mboehmler@kpb.us; rraidmae@kpb.us; slopez@kpb.us; bcarter@kpb.us; jrasor@kpb.us
cityclerk@kenai.city

Community Council:

Via Email:

CC: n/a

Re: Retail Marijuana Store #15393 Combined Renewal Notice

License Number:	#15393
License Type:	Retail Marijuana Store
Licensee:	Majestic Gardens LLC
Doing Business As:	Majestic Gardens LLC
Physical Address:	12656 Kenai Spur Hwy Kenai, AK 99611
Designated Licensee:	Deniece M Issacs
Phone Number:	[REDACTED]
Email Address:	[REDACTED]

☒ License Renewal Application

☐ Endorsement Renewal Application

Dear Licensee:

After reviewing your renewal documents, AMCO staff has deemed the application complete for the purposes of 3 AAC 306.035(c).

Your application will now be sent electronically, in its entirety, to your local government, your community council (if your proposed premises is in Anchorage or certain locations in the Mat-Su Borough), and to any non-profit agencies who have requested notification of applications. The local government has 60 days to protest your application per 3 AAC 306.060.

At the May 15, 2017 Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications. However, the board is required to consider this application independently if you have been issued any notices of violation for this license, if your local government protests this application, or if a public objection to this application is received within 30 days of this notice under 3 AAC 306.065.

If AMCO staff determines that your application requires independent board consideration for any reason, you will be sent an email notification regarding your mandatory board appearance. Upon final approval, your 2024/2025 license will be provided to you during your annual inspection. If our office determines that an inspection is not necessary, the license will be mailed to you at the mailing address on file for your establishment.

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

Dear Local Government:

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2).

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a “conditional protest” as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board’s satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email amco.localgovernmentonly@alaska.gov.

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

AMCO has received a complete renewal application for the above listed license within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To object to the approval of this application pursuant to 3 AAC 306.065, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the objection within 30 days of the date of this notice. We recommend that you contact the local government with jurisdiction over the proposed premises to share objections you may have about the application.

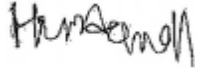
At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for

this license, the board will consider the application independently. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email marijuana.licensing@alaska.gov.

Sincerely,

Hunter Carrell

A handwritten signature in black ink, appearing to read "Hunter Carrell", written over the printed name.

For Lizzie Kubitz, Acting Director
907-269-0350

Submit

by Shellie Saner 1/31/2025 2:48:37 PM (Form Submission)

Approve

by David Ross 1/31/2025 2:54:09 PM (Police Department Review)

- The task was assigned to Police_Chief. The due date is: February 11, 2025 5:00 PM 1/31/2025 2:48:39 PM
- David Ross assigned the task to David Ross 1/31/2025 2:54:05 PM

Approve

by Cindy Herr 1/31/2025 4:51:10 PM (Legal Asst Review)

- There are no monies owed in fines or restitution.
- The task was assigned to Legal_Asst. The due date is: February 11, 2025 5:00 PM 1/31/2025 2:48:39 PM
- Cindy Herr assigned the task to Cindy Herr 1/31/2025 4:50:41 PM

Approve

by Tina Williamson 2/3/2025 9:04:46 AM (Finance Asst Review)

- The task was assigned to Finance_AR. The due date is: February 11, 2025 5:00 PM 1/31/2025 2:48:39 PM
- Tina Williamson assigned the task to Tina Williamson 2/3/2025 9:04:42 AM

Approve

by Brandon McElrea 2/5/2025 12:19:07 PM (Lands Review)

- No known Code violations.
- The task was assigned to Lands. The due date is: February 11, 2025 5:00 PM 1/31/2025 2:48:39 PM
- Brandon McElrea assigned the task to Brandon McElrea 2/5/2025 12:18:36 PM

Approve

by Kevin Buettner 2/5/2025 12:44:35 PM (P&Z Department Review)

- The task was assigned to Planning_Director. The due date is: February 14, 2025 5:00 PM 2/5/2025 12:19:08 PM
- Kevin Buettner assigned the task to Kevin Buettner 2/5/2025 12:43:58 PM

Approve

by Scott Bloom 2/5/2025 1:38:50 PM (Legal Review)

- The task was assigned to City_Attorney. The due date is: February 14, 2025 5:00 PM 2/5/2025 12:19:08 PM
- Scott Bloom assigned the task to Scott Bloom 2/5/2025 1:38:44 PM

Approve

by David Swarner 2/6/2025 8:09:12 AM (Finance Review)

- The task was assigned to Finance_Director. The due date is: February 14, 2025 5:00 PM 2/5/2025 12:19:08 PM
- David Swarner assigned the task to David Swarner 2/6/2025 8:09:07 AM

Approve

by Joe Fisher 2/10/2025 11:33:15 AM (Building Official Review)

- The task was assigned to Building_Official. The due date is: February 11, 2025 5:00 PM 1/31/2025 2:48:38 PM
- Joe Fisher assigned the task to Joe Fisher 2/10/2025 11:33:11 AM

Approve

by Jeremy Hamilton 2/19/2025 2:09:45 PM (Fire Marshall Review)

- The task was assigned to Fire_Marshall. The due date is: February 11, 2025 5:00 PM 1/31/2025 2:48:38 PM
- Jeremy Hamilton assigned the task to Jeremy Hamilton 2/19/2025 2:09:41 PM

Establishment Information

License Type

Retail Marijuana Store

Licensee

Majestic Gardens LLC

Doing Business As*

Majestic Gardens LLC

Premises Address

12656 Kenai Spur Hwy.

City, State

Kenai, AK

Date*

2025-01-31

Contact Information

Contact Licensee

Deniece M. Issacs

Contact Phone No.

[REDACTED]

Contact Email

[REDACTED]

Additional Contact Information

Name**Phone No.****Email**

Documents

File Upload

Majestic Gardens Retail Store 15393.pdf

2.38MB

License Number: 15393

License Status: Active-Operating

License Type: Retail Marijuana Store

Doing Business As: MAJESTIC GARDENS LLC

Business License Number: 1037289

Designated Licensee: Deniece M Isaacs

Email Address: [REDACTED]

Local Government: Kenai (City of)

Local Government 2: Kenai Peninsula Borough

Community Council:

Latitude, Longitude: 60.334010, -151.728000

Physical Address: 12656 Kenai Spur Hwy
Kenai, AK 99611
UNITED STATES

Licensee #1	Entity Official #1
Type: Entity	Type: Individual
Alaska Entity Number: 10038100	Name: Deniece M Isaacs
Alaska Entity Name: Majestic Gardens llc	SSN: [REDACTED]
Phone Number: [REDACTED]	Date of Birth: [REDACTED]
Email Address: [REDACTED]	Phone Number: [REDACTED]
Mailing Address: [REDACTED]	Email Address: [REDACTED]
	Mailing Address: [REDACTED]

Entity Official #2	Affiliate #1
Type: Individual	Type: Individual
Name: Ronald D Isaacs	Name: Deniece M Isaacs
SSN: [REDACTED]	SSN: [REDACTED]
Date of Birth: [REDACTED]	Date of Birth: [REDACTED]
Phone Number: [REDACTED]	Phone Number: [REDACTED]
Email Address: [REDACTED]	Email Address: [REDACTED]
Mailing Address: [REDACTED]	Mailing Address: [REDACTED]

Affiliate #2
Type: Individual
Name: Ronald D Isaacs
SSN: [REDACTED]
Date of Birth: [REDACTED]
Phone Number: [REDACTED]
Email Address: [REDACTED]
Mailing Address: [REDACTED]



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Board
550 W 7th Avenue, Suite 100
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Page 99

What is this form?

This cover sheet **must** be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the licensed business.

License Type:	Retail Marijuana Store	License Number:	15393
Name of Business:	Majestic Gardens LLC		
Physical Address:	12656 Kenai AK 99611		

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Submitting Payment?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
This is for a:	<input type="checkbox"/> New Application <input type="checkbox"/> Transfer Application <input checked="" type="checkbox"/> Renewal Application <input type="checkbox"/> Other (specify):
Included Documents:	<p>Mj-20 Deniece M Isaacs mj-20 Ronald D Isaacs Our violations were in Cultivation taxes I Made some major mistakes in printing reports from metrc and did not get all our taxes listed that needed to be paid and didn't get them paid on time. I also didn't pay any manufacturing taxes. Once aware of my errors I paid what I thought we might owe to show my good faith and intentions to pay in full immediately. I over paid and will be getting a credit rolled over.</p> <p>I am fully aware of what I am responsible for and it will not happen again. I will print out the 3 reports and make sure they all match. I apologize for my neglect and will continue to improve.</p> <p>thank you Deniece M Isaacs & Ronald D Isaacs</p>



Alaska Marijuana Control Board

Form MJ-20: 2024-2025 Renewal Application Certifications

Why is this form needed?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

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

Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Majestic Gardens llc	License Number:	15393		
License Type:	Retail Marijuana Store				
Doing Business As:	Majestic Gardens llc				
Premises Address:	12656 Kenai Spur Hwy				
City:	Kenai	State:	AK	ZIP:	99611

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Deniece M Isaacs
Title:	Owner

Section 3 – Violations & Charges

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

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

DMI

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

DMI

I certify that a notice of violation has **not** been issued for this license between July 1, 2023 and June 30, 2024.

--

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

DMI

**Form MJ-20: 2024-2025 Renewal Application Certifications****Section 5 – Certifications**

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

Initials

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

DMI

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

DMI

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

DMI

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

DMI

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

DMI

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

DMI

Initial this box if you are submitting an original fingerprint card and the applicable fees to AMCO for AMCO to obtain criminal justice information and a national criminal history record required by AS 17.38.200 and 3 AAC 306.035(d). If I have multiple marijuana licenses being renewed, I understand one fingerprint card and fee will suffice for all marijuana licenses being renewed.

☐

If multiple licenses are held, list all license numbers below:

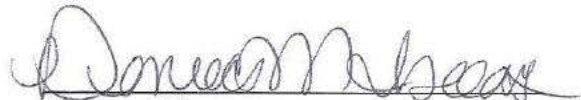
15393 & 15395

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

DMI

Deniece M Isaacs 8/4/24

Printed name of licensee


Signature of licensee



Alaska Marijuana Control Board

Form MJ-20: 2024-2025 Renewal Application Certifications

Why is this form needed?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

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Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Majestic Gardens llc	License Number:	15393		
License Type:	Retail Marijuana Store				
Doing Business As:	Majestic Gardens llc				
Premises Address:	12656 Kenai Spur Hwy				
City:	Kenai	State:	AK	ZIP:	99611

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Ronald D Isaacs
Title:	Owner

Section 3 – Violations & Charges

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

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

I certify that a notice of violation has **not** been issued for this license between July 1, 2023 and June 30, 2024.

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

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**Form MJ-20: 2024-2025 Renewal Application Certifications****Section 5 – Certifications**

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

Initials

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RDI

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

RDI

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I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

RDI

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

RDI

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

RDI

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☐

If multiple licenses are held, list all license numbers below:

15393 & 15395 Are to two lic we have

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

RDI

Ronald D Isaacs

Printed name of licensee

8/4/24

Signature of licensee



Thursday, February 6, 2025

Sent via email: cityclerk@kenai.city

Shellie Saner, City Clerk
City of Kenai

RE: Renewal Application for Retail Marijuana Store

Business Name	:	Majestic Gardens LLC
License Location	:	Kenai/12656 Kenai Spur Highway, Kenai, AK 99611
License No.	:	15393
License Type	:	Retail Marijuana Store

Dear Ms. Saner,

This serves to advise that the Kenai Peninsula Borough (KPB) has reviewed the above referenced application and has no objection to the issuance of the license.

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

Sincerely,

Michele Turner, CMC
Borough Clerk

cc:

[REDACTED]

amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

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

January 30, 2025

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

Licensee: **Majestic Gardens LLC**

DBA: Majestic Gardens Cultivations

VIA email: [REDACTED]

Local Government: Kenai (City Of), Kenai Peninsula Borough

Via Email: micheleturner@kpb.us; seesert@kpb.us; mjenkins@kpb.us; nscarlett@kpb.us;

mboehmler@kpb.us; rraidmae@kpb.us; slopez@kpb.us; bcarter@kpb.us; jrasor@kpb.us

cityclerk@kenai.city

Community Council:

Via Email:

CC: n/a

Re: Standard Marijuana Cultivation Facility #15395 Combined Renewal Notice

License Number:	#15395
License Type:	Standard Marijuana Cultivation Facility
Licensee:	Majestic Gardens LLC
Doing Business As:	Majestic Gardens Cultivations
Physical Address:	12656 Kenai Spur Hwy Kenai, AK 99611
Designated Licensee:	Deniece M Issacs
Phone Number:	[REDACTED]
Email Address:	[REDACTED]

☒ License Renewal Application

☐ Endorsement Renewal Application

Dear Licensee:

After reviewing your renewal documents, AMCO staff has deemed the application complete for the purposes of 3 AAC 306.035(c).

Your application will now be sent electronically, in its entirety, to your local government, your community council (if your proposed premises is in Anchorage or certain locations in the Mat-Su Borough), and to any non-profit agencies who have requested notification of applications. The local government has 60 days to protest your application per 3 AAC 306.060.

At the May 15, 2017 Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications. However, the board is required to consider this application independently if you have been issued any notices of violation for this license, if your local government protests this application, or if a public objection to this application is received within 30 days of this notice under 3 AAC 306.065.

If AMCO staff determines that your application requires independent board consideration for any reason, you will be sent an email notification regarding your mandatory board appearance. Upon final approval, your 2024/2025 license will be provided to you during your annual inspection. If our office determines that an inspection is not necessary, the license will be mailed to you at the mailing address on file for your establishment.

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

Dear Local Government:

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2).

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a “conditional protest” as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board’s satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email amco.localgovernmentonly@alaska.gov.

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

AMCO has received a complete renewal application for the above listed license within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To object to the approval of this application pursuant to 3 AAC 306.065, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the objection within 30 days of the date of this notice. We recommend that you contact the local government with jurisdiction over the proposed premises to share objections you may have about the application.

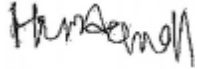
At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for

this license, the board will consider the application independently. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email marijuana.licensing@alaska.gov.

Sincerely,

Hunter Carrell

A handwritten signature in black ink, appearing to read "Hunter Carrell", written over the printed name.

For Lizzie Kubitz, Acting Director
907-269-0350

Submit

by Shellie Saner 1/31/2025 2:50:40 PM (Form Submission)

Approve

by David Ross 1/31/2025 2:55:06 PM (Police Department Review)

- The task was assigned to Police_Chief. The due date is: February 11, 2025 5:00 PM 1/31/2025 2:50:41 PM
- David Ross assigned the task to David Ross 1/31/2025 2:55:02 PM

Approve

by Cindy Herr 1/31/2025 4:51:32 PM (Legal Asst Review)

- There are no monies owed in fines or restitution.
- The task was assigned to Legal_Asst. The due date is: February 11, 2025 5:00 PM 1/31/2025 2:50:42 PM
- Cindy Herr assigned the task to Cindy Herr 1/31/2025 4:51:24 PM

Approve

by Tina Williamson 2/3/2025 9:04:30 AM (Finance Asst Review)

- The task was assigned to Finance_AR. The due date is: February 11, 2025 5:00 PM 1/31/2025 2:50:41 PM
- Tina Williamson assigned the task to Tina Williamson 2/3/2025 9:04:08 AM

Approve

by Brandon McElrea 2/3/2025 11:47:18 AM (Lands Review)

- No known Code violations.
- The task was assigned to Lands. The due date is: February 11, 2025 5:00 PM 1/31/2025 2:50:42 PM
- Brandon McElrea assigned the task to Brandon McElrea 2/3/2025 11:42:38 AM

Approve

by Kevin Buettner 2/3/2025 11:49:20 AM (P&Z Department Review)

- The task was assigned to Planning_Director. The due date is: February 12, 2025 5:00 PM 2/3/2025 11:47:20 AM
- Kevin Buettner assigned the task to Kevin Buettner 2/3/2025 11:48:06 AM

Approve

by David Swarner 2/3/2025 12:04:54 PM (Finance Review)

- The task was assigned to Finance_Director. The due date is: February 12, 2025 5:00 PM 2/3/2025 11:47:20 AM
- David Swarner assigned the task to David Swarner 2/3/2025 12:04:50 PM

Approve

by Scott Bloom 2/3/2025 1:44:51 PM (Legal Review)

- The task was assigned to City_Attorney. The due date is: February 12, 2025 5:00 PM 2/3/2025 11:47:20 AM
- Scott Bloom assigned the task to Scott Bloom 2/3/2025 1:44:44 PM

Approve

by Joe Fisher 2/10/2025 11:33:01 AM (Building Official Review)

- The task was assigned to Building_Official. The due date is: February 11, 2025 5:00 PM 1/31/2025 2:50:41 PM
- Joe Fisher assigned the task to Joe Fisher 2/10/2025 11:32:51 AM

Approve

by Jeremy Hamilton 2/19/2025 2:09:28 PM (Fire Marshall Review)

- The task was assigned to Fire_Marshall. The due date is: February 11, 2025 5:00 PM 1/31/2025 2:50:41 PM
- Jeremy Hamilton assigned the task to Jeremy Hamilton 2/19/2025 2:09:24 PM

Establishment Information

License Type

Standard Marijuana Cultivation Facility

Licensee

Majestic Gardens LLC

Doing Business As*

Majestic Gardens Cultivation

Premises Address

12656 Kenai Spur Hwy

City, State

Kenai, AK

Date*

2025-01-31

Contact Information

Contact Licensee

Deniece M. Issacs

Contact Phone No.

[REDACTED]

Contact Email

[REDACTED]

Additional Contact Information

Name**Phone No.****Email**

Documents

File Upload

Majestic Gardens Cultivation 15395.pdf

2.53MB

License Number: 15395
License Status: Active-Operating
License Type: Standard Marijuana Cultivation Facility
Doing Business As: Majestic Gardens Cultivations
Business License Number: 2194763
Designated Licensee: Deniece M Isaacs
Email Address: [REDACTED]
Local Government: Kenai (City of)
Local Government 2: Kenai Peninsula Borough
Community Council:
Latitude, Longitude: 60.400100, -151.173800
Physical Address: 12656 KENAI SPUR HIGHWAY
KENAI, AK 99611
UNITED STATES

Licensee #1	Entity Official #1
Type: Entity Alaska Entity Number: 10038100 Alaska Entity Name: Majestic Gardens Ilc Phone Number: [REDACTED] Email Address: [REDACTED] Mailing Address: [REDACTED]	Type: Individual Name: Deniece M Isaacs SSN: [REDACTED] Date of Birth: [REDACTED] Phone Number: [REDACTED] Email Address: [REDACTED] Mailing Address: [REDACTED]
Entity Official #2	Note: No affiliates entered for this license.
Type: Individual Name: Ronald D Isaacs SSN: [REDACTED] Date of Birth: [REDACTED] Phone Number: [REDACTED] Email Address: [REDACTED] Mailing Address: [REDACTED]	



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control

550 W 7th Avenue, S

Anchorage, AK

marijuana.licensing@alaska.gov

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

Phone: 907.269.0350

Page 111

What is this form?

This cover sheet **must** be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

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

Licensee:	Majestic Gardens llc	License Number:	15395		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	Majestic Gardens Cultivations				
Physical Address:	12656 KENAI SPUR HIGHWAY				
City:	KENAI	State:	AK	Zip Code:	99611
Designated Licensee:	Deniece M Isaacs				
Email Address:					

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<div>1. This Cover 1 page</div> <div>2. MJ 20 Deniece M ISAACS 2 pages</div> <div>3. Statement 5 pages</div> <div>total 8 pages</div>
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OFFICE USE ONLY

Received Date:		Payment Submitted Y/N:		Transaction #:	
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Alaska Marijuana Control Board

Form MJ-20: 2024-2025 Renewal Application Certifications**Why is this form needed?**

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

Section 1 – Establishment Information

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Licensee:	Majestic Gardens Ilc	License Number:	15395		
License Type:	Standard Marijuana Cultivations Facility				
Doing Business As:	Majestic Gardens Ilc				
Premises Address:	12656 Kenai Spur Hwy				
City:	Kenai	State:	AK	ZIP:	99611

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Deniece M Isaacs
Title:	Owner/Member

Section 3 – Violations & Charges

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

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

 DMI

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

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 DMI

**Form MJ-20: 2024-2025 Renewal Application Certifications****Section 5 – Certifications**

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DMI

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

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DMI

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DMI

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Initial this box if you are submitting an original fingerprint card and the applicable fees to AMCO for AMCO to obtain criminal justice information and a national criminal history record required by AS 17.38.200 and 3 AAC 306.035(d). If I have multiple marijuana licenses being renewed, I understand one fingerprint card and fee will suffice for all marijuana licenses being renewed.

If multiple licenses are held, list all license numbers below:

15393 Majestic Gardens LLC

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

DMI

Deniece M Isaacs

Printed name of licensee

Signature of licensee



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control

550 W 7th Avenue, Suite 100

Anchorage, Alaska 99501

marijuana.licensing@alaska.gov

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

Phone: 907.269.0350

Page 114

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City:	KENAI	State:	AK	Zip Code:	99611
Designated Licensee:	Deniece M Isaacs				
Email Address:					

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Attached Items:	<div>1. This Cover 1 page</div> <div>2. MJ 20 Ronald D ISAACS pages 2</div> <div>3. Statement pages 5</div>
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OFFICE USE ONLY

Received Date:		Payment Submitted Y/N:		Transaction #:	
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Alaska Marijuana Control Board

Form MJ-20: 2024-2025 Renewal Application Certifications

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City:	Kenai	State:	AK	ZIP:	99611

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Ronald D Isaacs
Title:	Owner/Member

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RDI

**Form MJ-20: 2024-2025 Renewal Application Certifications****Section 5 – Certifications**

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

Initials

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

RDI

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

RDI

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

RDI

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

RDI

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

RDI

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

RDI

Initial this box if you are submitting an original fingerprint card and the applicable fees to AMCO for AMCO to obtain criminal justice information and a national criminal history record required by AS 17.38.200 and 3 AAC 306.035(d). If I have multiple marijuana licenses being renewed, I understand one fingerprint card and fee will suffice for all marijuana licenses being renewed.

☐

If multiple licenses are held, list all license numbers below:

15393 Majestic Gardens LLC

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

RID

Ronald D Isaacs

Printed name of licensee

Ronald D Isaacs
Signature of licensee



Thursday, February 6, 2025

Sent via email: cityclerk@kenai.city

Shellie Saner, City Clerk
City of Kenai

RE: Renewal Application for Standard Marijuana Cultivation Facility

Business Name	:	Majestic Gardens Cultivations
License Location	:	Kenai/12656 Kenai Spur Highway, Kenai, AK 99611
License No.	:	15395
License Type	:	Standard Marijuana Cultivation Facility

Dear Ms. Saner,

This serves to advise that the Kenai Peninsula Borough (KPB) has reviewed the above referenced application and has no objection to the issuance of the license.

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

Sincerely,

Michele Turner, CMC
Borough Clerk

cc:

[REDACTED]

amco.localgovernmentonly@alaska.gov



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Shellie Saner, City Clerk

FROM: Meghan Thibodeau, Deputy City Clerk

DATE: February 28, 2025

SUBJECT: **Action/Approval – Non-Objection to the Renewal of a Restaurant Eating Place Liquor License for Ramon Gonzalez DBA Playa Azul - License No. 5224.**

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

Applicant: Ramon Gonzalez
D/B/A: Playa Azul
License Type: Restaurant Eating Place License
License No.: 5224

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

Your consideration is appreciated.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

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

February 24, 2025

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

Licensee: Ramon Gonzalez

DBA: Playa Azul

VIA email: [REDACTED]

CC: None

Local Government 1: City of Kenai

Local Government 2: Kenai Peninsula Borough

Via Email: cityclerk@kenai.city; micheleturner@kpb.us; sessert@kpb.us; mjenkins@kpb.us;
nscarlett@kpb.us; mboehmler@kpb.us; rraidmae@kpb.us; slopez@kpb.us; bcarter@kpb.us;
irasor@kpb.us

Re: Restaurant Eating Place License #5224 Combined 2025-2026 Renewal Notice

License Number:	#5224
License Type:	Restaurant Eating Place License
Licensee:	Ramon Gonzalez
Doing Business As:	Playa Azul
Physical Address:	12498 Kenai Spur Hwy #1 Kenai, AK 99611
Designated Licensee:	Ramon Gonzalez
Phone Number:	[REDACTED]
Email Address:	[REDACTED]

☒ License Renewal Application

☐ Endorsement Renewal Application

Dear Licensee:

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

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

Your application will be scheduled for the **April 15th, 2025** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

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

Dear Local Government:

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

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

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

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

Please contact the local governing body with jurisdiction over the proposed premises for information regarding review of this application. Comments or objections you may have about the application should first be presented to the local governing body.

If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,
Kyle Helie, Licensing Examiner II
For
Kevin Richard, Director

Submit

by Meghan Thibodeau 2/24/2025 12:46:18 PM (Form Submission)

Approve

by David Ross 2/24/2025 1:03:45 PM (Police Department Review)

- The task was assigned to Police_Chief. The due date is: March 5, 2025 5:00 PM
2/24/2025 12:46:19 PM
- David Ross assigned the task to David Ross 2/24/2025 1:03:41 PM

Approve

by Brandon McElrea 2/24/2025 1:57:55 PM (Lands Review)

- No known Code violations.
- The task was assigned to Lands. The due date is: March 5, 2025 5:00 PM 2/24/2025 12:46:20 PM
- Brandon McElrea assigned the task to Brandon McElrea 2/24/2025 1:57:00 PM

Approve

by Cindy Herr 2/24/2025 2:32:37 PM (Legal Asst Review)

- There are no monies owed in fines or restitution.
- The task was assigned to Legal_Asst. The due date is: March 5, 2025 5:00 PM 2/24/2025 12:46:20 PM
- Cindy Herr assigned the task to Cindy Herr 2/24/2025 2:32:17 PM

Approve

by Jeremy Hamilton 2/25/2025 8:37:37 AM (Fire Marshall Review)

- The task was assigned to Fire_Marshall. The due date is: March 5, 2025 5:00 PM
2/24/2025 12:46:19 PM
- Jeremy Hamilton assigned the task to Jeremy Hamilton 2/25/2025 8:37:30 AM

Approve

by Tina Williamson 2/25/2025 8:42:13 AM (Finance Asst Review)

- The task was assigned to Finance_AR. The due date is: March 5, 2025 5:00 PM 2/24/2025 12:46:20 PM
- Tina Williamson assigned the task to Tina Williamson 2/25/2025 8:42:07 AM

Approve

by David Swarner 2/25/2025 8:44:49 AM (Finance Review)

- The task was assigned to Finance_Director. The due date is: March 6, 2025 5:00 PM
2/25/2025 8:42:14 AM
- David Swarner assigned the task to David Swarner 2/25/2025 8:44:44 AM

Approve

by Kevin Buettner 2/25/2025 8:46:32 AM (P&Z Department Review)

- The task was assigned to Planning_Director. The due date is: March 6, 2025 5:00 PM
2/25/2025 8:42:14 AM
- Kevin Buettner assigned the task to Kevin Buettner 2/25/2025 8:46:22 AM

Approve

by Scott Bloom 2/25/2025 8:52:52 AM (Legal Review)

- The task was assigned to City_Attorney. The due date is: March 6, 2025 5:00 PM 2/25/2025 8:42:14 AM
- Scott Bloom assigned the task to Scott Bloom 2/25/2025 8:52:46 AM

Approve

by Joe Fisher 2/27/2025 3:33:46 PM (Building Official Review)

- The task was assigned to Building_Official. The due date is: March 5, 2025 5:00 PM
2/24/2025 12:46:19 PM
- Joe Fisher assigned the task to Joe Fisher 2/27/2025 3:33:36 PM

Establishment Information

License Type

Restaurant Eating Place License

Licensee

Ramon Gonzalez

Doing Business As *

Playa Azul

Premises Address

12498 Kenai Spur Hwy #1

City, State

Kenai, AK

Date *

2025-02-24

Contact Information

Contact Licensee

Ramon Gonzalez

Contact Phone No.

[REDACTED]

Contact Email

[REDACTED]

Additional Contact Information

Name**Phone No.****Email**

Documents

File Upload

2025-2026 #5224 Complete Renewal Application.pdf

2.23MB

2025-2026 #5224 Playa Azul Renewal Notice.pdf

291.08KB



Document reference ID : 4206

Licensing Application Summary

Application ID:	4206
Applicant Name:	Ramon Gonzalez
License Type applied for:	Restaurant Eating Place License (REPL) (AS 04.09.210)
Application Status:	In Review
Application Submitted On:	11/14/2024 09:55 AM

Entity Information

Business Structure:	Sole proprietorship
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Entity Contact Information

Entity Address:	
-----------------	--

Ownership / Principal Party Details

Principal Parent Entity	Principal Party	Role	%Ownership
Ramon Gonzalez	Ramon Gonzalez	Owner	100
Ramon Gonzalez	Lidiana Rodriguez De Gonzalez	Affiliate	

Premises Address

Address:	12498 Kenai Spur Hwy. #1, Kenai, AK, USA
Does the proposed site include a valid street address?	Yes

Business/Trade Name:

Playa Azul

Local Government and Community Council Details

City/Municipality

Kenai (City of)

Borough

Kenai Peninsula Borough

Restaurant Detail

Dining after standard closing hours: AS 04.16.010(c)

Yes

Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)

Yes

Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)

Yes

Employment for any persons under 21 years of age: AS 04.16.049(c)

Yes

Food Service Permit

Entertainment & Service

Attestations

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show

a current course card or a photocopy of the card certifying completion of approved alcohol education course, if required by 3 AAC 305.700.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

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

I certify that I and any individual identified in the business entity ownership section of this application, has or will read AS 04 and its implementing regulations.

I certify I have provided a menu of a variety of types of food appropriate for meals that are prepared on the licensed premises.

I certify that non-employees under 21 years of age will not enter and remain on the licensed premises except for the purposes of dining only.

I certify that the sale and service of food and alcoholic beverages and any other business on the licensed premises is under the sole control of the licensee.

I certify the licensed premises is a bona fide restaurant as defined in AS 04.21.080(b).

I certify there is supervision on the licensed premises adequate to reasonably ensure that a person under 21 years of age will not gain access to alcoholic beverages.

Signature

This application was digitally signed by : Ramon Gonzalez on 11/13/2024 3:00:00 PM

Payment Info

Payment Type : Check

Check Number: 11005

Payment Date: 11/14/2024 10:33:48 AM



Document reference ID : 4206

Renewal Application Summary

Application ID:	4206
License No:	5224
License Type applied for Renewal:	Restaurant Eating Place License (REPL)
Licensee Name:	Ramon Gonzalez
Application Status:	In Review
Application Submitted On:	11/14/2024 09:55 AM

Entity Information

Business Structure:	Sole proprietorship
FEIN/SSN Number:	
Alaska Entity number (CBPL):	
Alaska Entity Formed Date:	
Home State:	

Entity Contact Information

Entity Address:



Renewal Information

Are there any changes to your ownership structure that have not been reported to AMCO prior to this application?:

No

As set forth in AS 04.11.330, how many hours did you operate during the first calendar year for this renewal period?:

The license was regularly operated continuously throughout the first calendar year for this renewal period.

As set forth in AS 04.11.330, how many hours did you operate during the second calendar year for this renewal period?:

The license was regularly operated continuously throughout the second calendar year for this renewal period.

Please select the seasonality:

Year-round

Has any person or entity in this application been convicted or disciplined for a violation of Title 04, 3 AAC 304 or 305, or a local ordinance adopted under AS 04.21.010 in the preceding two calendar years?:

No

Have any notices of violation or citations been issued for this license during the preceding two years?:

No

Restaurant Detail

Dining after standard closing hours: AS 04.16.010(c)	No
Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)	Yes
Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)	Yes
Employment for any persons under 21 years of age: AS 04.16.049(c)	Yes

List where within the premises minors are anticipated to have access in the course dining or employment. (Example: Minors will only be allowed in the dining area. OR Minors will only be employed and present in the Kitchen.)

For minors who come in w clients they are only allowed in the dining area with an adult. For minor who are employees they are designate to stay in their work areas(e.i. dining area and kitchen areas).

Describe the policies, practices and procedures that will be in place to ensure that minors do not gain access to alcohol while dining or employed at your premises.

The area where the alcohol is dispense from is overseen by an employee who is 21 years and older. The minors who are employees are supervised by adult employee during their shift. The minors who are accompanied by adult clients stay in the dining area.

Is an owner, manager, or assistant manager who is 21 years of age or older always present on the premises during business hours? Yes

Food Service Permit

Is your license located in Municipality of Anchorage? No

Do you have Approved food service permit for this premises? Yes

Entertainment & Service

Are any forms of entertainment offered or available within the licensed business or within the proposed licensed premises? No

Food and beverage service offered or anticipated is: Table Service

Hours Of Operation

Sunday	11:00 AM - 09:00 PM
Monday	11:00 AM - 09:00 PM
Tuesday	11:00 AM - 09:00 PM
Wednesday	11:00 AM - 09:00 PM
Thursday	11:00 AM - 09:00 PM

Attestations

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

I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.

I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.

I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the business license and have provided all required documents for any new or changes of officers.

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 305.700.

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

Signature

This application was digitally signed by : Ramon Gonzalez on 11/13/2024 03:00 PM

Payment Info

Payment Type : Check

Check Number: 11005

Payment Date: 11/14/2024 10:33:48 AM



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

Alaska Alcoholic Beverage Control Board
Form AB-33: 2025/2026 Renewal Restaurant Receipts Affidavit

What is this form?

A restaurant or eating place licensee must file a complete copy of this form along with its 2025/2026 license renewal application, in order to provide evidence to the Alcoholic Beverage Control Board that this licensed restaurant's receipts from the sale of food upon the licensed premises constitute no less than 50% of the gross receipts (food + alcohol sales) of the licensed premises for each calendar year in 2023 and 2024, as currently required by AS 04.09.210(c) and AS 04.09.360(g). This form is confidential.

This form must be completed and submitted with Form AB-17 to AMCO's main office before a license renewal application may be reviewed.

Section 1 – Establishment Information

This form is being submitted for the following license:

Licensee:	Ramon Gonzalez	License #:	5224
License Type:	Restaurant Eating Place		
Doing Business As:	Playa Azul		

Section 2 – Gross Receipts for 2023 and 2024

Please fill out the following information carefully, contact AMCO staff if you have questions regarding this form. Enter the dollar amounts of the food and gross (food + alcohol) receipts on the licensed premises and calculate the percentage of gross revenue that is from food sales on the licensed premises for each calendar year. (Food Revenue ÷ Gross Revenue x 100 = %)

2023 Food Sales	÷	2023 Food + Alcohol Sales	X 100 =	95	%
2024 Food Sales	÷	2024 Food + Alcohol Sales	X 100 =	95	%

I declare under penalty of perjury that this form, including all accompanying schedules and statements, is true, correct, and complete.

Ramon Gonzalez
Printed name of licensee

Ramon Gonzalez
Signature of licensee



Tuesday, February 25, 2025

Sent via email: cityclerk@kenai.city

Shellie Saner, City Clerk
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant	:	Gonzalez, Ramon
Business Name	:	PLAYA AZUL
License Type	:	Restaurant/Eating Places
License Location	:	12498 Kenai Spur Hwy #1, City of Kenai
License No.	:	5224
Application Type	:	License Renewal

Dear Ms. Saner,

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

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

Sincerely,

Michele Turner, CMC
Borough Clerk

cc:

[REDACTED]

<mailto:amco.localgovernmentonly@alaska.gov>



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3456-2025**

AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT RECEIVED THROUGH BEST FRIENDS ANIMAL SOCIETY TO THE KENAI ANIMAL SHELTER FOR ATTENDANCE AT THE BEST FRIENDS NATIONAL CONFERENCE.

WHEREAS, the Kenai Animal Shelter received a grant through Best Friends Animal Society in the amount of \$1,605; and,

WHEREAS, Best Friends Animal Society is a nonprofit organization that works through advocacy, community programs, and partnerships to promote pet adoption and spay/neuter initiatives; and,

WHEREAS, the grant funds are designated to support staff attendance at the Best Friends National Conference in Palm Springs, California and the Animal Control Chief is scheduled to attend 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 –
Miscellaneous Grants

\$1,605.00

Increase Appropriations –
Animal Control – Transportation

\$1,605.00

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 19TH DAY OF MARCH, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



Introduced:

March 5, 2025

Enacted:

March 19, 2025

Effective:

March 19, 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: February 18, 2025

SUBJECT: **Ordinance No. 3456-2025 - Accepting and Appropriating a Grant Received Through Best Friends Animal Society to the Kenai Animal Shelter for Attendance at the Best Friends National Conference.**

Best Friends Animal Society is a nonprofit organization that works through advocacy, community programs, and partnerships to promote pet adoption and spay/neuter initiatives. The Kenai Animal Shelter received a teaching and learning grant from Best Friends Animal Society for the amount of \$1605.00. The purpose of the grant is to fund the registration, travel, accommodations and meals for the duration of the Best Friends National Conference in Palm Springs, CA February 19th-22nd. The conference brings together animal welfare advocates to network, learn, and improve upon related topics. Such topics include field and animal services, shelter medicine, animal care, advocacy and community engagement plus more. The Animal Control Chief will be attending the conference.

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. 3457-2025**

AN ORDINANCE ACCEPTING AND APPROPRIATING DONATIONS DESIGNATED BY TOM ANDERSON FROM THE ALASKA COMMUNITY FOUNDATION FOR THE CONSTRUCTION OF SOFTBALL DUGOUTS AND THE DEDICATION OF A DUGOUT IN MEMORIAM OF HANNAH HILL.

WHEREAS, during the summer of 2022, Tom Anderson, a Hilcorp Employee, designated \$7,500 from the Alaska Community Foundation to the Kenai Community Foundation to assist in the construction of new dugouts at the Kenai Softball fields; and,

WHEREAS, the original donation of \$7,500 has since accumulated additional funds totaling \$8,996.92; and,

WHEREAS, the donor, Tom Anderson, has requested one of the new dugouts be dedicated in Memoriam of Hannah Hill; and,

WHEREAS, Hannah Hill, who was a local resident and avid softball player with the Kenai Softball Association, will be recognized with a plaque on one of the dugouts; and,

WHEREAS, the funds will be appropriated for the capital project to construct new dug outs, which are expected to be completed by May 31, 2025.

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

Section 1. That the City Manager is authorized to accept a donation in the amount of \$ 8,996.92.

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

Parks Improvement Capital Project Fund:

Increase/Decrease expenditures –
Donation

\$8,996.92

Increase/Decrease expenditures –
Construction

\$8,996.92

Section 3. A memorial plaque will be installed on the side of the dugout following its construction, honoring Hannah Hill's name and featuring a dedication statement in their memory.

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 19TH DAY OF MARCH, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



Introduced:	March 5, 2025
Enacted:	March 19, 2025
Effective:	March 19, 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: Tyler Best, Parks, and Recreation Director

DATE: February 25, 2025

SUBJECT: **Ordinance No. 3457-2025 - Accepting and Appropriating Donations Designated by Tom Anderson from the Alaska Community Foundation for The Construction of Softball Dugouts and the Dedication of a Dugout in Memoriam of Hannah Hill.**

In the spring of 2022, Hannah Hill tragically passed away. Hannah grew up along the Kenai River and worked at local businesses in the City of Kenai. She was also an avid softball player with the Kenai Softball Association. One of her teammates, Tom Anderson, a Hilcorp Employee, designated \$7,500 from the Alaska Community Foundation to the Kenai Community Foundation to help cover the construction costs of new dugouts and to have one of the dugouts dedicated to her memory.

The original donation, made in 2022, has accrued additional funds for a total of \$8,996.92. Ordinance 3457-2025 will appropriate these funds from the Kenai Community Foundation into the capital project for new dugouts at the Softball field.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3458-2025**

AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT RECEIVED THROUGH THE ALASKA GERIATRIC EXCHANGE NETWORK TO THE KENAI SENIOR CENTER FOR ATTENDANCE AT THE 2025 LEGISLATIVE FLY-IN.

WHEREAS, the Alaska Geriatric Exchange Network (AGEnet) is a statewide leadership association of service providers for older Alaskans, whose goal is to assure that the appropriate level of senior services are available in every Alaska community, so that seniors are able to live independently, with honor and dignity; and,

WHEREAS, the Kenai Senior Center has been a longstanding member of AGEnet; and,

WHEREAS, AGEnet annually meets with legislators to provide education and updates regarding senior grant funding during the Legislative Fly-In and assists agencies with funding for staff to attend; and,

WHEREAS, the acceptance of these grant funds to further the mission of senior grant funding in the State of Alaska 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:

Senior Citizen Fund:

Increase Estimated Revenues –
Miscellaneous Grants

\$ 832.84

Increase Appropriations –
Congregate Meals – Transportation
Home Meals – Transportation

\$ 500.00

332.84

\$ 832.84

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 19TH DAY OF MARCH, 2025.

ATTEST:

Brian Gabriel Sr., Mayor

Michelle M. Saner, MMC, City Clerk

Approved by Finance:



Introduced:	March 5, 2025
Enacted:	March 19, 2025
Effective:	March 19, 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: Kathy Romain, Senior Center Director

DATE: February 25, 2025

SUBJECT: **Ordinance 3458-2025 - Accepting and Appropriating a Grant Received through the Alaska Geriatric Exchange a Network to the Kenai Senior Center for Attendance at the 2025 Legislative Fly-in.**

The Alaska Geriatric Exchange Network (AGEnet) is a leadership association of service providers dedicated to advocating for senior services across Alaska. The Kenai Senior Center has been a long-standing member of this association.

This year, Kenai Senior Center staff were invited to represent AGEnet at the Legislative Fly-In in Juneau, where they advocated for senior grant funding. The center was awarded a grant of \$832.94 to support travel expenses for the event, held from February 5 – 8, 2025.

The time spent in Juneau was meaningful, as legislators heard directly from senior service providers statewide about the needs of older Alaskans.

Thank you for your consideration in accepting and appropriating these funds.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3459-2025**

AN ORDINANCE DETERMINING THAT REAL PROPERTY DESCRIBED AS LOT 10, BLOCK 1, ETOLIN SUBDIVISION NUMBER 3, ACCORDING TO PLAT 82-103, CITY-OWNED AIRPORT LAND LOCATED OUTSIDE THE AIRPORT RESERVE, IS NOT NEEDED FOR A PUBLIC PURPOSE AND AUTHORIZING THE SALE OF THE PROPERTY TO LOROC, LLC.

WHEREAS, the City of Kenai received a Quitclaim Deed from the Federal Aviation Administration (FAA) on December 1, 1963, to nearly 2,000 acres of land subject to certain restrictions, including that no property shall be used, leased, sold, salvaged, or disposed of for reasons other than for airport purposes; and,

WHEREAS, on September 1, 1967, the FAA executed a Deed of Release, for an area of land subject to the Quitclaim Deed allowing for the lease, sale, or disposal of certain airport lands by the City, for other than airport purposes; and,

WHEREAS, Lot 10 Block 1, Etolin Subdivision No. 3 was subject to that Deed of Release; and,

WHEREAS, on May 15, 1991, the City entered into a Lease with Rockwell G. Smith d/b/a/ Preferred Plumbing and Heating for City-owned land identified as Lot 10, Block 1, Etolin Subdivision No. 3; and,

WHEREAS, on June 30, 2015, the rights under the Lease for City-owned land identified as Lot 10, Block 1, Etolin Subdivision No. 3 were assigned to LOROC, LLC; and,

WHEREAS, KMC 22.05.100 - Sale Procedure, Subsection (h) provides that leased land in which the lease contains an option to purchase once the minimum development requirements have been met, the lessee may request the sale of the land at not less than the fair market value; and,

WHEREAS, the Lease of LOROC, LLC includes a purchase right of the Lessee, and the minimum development requirements have been met; and,

WHEREAS, KMC 22.05.010 - Authority and Intent, Subsection (b) provides that disposal or sale of City lands shall be made only when, in the judgement of the City Council, such lands are not or are no longer required for a public purpose; and,

WHEREAS, the City has received a request to purchase Lot 10, Block 1, Etolin Subdivision No. 3, according to plat 82-103 (the Property) from the current Lessee; and,

WHEREAS, the fair market value of the Property was determined by a qualified independent appraiser on September 3, 2024 to be \$195,000.

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

Section 1. Statement of Ownership: That the City of Kenai is the owner of Lot 10, Block 1, Etolin Subdivision No. 3, according to Plat 82-103 (the Property).

Section 2. Public Purpose and Best Interest Findings: That the Property is not needed for future public municipal or airport purposes. Under the Airport Layout Plan, the Property is designated for non-

aviation commercial or light industrial uses. The sale of the Property is in the best interest of the City and Airport, as it serves a purpose of continuing commercial growth and investment in the City.

Section 3. Authorization of Sale: That the Kenai City Council hereby authorizes the City Manager to sell the City-owned lands described as Lot 10, Block 1, Etolin Subdivision No. 3, according to Plat 82-103, under the procedures and terms established for the sale of City-owned lands outside of the Airport Reserve, as set forth in KMC 22.05.100 et seq. at not less than \$195,000; the fair market value of the land, excluding lessee-constructed improvements, as determined by an appraisal.

Section 4. Title: That title shall be conveyed by quitclaim deed. Any instrument conveying title to the Property shall include the following restrictions, promises, and/or covenants:

- a) That the City of Kenai reserves unto that the grantee expressly agree for itself and its heirs, executors, administrators, successors, transferees, and assigns, for the use and benefit of the public right of flight for the passage of aircraft in the airspace above the surface of the Property, together with the right to cause in said airspace such noise as may be inherent in the operation of aircraft, now known or hereafter used, for navigation of or flight in the said airspace, and for use of said airspace for landing on or at and for taking off from or operating on Kenai Municipal Airport; and,
- b) that the grantee expressly agree for itself and its heirs, executors, administrators, successors, transferees, and assigns to restrict the height of structures, objects of natural growth, and other obstructions on the Property to a height of not more than 242 feet above mean sea level; and,
- c) that the grantee expressly agree for itself and its heirs, executors, administrators, successors, transferees, and assigns to prevent any use of the Property which would interfere with landing or taking off of aircraft at the Kenai Municipal Airport, or otherwise constitute an airport hazard; and,
- d) that all covenants heretofore stated shall run with the land and shall inure to the benefit of, and be binding upon the heirs, executors, administrators, successors, transferees, and assigns of the parties to the contract for sale and conveyance.

Section 5. Proceeds of Sale: That should a sale of the Property be finalized, all revenues from the sale shall be deposited in the Airport Land Sale Permanent Fund for use in the development, improvement, and operation of the Kenai Municipal Airport and as otherwise required in the Deed of Release dated September 1, 1967.

Section 6. 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 judgement shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgement 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 7. 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 19TH DAY OF MARCH, 2025.

ATTEST:

Brian Gabriel Sr., Mayor

Michelle M. Saner, MMC, City Clerk

Introduced:	March 5, 2025
Enacted:	March 19, 2025
Effective:	April 18, 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

THROUGH: Kevin Buettner, Planning Director

FROM: Brandon McElrea, Planning Technician

DATE: February 26, 2025

SUBJECT: **Ordinance No. 3459-2025 - Determining that Real Property Described as Lot 10, Block 1, Etolin Subdivision Number 3, According to Plat 82-103, City-Owned Airport Land Located Outside the Airport Reserve, is Not Needed for a Public Purpose and Authorizing the Sale of the Property to LOROC, LLC.**

LOROC, LLC submitted a request to purchase the above City-owned leased land outside the Airport Reserve with substantial constructed leasehold improvements pursuant to Section D. 52 *Right to Purchase*, of the Lease Agreement.

LOROC, LLC is the current lessee of Lot 10, Etolin Subdivision No. 3, which was entered into on May 15, 1991 for the purpose of a plumbing and heating business and an apartment. Preferred Plumbing and Heating is operating on the premises and the lessee resides in the apartment. The 99-year lease term expires on June 30, 2090 and is in good standing.

On May 11, 2018, the Federal Aviation Administration (FAA) released the property for sale for other than airport purposes, allowing the property to be sold at fair market value. All revenues from the sale would be deposited in the Airport Land Sale Permanent Fund for use in the development, improvement, maintenance and operation of the Kenai Municipal Airport as required by the Deed of Release.

While City Policy does not provide for the sale of any specific property, Section d. 52. of the Lease Agreement provides for the purchase of the property by the lessee at not less than market value after leasing the property for the preceding two years or completion of the agreed to improvements to the satisfaction of the City Manager, both of which have occurred.

The lessee submitted a good-faith deposit and the City ordered an appraisal to be performed on the property as though vacant. The fair market value of the property was determined to be \$195,000 by an appraisal performed by MacSwain Associates on September 3, 2024.

If the City Council approves the sale, City Administration may proceed with the sale.

Thank you for your consideration.

Attachment – Aerial Map







Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3460-2025**

AN ORDINANCE DETERMINING THAT REAL PROPERTY DESCRIBED AS LOT 11, BLOCK 1, ETOLIN SUBDIVISION NUMBER 3, ACCORDING TO PLAT 82-103, CITY-OWNED AIRPORT LAND LOCATED OUTSIDE THE AIRPORT RESERVE, IS NOT NEEDED FOR A PUBLIC PURPOSE AND AUTHORIZING THE SALE OF THE PROPERTY TO LOROC, LLC.

WHEREAS, the City of Kenai received a Quitclaim Deed from the Federal Aviation Administration (FAA) on December 1, 1963, to nearly 2,000 acres of land subject to certain restrictions, including that no property shall be used, leased, sold, salvaged, or disposed of for reasons other than for airport purposes; and,

WHEREAS, on September 1, 1967, the FAA executed a Deed of Release, for an area of land subject to the Quitclaim Deed allowing for the lease, sale, or disposal of certain airport lands by the City, for other than airport purposes; and,

WHEREAS, Lot 11 Block 1, Etolin Subdivision No. 3 was subject to that Deed of Release; and,

WHEREAS, on May 1, 2004, the City entered into a Lease with Rockwell G. Smith d/b/a/ Preferred Plumbing and Heating for City-owned land identified as Lot 11, Block 1, Etolin Subdivision No. 3; and,

WHEREAS, on June 30, 2015, the rights under the Lease for City-owned land identified as Lot 11, Block 1, Etolin Subdivision No. 3 were assigned to LOROC, LLC; and,

WHEREAS, KMC 22.05.100 - Sale Procedure, Subsection (h) provides that leased land in which the lease contains an option to purchase once the minimum development requirements have been met, the lessee may request the sale of the land at not less than the fair market value; and,

WHEREAS, the Lease of LOROC, LLC includes a purchase right of the Lessee, and the minimum development requirements have been met; and,

WHEREAS, KMC 22.05.010 - Authority and Intent, Subsection (b) provides that disposal or sale of City lands shall be made only when, in the judgement of the City Council, such lands are not or are no longer required for a public purpose; and,

WHEREAS, the City has received a request to purchase Lot 11, Block 1, Etolin Subdivision No. 3, according to plat 82-103 (the Property) from the current Lessee; and,

WHEREAS, the fair market value of the Property was determined by a qualified independent appraiser on September 3, 2024 to be \$187,000.

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

Section 1. Statement of Ownership: That the City of Kenai is the owner of Lot 11, Block 1, Etolin Subdivision No.3, according to Plat 82-103 (the Property).

Section 2. Public Purpose and Best Interest Findings: That the Property is not needed for future public municipal or airport purposes. Under the Airport Layout Plan, the Property is designated for non-

aviation commercial or light industrial uses. The sale of the Property is in the best interest of the City and Airport, as it serves a purpose of continuing commercial growth and investment in the City.

Section 3. Authorization of Sale: That the Kenai City Council hereby authorizes the City Manager to sell the City-owned lands described as Lot 11, Block 1, Etolin Subdivision No. 3, according to Plat 82-103, under the procedures and terms established for the sale of City-owned lands outside of the Airport Reserve, as set forth in KMC 22.05.100 et seq. at not less than \$187,000; the fair market value of the land, excluding lessee-constructed improvements, as determined by an appraisal.

Section 4. Title: That title shall be conveyed by quitclaim deed. Any instrument conveying title to the Property shall include the following restrictions, promises, and/or covenants:

- a) That the City of Kenai reserves unto that the grantee expressly agree for itself and its heirs, executors, administrators, successors, transferees, and assigns, for the use and benefit of the public right of flight for the passage of aircraft in the airspace above the surface of the Property, together with the right to cause in said airspace such noise as may be inherent in the operation of aircraft, now known or hereafter used, for navigation of or flight in the said airspace, and for use of said airspace for landing on or at and for taking off from or operating on Kenai Municipal Airport; and,
- b) that the grantee expressly agree for itself and its heirs, executors, administrators, successors, transferees, and assigns to restrict the height of structures, objects of natural growth, and other obstructions on the Property to a height of not more than 242 feet above mean sea level; and,
- c) that the grantee expressly agree for itself and its heirs, executors, administrators, successors, transferees, and assigns to prevent any use of the Property which would interfere with landing or taking off of aircraft at the Kenai Municipal Airport, or otherwise constitute an airport hazard; and,
- d) that all covenants heretofore stated shall run with the land and shall inure to the benefit of, and be binding upon the heirs, executors, administrators, successors, transferees, and assigns of the parties to the contract for sale and conveyance.

Section 5. Proceeds of Sale: That should a sale of the Property be finalized, all revenues from the sale shall be deposited in the Airport Land Sale Permanent Fund for use in the development, improvement, and operation of the Kenai Municipal Airport and as otherwise required in the Deed of Release dated September 1, 1967.

Section 6. 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 judgement shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgement 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 7. 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 19TH DAY OF MARCH, 2025.

Brian Gabriel Sr., Mayor

Ordinance No. 3460-2025
Page 3 of 3

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced:	March 5, 2025
Enacted:	March 19, 2025
Effective:	April 18, 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

THROUGH: Kevin Buettner, Planning Director

FROM: Brandon McElrea, Planning Technician

DATE: February 26, 2025

SUBJECT: **Ordinance No. 3460-2025 - Determining that Real Property Described as Lot 11, Block 1, Etolin Subdivision Number 3, According to Plat 82-103, City-Owned Airport Land Located Outside the Airport Reserve, is Not Needed for a Public Purpose and Authorizing the Sale of the Property to LOROC, LLC.**

LOROC, LLC submitted a request to purchase the above City-owned leased land outside the Airport Reserve with substantial constructed leasehold improvements pursuant to Section D. 52 *Right to Purchase*, of the Lease Agreement.

LOROC, LLC is the current lessee of Lot 11, Etolin Subdivision No. 3, which was entered into on May 1, 2004 for the purpose of a storage building to support Preferred Plumbing and Heating, which operates on the adjacent leased lot. The 25-year lease term expires on June 30, 2029 and is in good standing.

On May 11, 2018, the Federal Aviation Administration (FAA) released the property for sale for other than airport purposes, allowing the property to be sold at fair market value. All revenues from the sale would be deposited in the Airport Land Sale Permanent Fund for use in the development, improvement, maintenance and operation of the Kenai Municipal Airport as required by the Deed of Release.

While City Policy does not provide for the sale of any specific property, Section d. 52. of the Lease Agreement provides for the purchase of the property by the lessee at not less than market value after leasing the property for the preceding two years or completion of the agreed to improvements to the satisfaction of the City Manager, both of which have occurred.

The lessee submitted a good-faith deposit and the City ordered an appraisal to be performed on the property as though vacant. The fair market value of the property was determined to be \$187,000 by an appraisal performed by MacSwain Associates on September 3, 2024.

If the City Council approves the sale, City Administration may proceed with the sale.

Thank you for your consideration.

Attachment – Aerial Map





Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3461-2025**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND LAND USE TABLE BY REZONING THE PROPERTIES AT 202 NORTH FOREST DRIVE AND 1408 SECOND AVENUE FROM SUBURBAN RESIDENTIAL (RS) TO GENERAL COMMERCIAL (CG) ZONING DISTRICT.

WHEREAS, the properties located at 202 N. Forest Drive and 1408 Second Avenue are currently zoned Suburban Residential (RS); and,

WHEREAS, the City of Kenai received a rezone application from the 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 is Mixed-Use, which envisioned a compatible mix of residential and 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 February 26, 2025, the City of Kenai Planning and Zoning Commission voted to approve 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 04312013 & 0412014 (202 N. Forest Dr. and 1408 Second Ave, respectively) 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 04312013 & 0412014 (202 N. Forest Dr. and 1408 Second Ave, respectively) from Suburban Residential to Mixed-Use.

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 19TH DAY OF MARCH, 2025.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced:	March 5, 2025
Enacted:	March 19, 2025
Effective:	April 18, 2025



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Kevin Buettner, Planning Director

DATE: March 5, 2025

SUBJECT: **Ordinance No. 3461-2025 - Amending the Official Zoning Map and Land Use Table by Rezoning the Properties at 202 North Forest Drive and 1408 Second Avenue from Suburban Residential (RS) to General Commercial (CG) Zoning District.**

The applicants are seeking to rezone properties located at 202 N. Forest Drive and 1408 Second Avenue from Suburban Residential (RS) to General Commercial (CG) zoning district. The purpose of the rezone is to allow light commercial uses on the subject parcels. For the parcel located at 202 N. Forest Drive, the property owner intends to operate a law office, coffee shop, and commercial greenhouse. The parcel at 1408 Second Avenue currently would remain undeveloped, but be used for snow storage from the adjoining lot.

North Forest Drive is classified as a Major Collector by the Alaska Department of Transportation and as such, is used to access several neighborhoods between the Kenai Spur Highway and Redoubt Avenue. A Major Collector route often has higher annual average daily traffic counts than surrounding streets, and generally results in higher associated road noise. This noise often deters substantial residential development directly on the route.

This property has historically had a conditional use permit, initially issued in 1999 (PZ1999-24) for a Greenhouse, Gift Shop, and Coffee Shop. The current owners seek to reactivate this property with a similar mix of commercial uses, with the exception of the Gift Shop which would be replaced by a law office. There is vegetative screening for adjacent properties to the north, east, and south. N. Forest Drive is on the west side of the property. The CG zoning district allows for the widest range of commercial and industrial uses compared to other commercial zoning districts. The existing RS zoning district is not a compatible land use for this area since there are existing commercial and institutional uses to the south and west of the proposed rezone area.

The rezone to CG zone would expand the adjacent CG zoning district, which it is anticipated that it would be developed in junction with the surrounding commercial and institutional uses to the south and west. Therefore, minimizing potential impacts of commercial development on existing residential uses. As noted by the applicants, this property has existed as a commercial property for over a quarter century and this rezone would allow for these low-impact commercial uses without going through additional planning processes.

The existing land use classification states that the area is to be Suburban Residential. Due to North Forest Drive being a Major Collector route, there is reason to anticipate that this area will become low-impact commercial uses, as traffic is higher along N. Forest Drive 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. The proposed rezone to CG zone would be consistent as a natural extension of the Mixed-Use land use classification that is immediately south of the subject properties as identified in the Comprehensive Plan. An amendment to the Comprehensive Land Use Table would also be needed. 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.*

The proposed rezone to CG zone would make the existing buildings (greenhouse, coffee shop, and law office) compliant with the zoning district. Under the existing RS zone, the existing buildings are considered a non-conforming use since commercial uses are not permitted to be a principal use. Therefore, any expansions or alterations of the buildings would be subject to KMC Section 14.20.050 *Nonconforming lots, structures, and uses*.

On February 26, 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

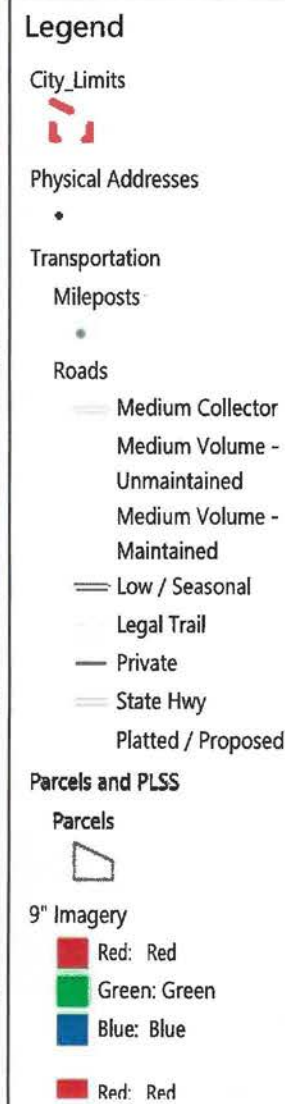
Proposed Zoning Map

Fresh Start Subdivision (Plat No. 2012-58)

P&Z Resolution PZ2025-08

Staff Report PZ2025-08





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

City Limits



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



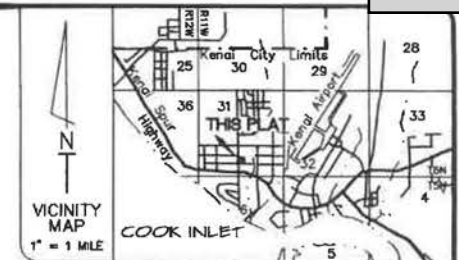
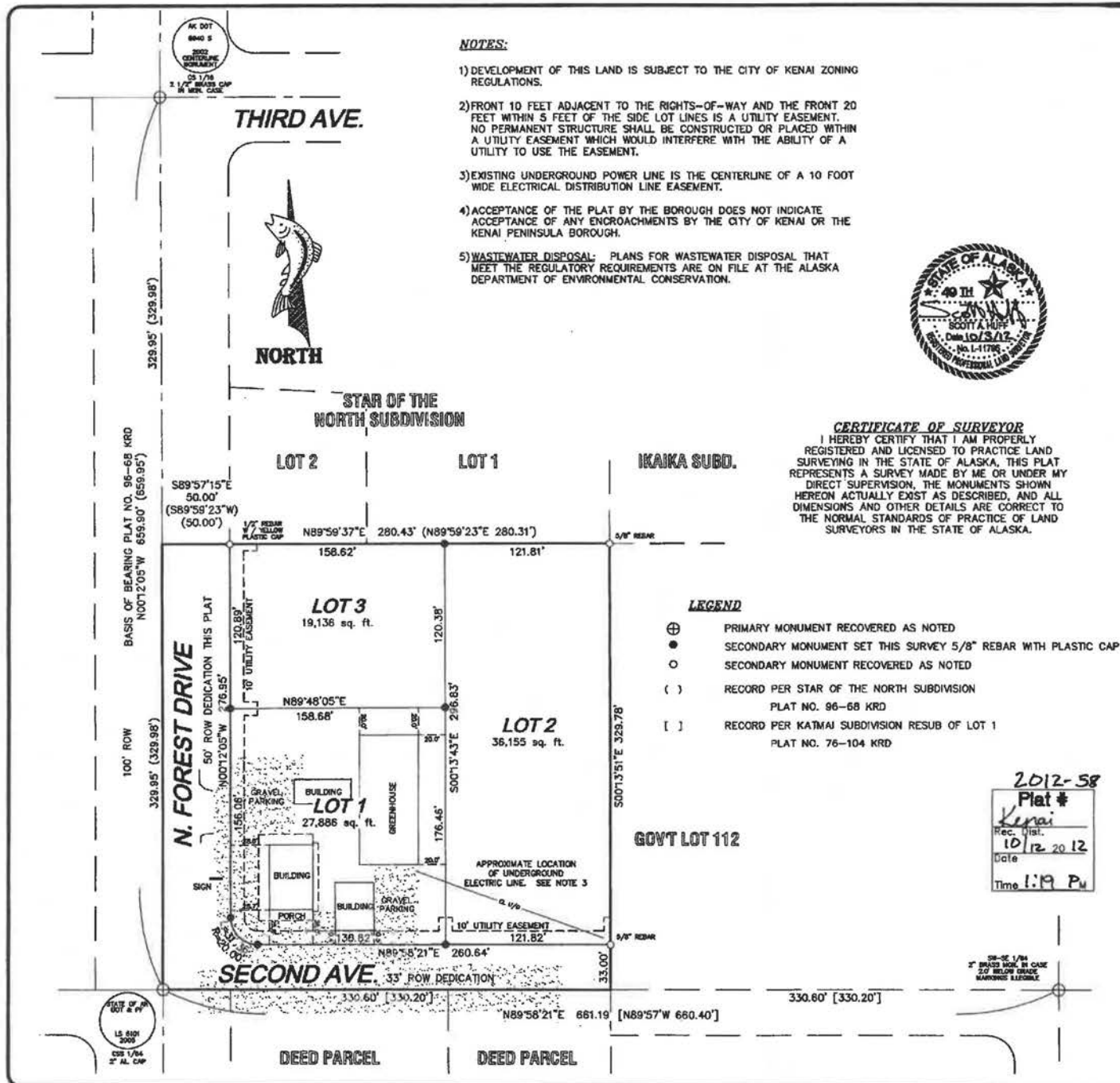
9" Imagery

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

Red: Red



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.



CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT FRESH START INCORPORATED, IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF FRESH START INCORPORATED, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

Porter Jordan
FRESH START INC.
PORTER JORDAN
202 N. FOREST DR.
KENAI, AK 99611

NOTARY'S ACKNOWLEDGMENT

FOR: PORTER JORDAN
SUBSCRIBED AND SWORN BEFORE ME THIS 3RD

DAY OF October, 2012

Scott Huff
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 9-28-13



PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF September 10, 2012

KENAI PENINSULA BOROUGH

Max Burt
AUTHORIZED OFFICIAL

KPB FILE NO. 2012-122

FRESH START SUBDIVISION

A SUBDIVISION OF GOVT. LOT 111

LOCATED WITHIN THE NW1/4 SW1/4 SE1/4 SECTION 31, T08N, R11W, SEWARD MERIDIAN, CITY OF KENAI, KENAI RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA

CONTAINING 2.503 ACRES

INTEGRITY SURVEYS INC.

43335 K-BEACH RD. SUITE 10 SOLDOTNA, AK 99689

SURVEYORS PHONE - (907) 282-5073
FAX - (907) 282-5574
Planners integritysurveys@alaska.net

JOB NO:	212122	DRAWN:	02 October, 2012 SH
SURVEYED:	JULY 2012	SCALE:	1" = 50'
FIELD BK:	2012-5 PG:55-57	FILE:	212122 PP.DWG

**KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

PHONE: (907) 262-4441 • FAX: (907) 262-1892

www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR**CERTIFICATE OF TAX DEPARTMENT**

I, Rhonda K. Krohn, Property Tax and Collections Supervisor for the Kenai Peninsula Borough, do hereby certify that, as of the date of this certificate, all real property taxes levied by the Kenai Peninsula Borough have been paid for the area(s) described as:

Subdivision: Fresh Start Subdivision

Parcel # 04312005

T 6N R 11W SEC 31 Seward Meridian KN GOVT LOT 111

The following assessments (except assessments for the cities of Homer, Kenai, Seward, Seldovia, and Soldotna) levied against this property are outstanding: \$.00.

Witness my hand and seal this 27th day of September, 2012.

Rhonda K. Krohn
Property Tax and Collections Supervisor



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION PZ2025-08**

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>
04312013	202 N. Forest Drive	0.64-acre	Lot 1, Fresh Start Subdivision
04312014	1408 Second Avenue	0.83-acre	Lot 2, Fresh Start Subdivision

WHEREAS, the City of Kenai received a rezone application 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/institutional 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 commercial and institutional uses along the Kenai Spur Highway and South Forest Drive.

Resolution No. PZ2025-08

Page 2 of 2

Therefore, minimizing potential impacts of commercial development on existing residential uses.


3. North Forest Drive has a Functional Classification as a Major Collector, 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 North Forest Drive being a Major Collector route, there is reason to anticipate that this area will become low-impact commercial uses, as traffic volume is higher along N. Forest Drive 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 Mixed-Use 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 low to medium density commercial/institutional 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 properties located at 202 N. Forest Drive and 1408 Second Avenue from Suburban Residential (RS) to General Commercial (CG) zoning district.

Section 2. 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 26TH DAY OF FEBRUARY, 2025.



Joe Halstead, CHAIRPERSON

ATTEST:



Meghan Thibodeau, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

O: Planning and Zoning Commission
FROM: Kevin Buettner, Planning Director
DATE: February 26, 2025
SUBJECT: Resolution PZ2025-08 – Rezone Two (2) Parcels from Suburban Residential (RS) to General Commercial (GC) Zoning District

Request The applicants are requesting a rezone of two (2) parcels from Suburban Residential (RS) to General Commercial (CG) Zoning District.

Staff Recommendation Adopt Resolution PZ2025-08 recommending approval of a rezone of two (2) parcels from Suburban residential (RS) to General Commercial (CG) Zoning District.

Applicants: John and Parrisa Harris
 202 N. Forest LLC
 215 Fidalgo Ave, Ste 104
 Kenai, AK 99611

<u>Parcel No.</u>	<u>Address</u>	<u>Lot Size</u>	<u>Legal Description</u>
04312013	202 N Forest Dr.	0.49-acre	FRESH START SUB LOT 1
04312014	1408 Second Avenue	0.83-acre	FRESH START SUB LOT 2

Current Zoning: Suburban Residential (RS)
Proposed Zoning: General Commercial (CG)
Current Land Use Single-Family Residence, Accessory Structures
Land Use Plan Suburban Residential

SUMMARY

The applicants are seeking to rezone properties located at 202 N. Forest Drive and 1408 Second Avenue from Suburban Residential (RS) to General Commercial (CG) zoning district. The purpose of the rezone is to allow light commercial uses on the subject parcels. For the parcel located at 202 N. Forest Drive, the property owner intends to operate a law office, coffee shop, and commercial greenhouse. The parcel at 1408 Second Avenue would remain undeveloped, but be used for snow storage from the adjoining lot.

North Forest Drive is classified as a Major Collector by the Alaska Department of Transportation and as such, is used to access several neighborhoods between the Kenai Spur Highway and Redoubt Avenue. A Major Collector route often has higher annual average daily traffic counts than surrounding streets, and generally results in higher associated road noise. This noise often deters substantial residential development directly on the route.

This property has historically had a conditional use permit, initially issued in 1999 (PZ1999-24) for a Greenhouse, Gift Shop, and Coffee Shop. The current owners seek to reactivate this property with a similar mix of commercial uses, with the exception of the Gift Shop which would be replaced by a law office. There is vegetative screening for adjacent properties to the north, east, and south. N. Forest Drive is on the west side of the property.

If approved, the zone change would allow commercial uses as a principal use, whereas under the existing zone, RS, a commercial use is only permitted as a conditional use.

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.

Both affected parcels are owned by the same owner, 202 N. Forest, LLC, therefore, meeting the initiation of a rezone application. The combined area of the rezone is approximately 1.32 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 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 proposed rezone area is surrounded by a commercial office/warehouse (Salvation Army) to the west, residential uses to the north and east, and a commercial zoned area along First Avenue. The current zoning, RS prohibits commercial uses unless it is a conditional use according to the land use table found in KMC Section 14.22.010 as shown below (highlighted in yellow).

LAND USE TABLE

KEY: P = Principal Permitted Use
C = Conditional Use
S = Secondary Use
N = Not Permitted

NOTE: Reference footnotes on following pages for additional restrictions

ZONING DISTRICTS																		
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU	WW
Restaurants	C	N	C	N	C	N	N	C	P	P	P	C	N	C	C	C	P	P
Retail Business	C	N ²⁶	C	N	C	N	N	C	P	P	P	P	S ²⁴	S ²⁴	C	C	P	P

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/institutional 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.

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 and institutional uses along the Kenai Spur Highway and South Forest Drive. Therefore, it would minimize potential impacts of commercial development on existing residential uses.

North Forest Drive has a Functional Classification as a Major Collector, 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.

Findings: The rezone to CG zone would increase the adjacent RCGS 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. As noted by the applicants, this property has historically functioned as a commercial property with a Conditional Use Permit and rezoning would reduce the administrative burden on both the businesses, and the city staff.

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 North Forest Drive being a Major Collector route, there is reason to anticipate that this area will become low-impact commercial uses, as traffic is higher along N. Forest Drive 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 Mixed-Use 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 not currently required, as all the proposed uses are allowable in Suburban Residential zones, albeit as conditional uses. 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 current low to medium density development of the neighborhood.

Existing Use

In the proposed rezone area, the only existing principal use are the existing buildings (greenhouse, coffee shop, and law office) on the property located at 202 N. Forest Drive, which are adjacent the intersection of N. Forest Drive and Second Avenue.

Findings: The proposed rezone to CG zone would make the existing buildings (greenhouse, coffee shop, and law office) compliant with the zoning district. Under the existing RS zone, the existing buildings are considered a non-conforming use since commercial uses are not permitted to be a principal use. Therefore, any expansions or alterations of the buildings would be subject to KMC Section 14.20.050 *Nonconforming lots, structures, and uses*.

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-date.

STAFF RECOMMENDATION

Based on the findings and analysis in this staff report, Staff recommends the Planning & Zoning Commission recommend approval of the rezone request for the properties located at 202 N. Forest Drive and 1408 Second Avenue from Suburban Residential (RS) to General Commercial (CG) zoning district. Planning & Zoning Commission's recommendation will be forwarded to City Council for consideration.

ATTACHMENTS

- Zoning Map
- Application Materials
 - Letter of Intent
 - Aerial Map
- Plat
- KMC 14.22.010 Land Use Table
- Draft Zoning Map



February 4, 2025

Kevin Buettner
City of Kenai, Planning Director
210 Fidalgo Avenue
Kenai, Alaska 99611
Email: kbuettner@kenai.city

**Re: FIREWEED SQUARE
Re-Zoning Request**

Dear Mr. Buettner:

My husband, John C. Harris, and I (through 202 N FOREST LLC) are the owners of Kenai parcels 04312013 and 04312014. The property street addresses for those two lots are 202 N. Forest Drive and 1408 Second Avenue, respectively. We plan to refer to the two parcels collectively as "Fireweed Square."

I am writing to request that those two parcels be re-zoned to "general commercial" use. Attached please find "FIREWEED SQUARE" SITE PLAN.¹ Please note, the Site Plan identifies 12 designated parking spots, large truck parking zone, dumpster with screening and orientation away from Forest Drive, and adequate snow storage.

202 N. Forest Drive

This property has historically been used for general commercial purposes by previous owners. The prior owners used this property to operate a commercial greenhouse in the Spring and Summer months. They also operated a gift/coffee shop out of the "main house" on the property, although it was converted into the prior owners' residence after they became ill a few years before their passing. There is also a smaller "cottage" structure that was used as a residence by the previous owners.

Greenhouse: Fireweed Greenhouse

My husband and I purchased the property in or around June 2023. In Spring/Summer 2024, we operated the commercial greenhouse on the property in similar fashion as the previous owners, doing business as Fireweed Greenhouse. It is our intention to continue operating Fireweed Greenhouse similarly this year and in the future.

¹ See Attachment "A": FIREWEED SQUARE SITE PLAN



February 4, 2025
Fireweed Square
Page 2 of 2

Café/Retail: Ooakzen Café and Fireweed Greenhouse/Giftshop

When we purchased the property in 2023, the cottage structure was in disrepair. We have remodeled and renovated the cottage with the intent to operate a café/retail space out of that structure year-round. We intend to lease the cottage to Ooakzen to operate their café out of that space. We are waiting for approval from the City of Kenai for necessary permits. Once those permit applications are granted, Ooakzen will commence operations immediately. The retail space will be operated by Fireweed Greenhouse in conjunction with Ooakzen.

Law Office: Harris Law & Mediation

The next project we plan to undertake is the remodel/renovation of the “main house” on the property into a law office where I will operate my law practice, Harris Law & Mediation. It is our hope to complete that project and be moved into that space by April 2025.

1408 Second Avenue

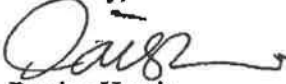
This property is currently a vacant lot, but pleasantly landscaped with a large lawn, trees and shrubs. While we do not currently have a specific plan for developing this parcel, it is our intention to eventually develop this parcel in a manner complimentary to the general commercial use of 202 N. Forest Drive.

The reinvigoration of Fireweed Square as proposed promotes many of the goals and objectives enumerated in the City’s *Imagine Kenai 2030 Comprehensive Plan*, including the objective to “support development at emerging community “centers” that lie outside the major employment centers, but provide a mix of retail, service, and residential uses.”²

Our vision for these parcels is to create a quaint, aesthetically pleasing “third place” for community enrichment and gathering. The location of these parcels is ideal for that goal. The lots are only 1.5 blocks from a major highway and the proposed uses will not significantly increase current or historical traffic patterns. Currently, the use of surrounding properties is as follows: North: undeveloped; South: undeveloped; East: single family residential/light commercial; West: single family residential. The addition of a café and retail space on this property will provide a local space and services to this primarily suburban residential zone that people can either walk or drive to enjoy. I believe the community will welcome this development, as it was a great loss felt by many when the previous owners were forced to shut down the greenhouse and gift shop due to health issues.

Thank you for your consideration of this request. Should you have any questions, please do not hesitate to contact me at 907-398-4986 or via email to pharris@hlmlaw.org.

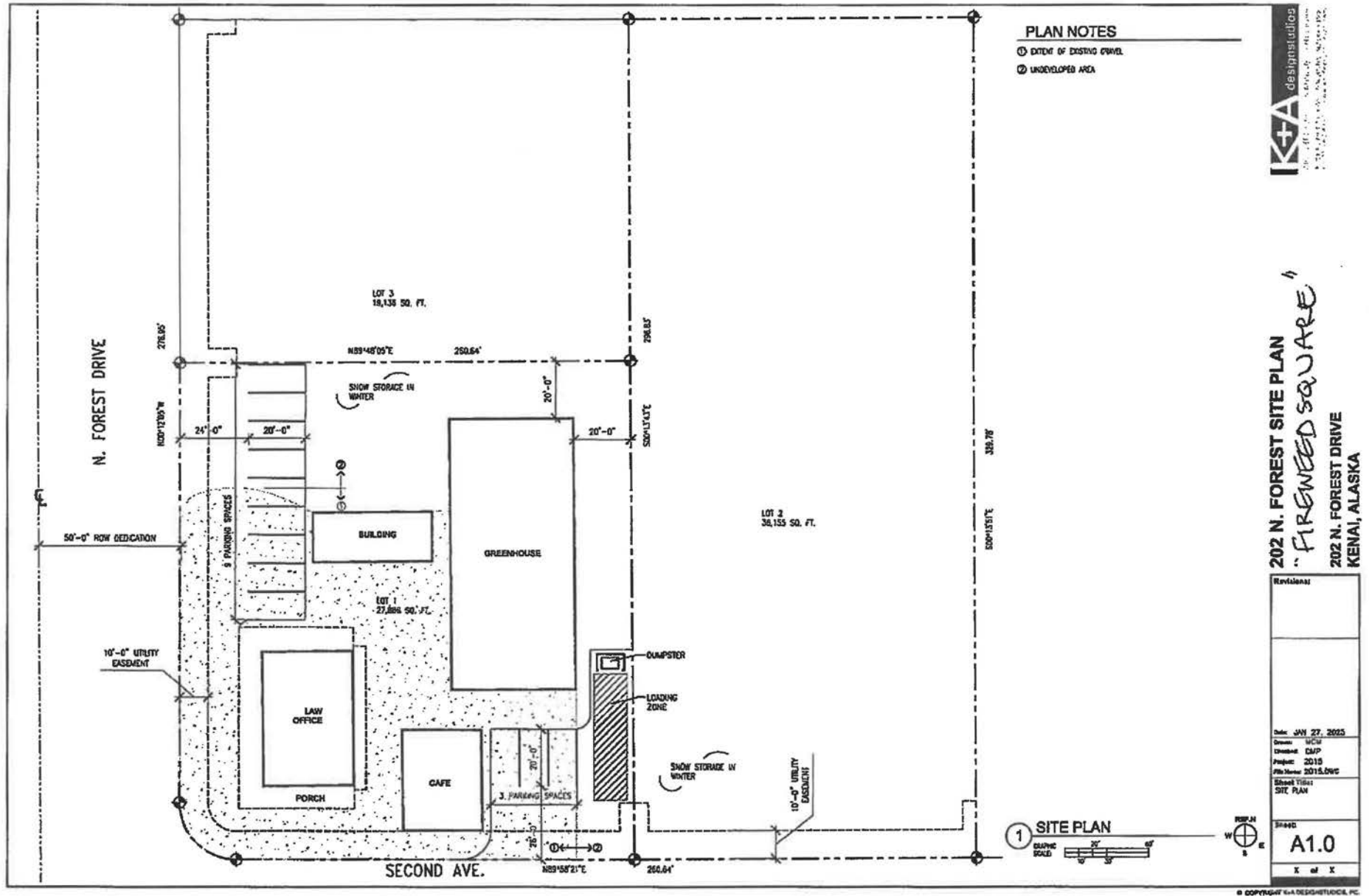
Sincerely,

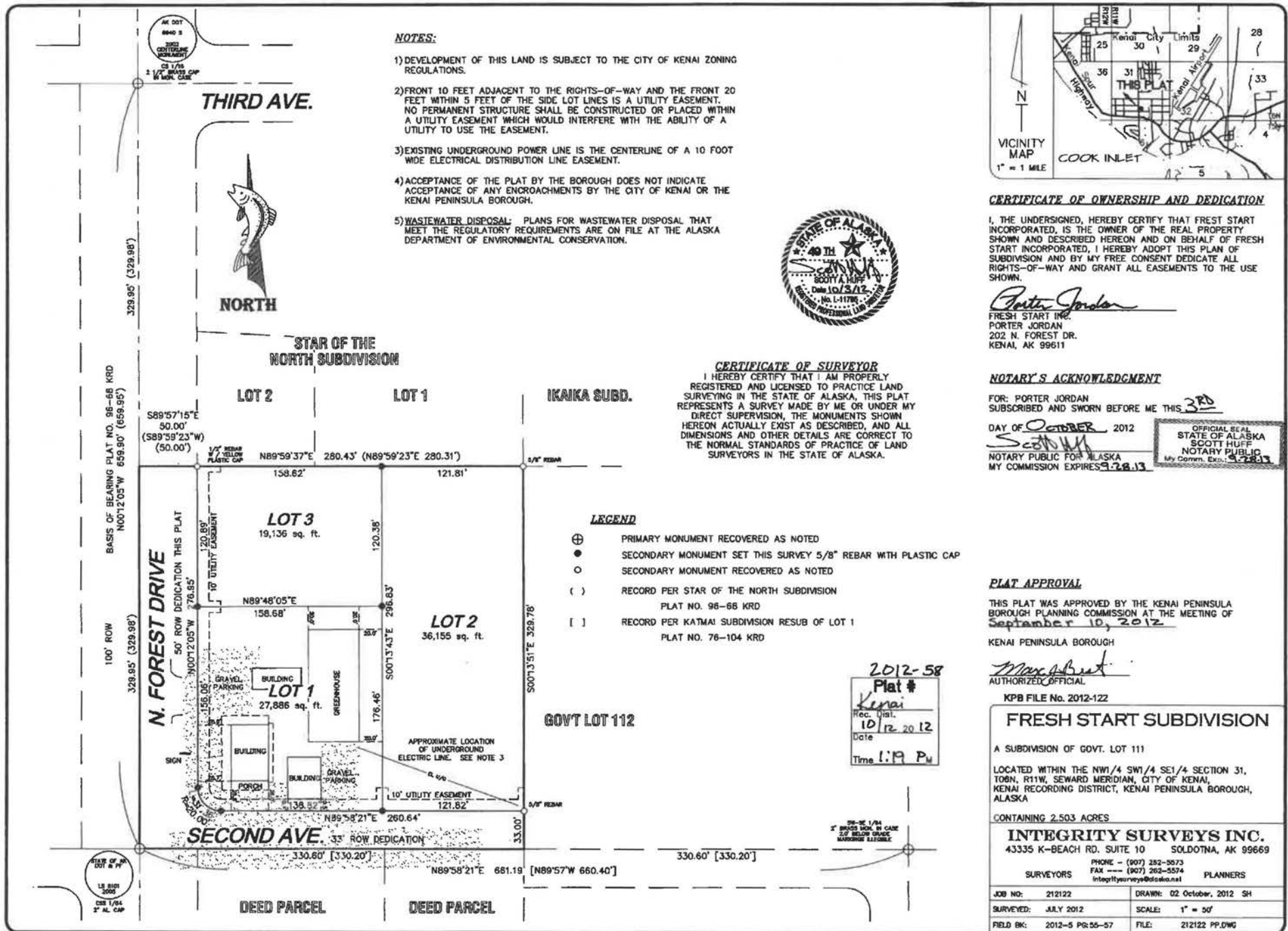


Parrisa Harris

² See *Imagine Kenai 2030 Comprehensive Plan* at p. 80

ATTACHMENT "A", Pg. 1 of 1





**KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

PHONE: (907) 262-4441 • **FAX:** (907) 262-1892www.borough.kenai.ak.us**MIKE NAVARRE**
BOROUGH MAYOR**CERTIFICATE OF TAX DEPARTMENT**

I, Rhonda K. Krohn, Property Tax and Collections Supervisor for the Kenai Peninsula Borough, do hereby certify that, as of the date of this certificate, all real property taxes levied by the Kenai Peninsula Borough have been paid for the area(s) described as:

Subdivision: Fresh Start Subdivision

Parcel # 04312005

T 6N R 11W SEC 31 Seward Meridian KN GOVT LOT 111

The following assessments (except assessments for the cities of Homer, Kenai, Seward, Seldovia, and Soldotna) levied against this property are outstanding: \$.00.

Witness my hand and seal this 27th day of September, 2012.

Rhonda K. Krohn
Property Tax and Collections Supervisor

14.22.010 Land Use Table.

LAND USE TABLE

KEY: P = Principal Permitted Use
C = Conditional Use
S = Secondary Use
N = Not Permitted

NOTE: Reference footnotes on
following pages for additional
restrictions

ZONING DISTRICTS																		
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU	WW
RESIDENTIAL																		
One-Family Dwelling	N	C ¹⁸	P	P	P	P	P	P	P ²¹	S ¹	S ²	S ²	C ²²	P	P	P	S ¹ /C ²¹	S ³³ /C
Two-, Three-Family Dwelling	N	C ¹⁸	P	P	P	P	P	P	P ²¹	S ¹	C	C	C ²²	P	P	P	S ¹ /C ²¹	P
Four-Family Dwelling	N	C ¹⁸	P	C ^{3,29}	P	N	N	P	P ²¹	S ¹	C	C	C ²²	N	P	C	S ¹ /C ²¹	P
Five-, Six-Family Dwelling	N	C ¹⁸	C ³	N	P	N	N	P	P ²¹	S ¹	C	C	N	N	P	C	S ¹ /C ²¹	P
Seven- or More Family Dwelling	N	C ¹⁸	C ³	N	C ³	N	N	P	P ²¹	S ¹	C	C	N	N	P	C	S ¹ /C ²¹	P
Mobile Home Parks ⁶	N	N	C	N	C	C	C	C	C	C	C	C	N	C	N	N	C	N
Planned Unit Residential Development ⁷	N	C ¹⁸	C	C ²⁹	C	C	C	C	C	C	C	C	N	C	C	C	C	P
Townhouses ⁴	N	C ¹⁸	C ³	C ^{3,29}	C ³	C ³	C ³	C ³	C	C	C	C	C ²²	C	C	C	C	C
Accessory Building on Parcel Without Main Building or Use (See KMC 14.20.200)	N	N	C	C	C	C	C	C	N	N	N	N	N	N	C	N	N	N

ZONING DISTRICTS																		
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU	WW
COMMERCIAL																		
Airport Compatible Uses	P	N	N	N	N	N	N	N	C	C	C	C	N	N	N	C	C	C
Adult Businesses	N	N	N	N	N	N	N	N	P ³¹	P ³¹	P ³¹	P ³¹	N	N	N	N	N	N
Automotive Sales	C	N	C	N	N	N	N	C	P	P	P	P	N	N	N	N	P	N
Automotive Service Stations	C	N	C	N	N	N	N	C	P	P	P	P	N	C	N	N	P	C
Banks	C	N	C	N	C	N	N	C	P	P	P	C	N	C	C	C	P	P
Business/ Consumer Services	C	N	C	C	C	N	N	C	P	P	P	C	N	C	C	C	P	P
Commercial Recreation	N	N	C	N	C	N	N	C	P	P	C	C	N	P	C	C	P	P
Guide Service	C	N	C	N	C	N	N	C	P	P	P	P	N	P	P	C	P	P
Hotels/Motels	C	N	C	N	C	N	N	C	P	P	P	C	N	C	P	C	P	P
Lodge	C	N	C	N	C	N	N	C	P	P	P	C	N	P	P	C	P	P
Marijuana Cultivation Facility, Limited ³⁰	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	N	N
Marijuana Cultivation Facility, Standard ³⁰	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	N	N

ZONING DISTRICTS																		
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU	WW
Marijuana Product Manufacturing Facility ³⁰	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	N	N	N
Marijuana Testing Facility ³⁰	N	N	N	N	N	N	N	N	C	C	P	P	N	N	N	C	C	N
Professional Offices	C	N	C	C	C	N	N	P	P	P	P	P	N	C	P	P	P	P
Restaurants	C	N	C	N	C	N	N	C	P	P	P	C	N	C	C	C	P	P
Retail Business	C	N ²⁶	C	N	C	N	N	C	P	P	P	P	S ²⁴	S ²⁴	C	C	P	P
Retail Marijuana Store ³⁰	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	C	C
Theaters	N	N	C	N	C	N	N	C	P	P	C	C	N	P	C	C	P	P
Wholesale Business	C	N	C	N	C	N	N	C	C	P	P	P	N	S ²⁴	C	C	N	N
INDUSTRIAL																		
Airports	C	P ²⁰	C	N	C	N	N	C	C	C	C	C	N	C	N	N	C	C
Necessary Aviation Facilities	P	P	C	C	C	C	C	C	P	P	P	P	C	P	C	P	P	C
Automotive Repair	P	N	C	N	C	N	N	C	P	P	P	P	N	N	N	N	P	C

ZONING DISTRICTS																		
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU	WW
Gas Manufacturer/ Storage	C ⁹	N	N	N	C	N	N	N	N	N	C ⁹	C ⁹	N	N	N	N	N	C
Manufacturing/ Fabricating/ Assembly	P	N	C	N	C	N	N	C	C	P	P	P	N	C	C	N	C	C
Mini-Storage Facility	C	N	C	N	C	N	N	C	C	P	P	P	N	N	N	C	C	N
Storage Yard	C	N	C	N	C	N	N	C	C	P	P	P	N	N	N	N	C	C ³²
Warehouses	C	N	C	N	C	N	N	C	N	P	P	P	N	C	N	N	N	C
PUBLIC/ INSTITUTIONAL																		
Assisted Living	N	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Churches*	N	C	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	C	C	P	P ¹⁰	P	P	P	P
Clinics	N	C	C	N	C	C	C	C	P	P	P	C	C	C	C	P	P	P
Colleges*	N	C	C	C ²⁹	C	C	C	C	P	P	C	C	P	C	C	C	P	P
Elementary Schools*	N	C	C	C ²⁹	C	C	C	C	P	P	C	C	P	C	C	C	P	P
Governmental Buildings	P	C	C	C ²⁹	C	C	C	C	P	P	P	C	P	C	C	P	P	P
High Schools*	N	C	C	C ²⁹	C	C	C	C	P	P	C	C	P	C	C	C	P	P
Hospitals*	N	C	C	N	C	C	C	C	P	P	P	C	C	C	C	C	P	C

ZONING DISTRICTS																		
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU	WW
Libraries*	N	C	C	C ²⁹	C	C	C	C ¹²	P	P	P	C	P	C	P	C	P	P
Museums	C	C	C	C ²⁹	C	C	C	C	P	P	P	C	P	C	P	C	P	P
Parks and Recreation	N	P	C	C ²⁹	C	C	C	C	P	P	P	P	P	P	P	C	P	P
MISCELLANEOUS																		
Animal Boarding/ Commercial Kennel ¹³	C	C	C	N	C	C	N	N	C	C	C	C	N	C	N	C	C	C
Assemblies ¹⁵ (Large: Circuses, Fairs, etc.)	P	C	C	N	C	C	C	C	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	C	P	N	P ¹⁵	P
Bed and Breakfasts	N	C	C	C	C	C	C	C	C	C	C	C	N	P	C	C	P	C
Cabin Rentals	N	C	C	N	C	N	N	N	P	P	P	C	N	P	P	C	P	P
Cemeteries	P	C	C	N	C	N	N	N	N	C	C	C	N	C	C	N	N	N
Communications Towers and Antenna(s), Radio/TV Transmitters/Cell Sites** ²⁸	C	P	C	N	C	C	C	C	P	P	P	P	P	C	C	C	C	C
Crematories/ Funeral Homes	N	N	C	N	C	N	N	C	C	C	C	C	N	C	C	C	C	N

ZONING DISTRICTS																		
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU	WW
Day Care Centers ¹²	N	C	C	C ²⁹	C	C	C	C	P	P	P	C	C	C	C	P	P	C
Dormitories/ Boarding Houses	N	C	C	N	C	C	C	P	P ²¹	S	C	P	P ²³	C	C	C	P	P
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Farming/General Agriculture***	N	P	P	N	N	N	N	N	N	N	N	P	N	P	N	N	N	C
Fraternal Organizations/ Private Clubs/ Social Halls and Union Halls	N	N	C	N	C	C	C	C	P	P	P	C	N	C	P	C	P	P
Greenhouses/ Tree Nurseries ¹³	N	C	C	N	C	C	C	C	P	P	P	C	N	C	C	C	P	P
Gunsmithing, Taxidermy	N	N	C	C	C	C	C	C	P	P	P	P	N	C	P	P	P	P
Nursing, Convalescent or Rest Homes	N	N	C	N	C	C	C	C	P	P	C	C	C	C	C	C	P	P
Parking, Public Lots ¹²	C	C	C	N	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Personal Services ²⁵	N	C	C	N	C	C	C	C	P	P	P	P	C	C	P	P/ C ²⁷	P	P

ZONING DISTRICTS																		
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU	WW
Recreational Vehicle Parks	N	C	C	N	C	N	N	C	C	C	C	C	N	C	C	N	C	C
Subsurface Extraction of Natural Resources ¹⁶	C	C	C	C	C	C	C	C	C	C	C	C	N	C	N	N	N	C
Surface Extraction of Natural Resources ¹⁷	C	C	C	N	C	N	N	C	N	C	C	C	N	C	N	N	N	N

* See 42 U.S.C. Sec. 2000cc (Religious Land Use and Institutionalized Persons Act of 2000)

** See 42 U.S.C. Telecommunications Act of 1996, Sec. 704(a)

*** See, however, the limitations imposed under KMC [3.10.070](#)

Footnotes:

- 1 Allowed as a secondary use except on the ground floor of the part of the building fronting on collector streets and major highways. Commercial or industrial which falls under the landscaping/site plans requirements of KMC Chapter [14.25](#) shall include any secondary uses in the landscaping and site plans.
- 2 One (1) single-family residence per parcel, which is part of the main building.
- 3 Allowed as a conditional use, subject to satisfying the following conditions:
 - a The usable area per dwelling unit shall be the same as that required for dwelling units in the RS Zone;
 - b The site square footage in area must be approved by the Commission;
 - c Yards around the site, off-street parking, and other development requirements shall be the same as for principal uses in the RR Zone;
 - d Water and sewer facilities shall meet the requirements of all applicable health regulations;
 - e The proposed dwelling group will constitute a residential area of sustained desirability and stability, will be in harmony with the character of the surrounding neighborhood, and will not adversely affect surrounding property values;
 - f The buildings shall be used only for residential purposes and customary accessory uses, such as garages, storage spaces, and recreational and community activities;
 - g There shall be provided, as part of the proposed development, adequate recreation areas to serve the needs of the anticipated population;
 - h The development shall not produce a volume of traffic in excess of the capacity for which the access streets are designed;
 - i The property adjacent to the proposed dwelling group will not be adversely affected.
- 4 See "Townhouses" section.
- 5 See "Mobile Homes" section.
- 6 Allowed as a conditional use, subject to "Mobile Homes" section; and provided, that any mobile home park meets the minimum Federal Housing Authority requirements.
- 7 See "Planned Unit Residential Development" section.
- 8 Allowed as a conditional use; provided, that the proposed location and the characteristics of the site will not destroy the residential character of the neighborhood.
- 9 Allowed as a conditional use; provided, that all applicable safety and fire regulations are met.

10 Provided, that no part of any building is located nearer than thirty (30) feet to any adjoining street or property line.

11 Allowed as a conditional use; provided, that no part of any building is located nearer than thirty (30) feet to any adjoining street or property line; and provided further, that the proposed location and characteristics of the use will not adversely affect the commercial development of the zone.

12 Allowed as a conditional use; provided, that the following conditions are met:

a The proposed location of the use and the size and characteristics of the site will maximize its benefit to the public;

b Exits and entrances and off-street parking for the use are located to prevent traffic hazards on public streets.

13 Allowed as a conditional use; provided, that setbacks, buffer strips, and other provisions are adequate to assure that the use will not be a nuisance to surrounding properties. The Commission shall specify the conditions necessary to fulfill this requirement. Animal boarding and commercial kennels require a kennel license (see KMC Chapter [3.15](#)).

14 Allowed as a conditional use; provided, that no indication of said use is evident from the exterior of the mortuary.

15 Allowed; provided, that the following conditions are met:

a An uncleared buffer strip of at least thirty (30) feet shall be provided between said use and any adjoining property in a residential zone.

b Exits and entrances and off-street parking for the use shall be located to prevent traffic hazards on the public streets.

16 See "Conditional Uses" section.

17 See "Conditional Use Permit for Surface Extraction of Natural Resources" section.

18 **Conditional use allowed only on privately held property.** Not allowed on government lands.

19 Reserved.

20 The airport-related uses allowed under this entry are aircraft approach and departure zones pursuant to KMC [14.20.070\(a\)](#), except that for properties contained inside the airport perimeter fence or having access to aircraft movement areas, taxiways or parking aprons, FAA authorized uses are allowed.

21 Developments for use shall be the same as those listed in the Development Requirements Table for the RU/TSH Zones.

22 **Allowed as a conditional use in conjunction with a permitted use in the ED Zone.** For example, housing for teachers or students for a school in the zone.

23 **Allowed as an accessory use in conjunction with a permitted use in the ED Zone.** For example, a dormitory used to house students for a school or educational facility.

24 Retail businesses allowed as a secondary use in conjunction with the primary use (e.g., a gift shop or coffee shop within another business).

25 Art studios, barbers, beauticians, tattoo parlors, dressmakers, dry cleaners and self-service laundries, fitness centers, photographic studios, tailors, tanning salons and massage therapists.

26 Food services are allowed on a temporary or seasonal basis of not more than four (4) months per year.

27 Personal services not set forth in the below matrix are conditional uses.

Limited Commercial Zone		
Personal Services	Permitted (P)	Conditional Use (C)
Art Studios	X	
Barbers	X	
Beauticians	X	
Dressmakers	X	
Dry Cleaners		X
Fitness Centers	X	
Massage Therapist		X
Photographic Studios	X	
Self-Service Laundries		X
Tailors	X	
Tanning Salons	X	
Tattoo Parlors		X

28 Communications tower/antenna(s) allowed as a principal permitted (P) use if the applicable conditions set forth in KMC [14.20.255](#) are met or a conditional use (C) if the applicable conditions set forth in KMC [14.20.150](#) and [14.20.255](#) are met.

29 Use allowed only for those parcels that abut the Kenai Spur Highway. The access to any such parcel must be either from: (a) driveway access on the Kenai Spur Highway; or (b) driveway access from a dedicated right-of-way and that driveway access is not more than two hundred seventy-five (275) feet as measured from the constructed centerline of the Kenai Spur Highway to the center of the driveway access as shown on an as-built drawing/survey of the parcel.

30 See marijuana regulations, KMC [14.20.230](#)—Home Occupations, [14.20.320](#)—Definitions, [14.20.330](#)—Standards for commercial marijuana establishments.

31 See KMC [14.20.175](#)—Adult businesses; no adult business may be located within one thousand (1,000) feet of another adult business, or sensitive use. “Sensitive use” means a church or other place of worship, a public or private school (licensed pre-K through twelfth grade) or businesses where or areas where youth are likely to be present (limited to public parks, youth recreational centers, public playgrounds, public libraries).

32 Allowed as a conditional use; provided, it is a maritime-related use to accommodate recreational boating activities, recreational facilities, accessory uses, and service facilities.

33 Commercial or industrial which falls under the landscaping/site plans requirements of KMC Chapter [14.25](#) shall include any secondary uses in the landscaping and site plans.

(Amended during 7-7-99 supplement; Ord. 1862-2000; Amended during 12-1-00 supplement; Ords. 1911-2001, 1938-2001, 1956-2002, 1962-2002, 1990-2003, 1994-2003, 2053-2004, 2081-2005, 2112-2005, 2113-2005, 2144-2006, 2152-2006, 2185-2006, 2195-2006, 2246-2007, 2272-2007, 2403-2009, 2425-2009, 2546-2011, 2610-2012, 2649-2012, 2688-2013, 2784-2014, 2870-2016, 2884-2016, 3025-2018, 3056-2019, 3083-2019 (Substitute), 3363-2023, 3392-2024)

The Kenai Municipal Code is current through Ordinance 3442-2024, passed November 20, 2024.

Disclaimer: The City Clerk has the official version of the Kenai Municipal Code. Users should contact the City Clerk for ordinances passed subsequent to the ordinance cited above.

[City Website: www.kenai.city](http://www.kenai.city)

[City Telephone: \(907\) 283-7535](tel:(907)283-7535)

[Hosted by General Code.](#)



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: Lee Frey, Public Works Director

DATE: February 25, 2025

SUBJECT: **Work Plan 2025 – Harbor Commission**

The Harbor Commission convened for a regularly scheduled meeting on February 10, 2025 to discuss and approve their 2025 work plan goals. Since the work plan was completed late in 2024 and no work was accomplished, the same work plan was voted to be approved by City Council. The 2025 Harbor Commission Work Plan is recommended for approval.

INTRODUCTION

This area should include the advisory body's missions' statement and include a brief description of the overall purpose of the commission.

Note: Work plans developed by the advisory body will be submitted to the City Council for approval; therefore, it is a good idea to align the goals and objectives with city code, policy and the City of Kenai Comprehensive Plan.

Instructions: In the space provided below, create a list of issues and goals (objectives) your commission would like to address in the upcoming year, your list should also include plans on how to address those issues. Each objective listed should include information regarding additional staff resources and/or community volunteers needed; funding resources, are funds available in the budget if not are you proposing council include funding in the upcoming budget cycle; and how long is it expected to obtain the objective. Please prioritize the objectives of your group with number one (1) being the top priority.

GOAL OR OBJECTIVE	COLLABORATION	FUNDING RESOURCES	TIME TO COMPLETE
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Objective No. _____ Objective: Signage _____ Estimated Time to Complete: _____

Strategy: *(Provide a summary of tasks which need to be done to obtain the objective.)*

Colaborate with DOT to assure future signage can be installed during the future bridge access road custruction project.

Narrative: *(Describe the benefits to the residents and visitors of the City.)*

It seems the city boat launch and docks area is very underutilized outside of the dipnetting window. Locals and visitors both love the veiws and the facilities. I think a good oportunity lies outside of the busy dipnetting window, Its a great place for activities and for a future entrance/ exit to the waterfront revitalization project. We know the DOT is in the design faze of bridge access rd, an effort should be made to increase signage; icons such as wildlife veiwing, boatlaunch, partking, photography, etc. These are frequent for other locations all around the state.

Collaboration: *(Who needs to be involved to obtain the objective?)*

DOT, Potenitally NOAA Fisheries, and or AWA?

Funding: *(Are funds available, or is funding needed in a future budget?)*

The funds needed for this would be very minimal.

INTRODUCTION

This area should include a brief description of the overall purpose of the commission. *Note: Work plans developed by the advisory body will be submitted to the City Council for approval; therefore, it is a good idea to align the goals and objectives with city code, policy and the City of Kenai Comprehensive Plan.*

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GOAL OR OBJECTIVE	COLLABORATION	FUNDING RESOURCES	TIME TO COMPLETE
Objective No. _____ Objective: <u>REDUCE FISH WASTE AT DIPNET SITES</u>			Estimated Time to Complete: <u>DAYS</u>
<p>Strategy: (Provide a summary of tasks which need to be done to obtain the objective.)</p> <p>FISH WASTE SHOULD BE DISPOSED OF PROPERLY IN BAGGED WASTE BARRELS PROVIDE ACCESS TO VOLUNTEERS WHO MAY PROCESS FISH DURING THE DIPNET SEASON FOR FISHERMEN. DISPOSE OF FISH WASTE @ LOCAL FERTILIZER PLANT</p> <p>Narrative: (Describe the benefits to the residents and visitors of the City.)</p> <p>FISH WASTE CAN CAUSE SAFETY CONCERNS IE BEARS, SHARP OBJECTS CAUSING INJURIES TO PEOPLE CAMPING ON THE BEACH, ODOR, AND GENERAL UNSIGHTLINESS</p> <p>Collaboration: (Who needs to be involved to obtain the objective?)</p> <p>CITY CAN SUPPLY BARRELS LABELED "WASTE" CITY CAN CONTACT FERTILIZER COMPANY TO ASSIST WITH DISPOSAL OF WASTE CITY CAN ADVERTISE FOR VOLUNTEERS WHO ARE WILLING TO PROCESS FISH FOR TIPS FROM CUSTOMERS OR FEE RATE</p> <p>Funding: (Are funds available, or is funding needed in a future budget?)</p> <p>FUNDING WOULD BE MINIMAL, COST OF BARRELS & BAGS</p>			

INTRODUCTION

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GOAL OR OBJECTIVE	COLLABORATION	FUNDING RESOURCES	TIME TO COMPLETE
Objective No. <u>2</u> Objective: <u>Conduct Harbor Use Survey</u>			Estimated Time to Complete: <u>9 – 12 months</u>

Strategy: *(Provide a summary of tasks which need to be done to obtain the objective.)*

- 1) Review the 2019 survey where questions were focused toward commercial users.
- 2) Develop questions that are focused toward all users of harbor (dip net, recreational and commercial users).
- 3) What would harbor users would like to see or what could be improved.

Narrative: *(Describe the benefits to the residents and visitors of the City.)*

Meet needs of the users of the harbor and facilities.

Collaboration: *(Who needs to be involved to obtain the objective?)*

Director of Public Works & Harbor Commission. May need to have a work group within the Harbor Commission.

Funding: *(Are funds available, or is funding needed in a future budget?)*

Costs involved with using Survey Monkey, if there are any.

INTRODUCTION

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Instructions: In the space provided below, create a list of issues and goals (objectives) your commission would like to address in the upcoming year, your list should also include plans on how to address those issues. Each objective listed should include information regarding additional staff resources and/or community volunteers needed; funding resources, are funds available in the budget if not are you proposing council include funding in the upcoming budget cycle; and how long is it expected to obtain the objective. Please prioritize the objectives of your group with number one (1) being the top priority.

GOAL OR OBJECTIVE	COLLABORATION	FUNDING RESOURCES	TIME TO COMPLETE
Objective No. <u>3</u> Objective: <u>Support City Council in moving Waterfront Revitalization Plan forward</u>			Estimated Time to Complete: <u>6 months to review plan</u>

Strategy: *(Provide a summary of tasks which need to be done to obtain the objective.)*

- 1) Harbor Commission to review the August 2022 Kenai Waterfront Revitalization Assessment and if any updates review those as well.
- 2) After reviewing, provide input to council on findings and recommendations.

Narrative: *(Describe the benefits to the residents and visitors of the City.)*

Provide a reason for residents and visitors to come to Kenai.

Collaboration: *(Who needs to be involved to obtain the objective?)*

Harbor Commission, Director of Public Works and Council Liaison

Funding: *(Are funds available, or is funding needed in a future budget?)*

None other than hard copies of August 2022 Kenai Waterfront Revitalization Assessment

INTRODUCTION

This area should include the advisory body's missions' statement and include a brief description of the overall purpose of the commission.

Note: Work plans developed by the advisory body will be submitted to the City Council for approval; therefore, it is a good idea to align the goals and objectives with city code, policy and the City of Kenai Comprehensive Plan.

Instructions: In the space provided below, create a list of issues and goals (objectives) your commission would like to address in the upcoming year, your list should also include plans on how to address those issues. Each objective listed should include information regarding additional staff resources and/or community volunteers needed; funding resources, are funds available in the budget if not are you proposing council include funding in the upcoming budget cycle; and how long is it expected to obtain the objective. Please prioritize the objectives of your group with number one (1) being the top priority.

GOAL OR OBJECTIVE	COLLABORATION	FUNDING RESOURCES	TIME TO COMPLETE
Objective No. <u>4</u> Objective: <u>Parking for city dock and dip net areas</u>			Estimated Time to Complete: <u>12 months</u>

Strategy: *(Provide a summary of tasks which need to be done to obtain the objective.)*

Identify if there is a need to improve parking at city dock and expand to off-site parking.

Narrative: *(Describe the benefits to the residents and visitors of the City.)*

Reduce congestion during peak times.

Collaboration: *(Who needs to be involved to obtain the objective?)*

Harbor Commission, Director of Public Works and Parks and recreation Commission

Funding: *(Are funds available, or is funding needed in a future budget?)*

None

INTRODUCTION

This area should include the advisory body's missions' statement and include a brief description of the overall purpose of the commission.

Note: Work plans developed by the advisory body will be submitted to the City Council for approval; therefore, it is a good idea to align the goals and objectives with city code, policy and the City of Kenai Comprehensive Plan.

Instructions: In the space provided below, create a list of issues and goals (objectives) your commission would like to address in the upcoming year, your list should also include plans on how to address those issues. Each objective listed should include information regarding additional staff resources and/or community volunteers needed; funding resources, are funds available in the budget if not are you proposing council include funding in the upcoming budget cycle; and how long is it expected to obtain the objective. Please prioritize the objectives of your group with number one (1) being the top priority.

GOAL OR OBJECTIVE	COLLABORATION	FUNDING RESOURCES	TIME TO COMPLETE
Objective No. <u>5</u> Objective: <u>Explore other sources of income at city dock and north and south</u>			Estimated Time to Complete: <u>12 months</u>

Strategy: *(Provide a summary of tasks which need to be done to obtain the objective.)*

Come up with ideas that could provide seasonal income with vendors providing services. Could include ideas such as

1. Drop off fish to be processed by vendors for processing at commercial facility. Dip netters could drop off catch with vendor thereby reducing fish cleaning at dock and on beach.
2. Vendor to provide remote parking with shuttle service

Narrative: *(Describe the benefits to the residents and visitors of the City.)*

Could make it easier for users during peak hours

Collaboration: *(Who needs to be involved to obtain the objective?)*

Director of Public Works & Harbor Commission

Funding: *(Are funds available, or is funding needed in a future budget?)*

None

INTRODUCTION

This area should include the advisory body's missions' statement and include a brief description of the overall purpose of the commission.

Note: Work plans developed by the advisory body will be submitted to the City Council for approval; therefore, it is a good idea to align the goals and objectives with city code, policy and the City of Kenai Comprehensive Plan.

Instructions: In the space provided below, create a list of issues and goals (objectives) your commission would like to address in the upcoming year, your list should also include plans on how to address those issues. Each objective listed should include information regarding additional staff resources and/or community volunteers needed; funding resources, are funds available in the budget if not are you proposing council include funding in the upcoming budget cycle; and how long is it expected to obtain the objective. Please prioritize the objectives of your group with number one (1) being the top priority.

GOAL OR OBJECTIVE	COLLABORATION	FUNDING RESOURCES	TIME TO COMPLETE
Objective No. <u>6</u> Objective: <u>Harbor goals in Imagine Kenai 2030 Comprehensive Plan</u>			Estimated Time to Complete: <u>6 months to review p</u>

Strategy: *(Provide a summary of tasks which need to be done to obtain the objective.)*

Review Comprehensive Plan to see if there are future improvements or goals

Narrative: *(Describe the benefits to the residents and visitors of the City.)*

Provide residents with long term vision of harbor

Collaboration: *(Who needs to be involved to obtain the objective?)*

Harbor Commission and City

Funding: *(Are funds available, or is funding needed in a future budget?)*

None



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Shellie Saner, City Clerk

DATE: February 26, 2025

SUBJECT: **Nominations Received for Council Consideration of Robert Molloy and Vaughn Dosko for Appointment to the Personnel Arbitration Board.**

Kenai Municipal Code (KMC) 23.35.032 establishes the Personnel Arbitration Board, which consists of twelve members who are chosen by the City Council from nominees made by City employees and by members of the City Council.

Members of the Personnel Arbitration Board (Board) must be a resident of the City of Kenai and may not hold any other office or position in the government of the City of Kenai.

The Board meets on an as needed basis to hear appeals from City employees in the classified service on disciplinary actions which resulted in suspension, demotion, or dismissal. (KMC 23.35.030(e))

On February 4, 2025 City employees and City Council members were notified that nominations were being accepted to fill the five vacancies on the Board, with an application deadline of February 26, 2025.

Only two nominations have been received, both applicants have been verified as residents of the City and do not hold any other office or position with the City of Kenai. The nominations are as follows:

Nominee	Nominated by
Robert Molloy	Henry Knackstedt, Vice Mayor
Vaughn Dosko	Terry Eubank, City Manager

If the City Council wishes to appoint one or both nominees to the Board, a motion to appoint the nominee(s) of choice is needed.

Example: I move to appoint (insert name or names) to the City of Kenai Personnel Arbitration Board.

Note: The City Clerk's Office will continue to take nomination forms and bring them forward to the Council until all vacant seats are filled.



Personnel Arbitration Panel Nomination Form

Application to be completed by nominee.

First Name: *

ROBERT

Last Name: *

MOLLOY

Residence Address: *

[REDACTED]

If appointed, select items approved for publication on City Website:

☐ Primary Phone

☐ Home Phone

☐ Email

Mailing Address: *

SAME

Mailing City: *

KENAI

Mailing State: *

ALASKA

Mailing Zip: *

99611

Primary Phone: *

[REDACTED]

Home Phone: *

[REDACTED]

E-mail: *

[REDACTED]

How long have you been a resident of the City of Kenai? *

44 years

Members must be a resident of the City of Kenai and must not hold another office or position in the government of the City of Kenai.

Name of Spouse: *

Kristine A. Schmidt

Name of Employer: *

Molloy Schmidt LLC

Name of Nominator: *

Henry Knucksted

Members of the Arbitration Panel shall be chosen by the City Council from nominees made by City employees and members of the City Council.

Why do you want to be involved with the Personnel Arbitration Panel?

Provide more service to City of Kenai when needed.

List Current Organization Memberships:

Kenai Chamber of Commerce
Alaska Bar Assoc.
AARP

List Past Organization Memberships:

SAME
American Bar Assoc.
American Health Lawyers Assoc.

What background, experience or other credentials do you possess to bring to the Personnel Arbitration Panel?

City Council member 2005-2021

Have served as arbitrator in private arbitrations



Personnel Arbitration Panel Nomination Form

Page 196

Application to be completed by nominee.

First Name: *

Vaughn

Last Name: *

Dosko

Residence Address: *

If appointed, select items approved for publication on City Website:

☒ Primary Phone

☐ Home Phone

☒ Email

Mailing Address: *

Mailing City: *

Kenai

Mailing State: *

AK

Mailing Zip: *

99611

Primary Phone: *

Home Phone:

E-mail: *

How long have you been a resident of the City of Kenai? *

18.5 years

Members must be a resident of the City of Kenai and must not hold another office or position in the government of the City of Kenai.

Name of Spouse:

Shannon Dosko

Name of Employer:

Kenai Peninsula Borough School District

Name of Nominator: *

Terry Eubank

Members of the Arbitration Panel shall be chosen by the City Council from nominees made by City employees and members of the City Council.

Why do you want to be involved with the Personnel Arbitration Panel?

Within my position of principal at Kenai Middle, I have had to mediate and do arbitration work within the district and other schools. Human Resources has always been an area that I enjoy.

List Current Organization Memberships:

National Association of Secondary Principals
Kenai Peninsula Administrators Association
Alaska Trappers Association

List Past Organization Memberships:

What background, experience or other credentials do you possess to bring to the Personnel Arbitration Panel?

Within the roles that I currently hold and in the past positions I have sat in on different arbitration panels along with many student/parent discipline hearings. I have also been part of many employee behavior hearings and in Reduction in Force meetings.

**KENAI AIRPORT COMMISSION – REGULAR MEETING
FEBRUARY 13, 2025 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR GLENDA FEEKEN, PRESIDING**

ACTION MINUTES

A. CALL TO ORDER

A Regular Meeting of the Airport Commission was held on February 13, 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
Cody Whicker

A quorum was present.

Absent:

James Zirul

Also in attendance were:

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

3. Agenda Approval

MOTION:

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

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

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

1. January 9, 2025 Regular Meeting Minutes

MOTION:

Commissioner Caldwell **MOVED** to approve the January 9, 2025 Airport Commission minutes. Commissioner Bielefeld **SECONDED** the motion.

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

E. UNFINISHED BUSINESS – None.

F. NEW BUSINESS

1. **Discussion/Recommendation** - The City approve a lease application ENA, LLC for Lots 5A & 5B, FBO Subdivision No. 10 for the use of fuel service fixed-base operator

MOTION:

Commissioner Bielefeld **MOVED** to recommend approval of a lease application ENA, LLC for Lots 5A & 5B, FBO Subdivision No. 10 for the use of fuel service fixed-base operator. Commissioner Knesek **SECONDED** the motion.

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

Vice Chair Minelga expressed support; Commissioner Caldwell expressed concern with the location in relation to the lot designated for a FBO by transient parking.

VOTE:

YEA: Feeken, Minelga, Bielefeld, Caldwell, Knesek, Whicker

NAY: None

ABSENT: Zirul

**Student Representative Bolling: Yea

MOTION PASSED WITHOUT OBJECTION.

2. **Discussion/Recommendation** – Accepting a Donation of a Taxidermy Polar and Brown Bear for display in the Airport Terminal.

MOTION:

Commissioner Bielefeld **MOVED** to recommend that the City Council approve accepting a donation of a taxidermy polar and brown bear for display in the Airport Terminal. Commissioner Caldwell **SECONDED** the motion.

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

Commissioner Bielefeld spoke in support.

UNANIMOUS CONSENT was requested on the motion.

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

3. **Discussion/Recommendation** – First extension of security guard services

MOTION:

Commissioner Caldwell **MOVED** to recommend that the City Council approve the First extension of security guard services with Guardian Security Systems, Inc. Vice Chair Minelga **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:
 - Aleutian Airlines will be operating at the Airport from June to September.
 - Airport Master Plan Meeting occurred; next meeting will be in June.
 - Annual federal wildlife permits are being updated.

- New restaurant hopes to open in the Airport Terminal in early March.
- 2. Commission Chair – Chair Feeken reported that she attended the first Airport Master Plan Meeting, and looks forward to seeing more commissioners attend the next meeting.
- 3. City Council Liaison – Council Member Knackstedt reported on recent actions of the City Council.

Vice Chair Minelga expressed concern about the lack of staffing, and with underutilized space at the Civil Air Patrol.

Commissioner Caldwell noted he would like to see more general aviation parking for aircraft.

H. ADDITIONAL PUBLIC COMMENTS – None.

I. NEXT MEETING ATTENDANCE NOTIFICATION – March 13, 2025

J. COMMISSION QUESTIONS AND COMMENTS

Commissioner Caldwell noted that the Airline Operating Agreement for the Terminal will expire in June; asked about Commission involvement in the review process.

Vice Chair Minelga noted that the float pond campground is listed on the City's website as 4th Avenue Park; he visited the park and when he scanned the QR code on the park sign it only went to a photo; would like to see the QR code provide information.

Chair Feeken requested to have a discussion on the campground area on the next agenda.

K. ADJOURNMENT

L. INFORMATIONAL ITEMS

1. Administration Report

There being no further business before the Airport Commission, the meeting was adjourned at 6:42 p.m.

I certify the above represents accurate minutes of the Airport Commission meeting of February 13, 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 PLANNING & ZONING COMMISSION
REGULAR MEETING
FEBRUARY 12, 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 February 12, 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
Gwen Woodard

Sonja Earsley
Diane Fikes

A quorum was present.

Absent:

Jeff Twait, Vice Chair

Stacie Krause

Also in attendance were:

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

3. Approval of Agenda and Consent Agenda

MOTION:

Commissioner Pettey **MOVED** to approve the agenda and consent agenda. 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 January 22, 2025

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENTS

1. **Aspen Creek Construction** – Doug Clegg, Owner

Doug Clegg, owner of Aspen Creek Senior Living Facility, located at 701 N. Forest Drive, explained that he was there at Planning Director Buettner's request after learning about neighborhood complaints about traffic from the City Attorney; he noted that no neighbors had contacted him directly. He clarified that Aspen Creek's Conditional Use Permits (CUP) restricts access via Ponderosa to emergency vehicles, deliveries, and trash removal; ongoing construction has caused increased traffic, and the neighbor's concerns may be resolved when construction is completed; his main priority is resident safety; he will encourage Forest Drive access but cannot police Ponderosa; and he is willing to work with the City for solutions.

D. UNSCHEDULED PUBLIC COMMENTS

Residents of the neighborhood near the Aspen Creek Senior Living Facility addressed the Commission with concerns related Aspen Creek's expansion. Concerns were expressed regarding Aspen Creek not adhering to the conditions set in their CUPs; the significant increase in traffic on the residential streets of Ponderosa and Pine; large delivery trucks and semis on the residential street; traffic noise; speeding; dangerous conditions for children and pedestrians; insufficient noticing to the public; violation of the residential character of the neighborhood; new challenges for snow removal; and potential for decreased property values. Suggested solutions provided during testimony included purchasing the vacant land to north of Aspen Creek for dedicated access, and a locked gate at back entrance for authorized vehicles only; it was requested that the Commission to take action on this issue.

The following individuals provided testimony:

- Ken Peterson
- M. Scott Moon
- Kit Hill
- Arlys Miskinis
- Howard Hill
- Shelly Peterson
- Merri Duby

Doug Clegg addressed concerns raised during the previous public testimony and responded to questions from the Commission.

The Commission requested that an action item be added to a future agenda to address this issue, and for a report of activities to be provided at the Commission's next meeting.

E. CONSIDERATION OF PLATS – None.

F. PUBLIC HEARINGS

1. **Resolution No. PZ2025-04** - Granting a Conditional Use Permit for Off Street Parking on the Property Described as Tract 1, Frontage Road Subdivision, Located at Approximately Mile 11.4 Kenai Spur Highway, Within the Central Mixed Use (CMU) Zoning District.

MOTION:

Commissioner Woodard **MOVED** to approve Resolution PZ2025-04. 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. PZ2025-04; he noted that the application was for a CUP to authorize the use of on-street parking spaces to meet the minimum off-street parking requirements. The current use of the property is a drinking establishment (The Bow Bar), and the applicant is a prospective buyer. It was noted that staff's recommendation is approval.

Applicant Kelsey Meyer noted that she was the prospective new owner of The Bow Bar; the business had been previously functioning with no parking, which was an issue she would like to resolve prior to acquisition.

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

Clarification was provided that the spaces are under 300 feet from the edge of the property, and the parking spaces are public and are not designated only for The Bow Bar's use.

VOTE:

YEA: Fikes, Woodard, Earsley, Pettey, Halstead

NAY: None

ABSENT: Twait, Krause

MOTION PASSED WITHOUT OBJECTION.

Chair Halstead noted the 15-day appeal period.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. ***Action/Approval** – Requesting Excused Absences for the January 22, 2025 Regular Meeting – Woodard

Approved by the consent agenda.

I. REPORTS

1. Planning Director – Planning Director Buettner reported on the following:
 - Received a petition signed by neighbors of Aspen Creek, which will be presented as part of a future public hearing.
 - A Joint Work Session with the City Council has been scheduled for April 16, 2025 for a presentation of the draft SS4A Comprehensive Safety Action Plan.
2. Commission Chair – No report.
3. Kenai Peninsula Borough Planning – Commissioner Fikes reported on recent actions of the Kenai Peninsula Borough Planning Commission.
4. City Council Liaison – Council Member Askin reported on recent actions of the City Council.

J. ADDITIONAL PUBLIC COMMENT – None.

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: February 26, 2025

Commissioner Earsley noted she will be absent.

L. COMMISSION COMMENTS AND QUESTIONS

Commissioner Pettey expressed appreciation for the robust conversation, and noted that she looks forward to working towards a solution and the completion of construction at Aspen Creek.

Chair Halstead noted he is looking forward to settling the issue with Aspen Creek and its neighbors.

M. **PENDING ITEMS** – None.

N. **ADJOURNMENT**

O. **INFORMATIONAL ITEMS**

1. **April 16, 2025, 5 PM:** Joint Work Session with City Council - Safe Streets for All Draft Plan to be held in Council Chambers

There being no further business before the Planning & Zoning Commission, the meeting was adjourned at 8:17 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of February 12, 2025.



Meghan Thibodeau
Deputy City Clerk



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Tyler Best, Parks and Recreation Director

DATE: February 25, 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 January 9th at 5:30 pm and February 13th at 6:30 pm. The next meeting will be at the Soldotna Public Library on March 13th at 5:30 pm.

Kenai River Special Management Area Advisory Board Meeting Recap

I attended the Kenai River Special Manager Advisory Board meeting on January 9th 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

No public comment

Alaska State Parks Report

- The state opened applications to the public if anyone wanted to apply to the KSRMA board.
- Guide Course is planned to happen at the college in February.
- Reviewed special permits for habitat restoration along the river. Those permits are received from Fish and Game, and they expect 10 to 12 permits every year.

DEC Report

- Should be able to announce who received clean water grants at the next meeting.
- Looking for water monitoring data.

ADF&G Report

- Will be posting a position for an assistant in January or February.

United States Fish and Wildlife Service

- Matt Connor has been working with Guides for the upcoming Guide Course.
- Andy Loranger announced his retirement.

United States Forest Service

- Monday, the Russian River Coordinator is starting.
- There will be an uptick in activity for Spruce Bark Beetle Mitigation; wood decks will be placed for personal use firewood around Cooper Landing.

City of Kenai

- The Bluff Restoration Project started last summer by testing a rock from a quarry from Sandpoint, AK.

City of Soldotna

- **No Report**

Kenai Peninsula Borough (no representative)

- Resolution 2025-001 Accepting ADF&G relief money for the Eastside Set Net Fishery.
- Resolution 2025-005 Requests the Governor declare the East Side Set Net Fishery a disaster area and support the Recovery

Page 2 of 5



- Ordinance 2024-35 Adopting the latest FEMA flood maps was introduced.

Committee Reports

- **Guide Advisory- No report**
- **Habitat/River Use:** Discussed the increasing use of the middle river. This led to the idea of preparing a resolution to recommend that parks add a restroom facility in the middle of the river. At the next meeting, the committee will review the signage that says stay off the bank in certain zones.

Public Comment

No Public Comment



Kenai River Special Management Area Advisory Board Meeting Recap

I attended the Kenai River Special Manager Advisory Board meeting on February 13th at 6:30 p.m. The Board consists of 17 members: 9 public members, three agency voting members, and five agency non-voting members.

Public Comment

No public comment during the beginning of the meeting

Kenai Peninsula Borough Presentation

- Sam Lopez reported that the Borough Assembly adopted new floodplain maps. People seeking more information should reach out to the Borough, as it may affect anyone who lives within that floodplain.

Alaska State Parks Report

- The state opened applications to the public for those interested in applying to the KRSMA board.
- Construction on the Eagle Rock boat launch should start this summer, and it will have limited hours of availability during the season.
- Design staff is starting work on a new parking lot at Bing's Landing.

DEC Report

- No report

ADF&G Report

- No Report

United States Fish and Wildlife Service

- The manager retired at the beginning of the year, and due to the hiring freeze, they cannot replace him.
- A major summer project will connect fishing locations by a border around the Russian River to protect habitats

United States Forest Service

- Elodea was found in Crescent Lake. There will be a partial chemical treatment during the summer of 2025 to treat the lake. Signage will be posted when this happens

City of Kenai

- Passed Resolution 2025-07 Requesting the Governor of the State of Alaska Designate by Proclamation the Area of the Upper Cook Inlet East Side Set Net Fishery as an Area Impacted by an Economic Disaster in 2024 and Supporting a Recovery Plan

City of Soldotna



- Website is up and running to look at their water front redevelopment
<https://www.soldotnariverfront.org/>

Kenai Peninsula Borough (no representative)

- Appointed Lesile Morton into the Assembly seat formally held by Bill Elam.
- Ordinance 2024-35 Adopting the latest FEMA flood maps was passed

Committee Reports

- **Guide Advisory- No report**
- **Habitat/River Use:** Approved new sign verbiage along the river front to help protect vegetation.

Public Comment

No Public Comment





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February 21, 2025

US Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)
Fisheries Habitat Conservation Program Office

RE: NOAA Restoring Tribal Priority Fish Passage through Barrier Removal Grants

On behalf of the City of Kenai, I would like to provide this letter in support of the Kenaitze Indian Tribe's application to NOAA's Restoring Tribal Priority Fish Passage through Barrier Removal Grants opportunity, funded via the Bipartisan Infrastructure Law. The City of Kenai has sought to partner with local tribal associations as their members are our residents. Preservation of freshwater habitats is critically important to ensure healthy returns of anadromous fish species such as salmon are sustained to feed future generations of Dena'ina and other indigenous peoples in and around the City of Kenai.

Through our partners at the U.S. Fish and Wildlife Service (USFWS), we have learned that several tributaries within and near the Cemetery Creek drainage are used by the Chinook and Coho salmon to rear juvenile smolt before they migrate out to sea, but because of design flaws and age, these existing culverts obstruct the natural passage of fish, preventing salmon and other anadromous species from reaching the freshwater bodies inland where their lifecycle both ends and begins. These species have sustained Dena'ina and other indigenous peoples as essential food sources since time immemorial, connecting our communities with the ancestral traditions passed down to the descendants who live today. We welcome such projects being proposed by the Kenaitze Indian Tribe that promote healthy populations of Chinook and Coho salmon among other anadromous fish species returning to our inland creeks and rivers to spawn, and giving our communities the gift of themselves for healthy human populations as well.

The Kenaitze Indian Tribe's current efforts to restore fish passage through barrier removal uphold our efforts to preserve and sustain access to the traditional food sources for not only indigenous communities, but also the City of Kenai as a whole; therefore, we offer our support for this project, and ask the selection committee to recommend the Tribe's application to NOAA for an award of funds under this program.

Sincerely,

Terry Eubank
City Manager