

**KENAI BEAUTIFICATION COMMITTEE  
SPECIAL MEETING  
FEBRUARY 13, 2024 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
\*Telephonic/Virtual Information Below\*  
<http://www.kenai.city>**

**A. CALL TO ORDER**

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval

**B. NEW BUSINESS**

1. **Discussion/Recommendation** – Recommendations to Council for Adoption of a New Section of Kenai Municipal Code Titled Beautification Commission, and Amendments to Chapter 1.90 Standards for Boards, Commissions and Committees.

**C. ADDITIONAL PUBLIC COMMENT**

**D. NEXT MEETING ATTENDANCE NOTIFICATION – March 12, 2024 Work Session**

**E. COMMISSION QUESTIONS AND COMMENTS**

**F. ADJOURNMENT**

**Join Zoom Meeting**

<https://us02web.zoom.us/j/86070234712>

**Meeting ID:** 860 7023 4712

**Passcode:** 023564

OR

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

**Meeting ID:** 860 7023 4712

**Passcode:** 023564



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Beautification Committee

**FROM:** Scott Bloom, City Attorney

**DATE:** February 5, 2024

**SUBJECT:** **Proposed codification of the Beautification Commission and Amendments KMC Chapter 1.90**

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On January, 9, 2024 Terry Eubank, City Manager, Shellie Saner, City Clerk, and I met with your Committee in a work session to discuss possible changes to the Beautification Committee and KMC Chapter 1.90- Standard Procedures for Board, Commissions and Committees, as well as other procedures (such as an annual work plan) with the goal of improving the efficiency of your committee and making sure your valuable time as a member of this body is used wisely.

Attached to this Memorandum in Attachment A are the code changes we discussed. The changes are shown in legislative format. Underlined words are new suggestions while words in all caps are suggested for removal. In addition, comments regarding each change are provided in red. These comments are for discussion purposes only for this Committee.

If the Committee wishes to recommend Council approve the proposed amendments to code, a motion will be needed. For example, "I move to recommend that the City Council adopt the proposed enactment of code for the Beautification Commission and amendments KMC Chapter 1.90 as provided in attachment A". After the main motion has been made and seconded the subject will be before the committee for discussion and additional amendments. If additional amendments are proposed they must be made in the form of a motion, be seconded and voted on. Once discussion is complete and no additional amendments are proposed, the main motion will be voted on. All proposed amendment(s) that are approved by a majority of the Committee will be forwarded by the Administration to the Council in the form of an Ordinance, the Ordinance will also likely include recommended changes from other City Commissions that are relevant to their code sections.

The Administration will also recommend an appropriate location in the City's Code of Ordinances for this newly proposed code section for organizational purposes only, but a final recommendation on this change is still in the works. It would not have any material effect on the Committee/Commission.

Thank you for your consideration.

# Attachment A

## Chapter XX.XX BEAUTIFICATION COMMISSION

(if this body is to be established permanently in code, we recommend changing it from a temporary committee to a permanent commission)

### Sections:

XX.XX.XXX      Purpose.  
XX.XX.XXX      Duties and powers.

### XX.XX.XXX      Purpose.

The purpose of the Beautification Commission is to advise the Council and administration on enhancing the appearance of the City. This proposed new section of code is intended to clearly state the purpose of the commission. Beautification means enhancing or improving the appearance of something or someone.

### XX.XX.XXX      Duties and powers.

#### (a) The Beautification Commission will:

- (1) Advise administration on seasonal displays and decorations promoted by the City,
- (2) Advise administration on selection of annual plantings of flora to be displayed in the City,
- (3) Advise Council and administration on City beautification issues as requested by the Council or administration, and
- (4) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of the recommended capital improvements which, in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list shall be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year. These proposed duties were discussed with the beautification committee. They allow flexibility to allow the Commission to advise as needed when requested by administration or Council and also provide some specific duties. It is important to recognize that the City already has a parks and recreation commission and planning commissions, and this proposed newly created commission would be distinct and have a different area of focus though it could assist other departments as needed when requested by administration or the City Council.

## Chapter 1.90 STANDARD PROCEDURES FOR BOARDS, COMMISSIONS AND COMMITTEES

### Sections:

1.90.010      Creation.  
1.90.020      Duties.

- 1.90.030**     **Qualifications.**
- 1.90.040**     **Terms.**
- 1.90.050**     **Proceedings.**
- 1.90.060**     **Specific requirements of boards, commissions and committees.**

**1.90.010**        **Creation.**

All boards, commissions and committees created by the Council of the City of Kenai, [SHALL] unless otherwise specified, will consist of seven [(7)] members who shall be nominated by the Mayor and confirmed by the City Council from applications submitted to the City Clerk. A chair and vice-chair shall be selected annually and shall be elected from and by the appointed members. At the organizational meeting of Council, or as soon thereafter as practicable, the Mayor, after consultation with Council, shall nominate Council Members as a council liaison to any board, commission or committee. After confirmation by Council, the council liaison may attend all meetings of the board, commission or committee. A council liaison is not a member of, and shall have no voting power or any other rights of membership on, the board, commission or committee. The Mayor and other Council Members may attend meetings of boards, commissions or committees when serving as an alternate for the Council liaison, or in their capacity as elected officials. City administrative staff shall attend and supply staff support to all meetings of boards, commissions and committees. **This change is just to reflect that the Council on Aging can have a different number of members.**

**1.90.020**        **Duties.**

- (a) Members of boards, commissions and committees shall be required to establish policies relating to their respective organization. They shall act in an advisory capacity to City Council and administration unless otherwise specified in the City Code. **This change reflects that commission advise administration and not just the City Council.**
- (b) If the board, commission or committee has income stated within the City of Kenai annual budget, said board, commission or committee shall work with the City Manager to establish expenses projected for the year for approval by the City Council.

**1.90.030**        **Qualifications.**

- (a) A member of a board, commission or committee must be a resident of the City of Kenai, unless the board, commission or committee is specifically exempted by Council from this requirement. The member cannot be an officer or employee of the City of Kenai. If any member should move his or her residence from the corporate limits of the City of Kenai (if applicable), is an officer or employee of the City of Kenai, or shall be elected or appointed as an officer or employee of the City of Kenai, the service of such member shall terminate immediately. He or she should be aware that he or she will serve without salary, but will be reimbursed for all reasonable expenses incurred in connection with this service, only after approval by Council.
- (b) The Beautification Committee, and Harbor, Library, and Parks and Recreation Commissions may at the discretion of the Council have up to two (2) non-resident members each.
- (c) The Planning and Zoning Commission may have up to one member that is not a resident of the City if they have a controlling ownership interest in a business physically located in the City. This provision specifically does not create a designated seat for a non-resident.

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**1.90.040 Terms.**

(a) A member of a board, commission or committee shall serve for a term of three (3) years, unless the board, commission or committee is specifically exempted by Council from this requirement. At renewal date, the Mayor, with consent of the Council, can reappoint the member or recommend a replacement.

(b) The terms of the initial board, commission or committee member shall be staggered so that three (3) members will be appointed for one (1) year; two (2) members will be appointed for two (2) years; and two (2) members will be appointed for three (3) years. Terms shall commence on January 1st of each year.

**1.90.050 Proceedings.**

(a) All boards, commissions and committees will have regularly scheduled meetings which shall be open to the public. Exceptions to the meeting requirements shall be established by Council. Permanent records or minutes shall be kept of all proceedings and such minutes shall record the vote of each member upon every question. Every decision or finding shall immediately be filed in the office of the City Clerk and shall be a public record open to inspection by any person. All acts of boards, commissions and committees are subject to the paramount authority of the City Council.

(b) If the commission, committee or board member shall be absent, without the body excusing the absence for good cause, from more than one-half of all the meetings of his or her committee, commission or board, regular and special, held within any period of three (3) consecutive calendar months, he or she shall thereupon cease to hold the seat. A commission, committee or board member may not have more than three (3) excused absences during a twelve (12) month calendar year.

(c) In all matters of parliamentary procedure, the most current edition of Robert's Rules of Order Newly Revised shall be applicable and govern all meetings, unless as specified in KMC [1.15.060](#), motions; KMC [1.15.100](#), speaking; and KMC [1.15.110](#), voting.

(d) The responsibility of insuring that all members of boards, commissions and committees receive a copy of the Standard Procedures of Boards, Commissions and Committees lies with the City Clerk.

**1.90.060 Specific requirements of boards, commissions and committees.**

Requirements of boards, commissions and committees as set forth in KMC [1.90](#) are general requirements and shall be followed to the extent that they do not conflict with specific requirements found in code sections specifically pertaining to individual boards, commissions and committees.