



## Kenai City Council - Regular Meeting

August 17, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

[www.kenai.city](http://www.kenai.city)

### Agenda

#### **A. CALL TO ORDER**

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

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

#### **B. SCHEDULED PUBLIC COMMENTS** (*Public comment limited to ten (10) minutes per speaker*)

1. "Introduction to Executive Director" Peter Evon, Executive Director of the Kenaitze Indian Tribe.

#### **C. UNSCHEDULED PUBLIC COMMENTS** (*Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

#### **D. PUBLIC HEARINGS**

- 1. Ordinance No. 3300-2022** - Increasing Estimated Revenues and Appropriations in the General Fund FY22 Budget– Police Department and Accepting Grants from the United States Department of Justice and Alaska Municipal League Joint Insurance Association (AMLJIA) for the Purchase of Ballistic Vests. (Administration)
- 2. Ordinance No. 3301-2022** - Increasing Estimated Revenues and Appropriations in the General Fund FY22 Budget – Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area (AK HIDTA) for Drug Investigation Overtime Expenditures. (Administration)
- 3. Ordinance No. 3302-2022** - Increasing Estimated Revenues and Appropriations in the Water and Sewer Special Revenue and Wastewater Treatment Plant Improvements Capital Project Fund and Authorizing a Construction Agreement and Purchase Order for the Sludge Press Replacement Project. (Administration)
- 4. Ordinance No. 3303-2022** - Increasing Estimated Revenues and Appropriations in the Water Sewer Special Revenue Fund for Operational Chemical Costs in Excess of Budgeted Amounts. (Administration)

- 5. Resolution No. 2022-61** - Authorizing the City Manager to Extend the Restaurant Concession Agreement in the Kenai Municipal Airport for an Additional Year. (Administration)

**E. MINUTES**

- 1.** \*Special Meeting of July 26, 2022. (City Clerk)
- 2.** \*Regular Meeting of August 3, 2022. (City Clerk)

**F. UNFINISHED BUSINESS**

- 1. Ordinance No. 3298-2022** - Enacting Kenai Municipal Code Chapter 14.30 - Floodplain Management, within Title 14 - Planning and Zoning, to Regulate Land Use within the Flood Plain and Authorizing the City to Participate in the National Flood Insurance Program. (Administration) *[Clerk's Note: At the Meeting of August 3, 2022 this Ordinance was Postponed to this Meeting; a Motion to Enact is on the Floor.]*
  - **Substitute Ordinance No. 3298-2022** - Enacting Kenai Municipal Code Chapter 14.30- Floodplain Management, Within Title 14-Planning and Zoning, to Regulate Land Use within the Flood Plain and Authorizing the City to Participate in the National Flood Insurance Program. (Administration)

**G. NEW BUSINESS**

- 1. \*Action/Approval** - Bills to be Ratified. (Administration)
- 2. \*Ordinance No. 3304-2022** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds for Kenai Municipal Airport Disadvantage Business Enterprise Program Updates. (Administration)
- 3. \*Ordinance No. 3305-2022** - Conditionally Granting Certain Foreclosed City-Owned Properties Described as Lots 8 & 11, Block 9 and Lot 4, Block 10, Mommsen's Replat of Additions No. 1 & 2 (Parcel Numbers 03910211, 03910208 and 03910304) to Central Peninsula Habitat for Humanity, Inc. for Construction of Housing. (Administration)
- 4. Action/Approval** - Purchase Orders Over \$15,000. (Administration)

**H. COMMISSION / COMMITTEE REPORTS**

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

**I. REPORT OF THE MAYOR**

**J. ADMINISTRATION REPORTS**

- 1.** City Manager
- 2.** City Attorney

3. City Clerk

**K. ADDITIONAL PUBLIC COMMENT**

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

**L. EXECUTIVE SESSION**

**M. PENDING ITEMS**

**N. ADJOURNMENT**

**O. INFORMATION ITEMS**

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

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

**Join Zoom Meeting**

<https://us02web.zoom.us/j/89147261394>

**Meeting ID:** 891 4726 1394 **Passcode:** 407724

OR

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

**Meeting ID:** 891 4726 1394 **Passcode:** 407724



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3300-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND FY22 BUDGET– POLICE DEPARTMENT AND ACCEPTING GRANTS FROM THE UNITED STATES DEPARTMENT OF JUSTICE AND ALASKA MUNICIPAL LEAGUE JOINT INSURANCE ASSOCIATION (AMLJIA) FOR THE PURCHASE OF BALLISTIC VESTS.

WHEREAS, the Kenai Police Department participates in a Ballistic Vest Partnership (BVP) grant program through the Department of Justice, which covers 50% of the cost of ballistic vests purchased for officers; and,

WHEREAS, the City's current insurance company, AMLJIA, also has a ballistic vest reimbursement program, which covers 50% of the cost of ballistic vest purchased for officers; and,

WHEREAS, two ballistic vests were recently purchased for a total of \$2,252 and the two programs together will cover 100% of the cost of those ballistic vests.

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

**Section 1.** That the City Manager is authorized to accept and expend United States Department of Justice and AMLJIA grant funds in the amount of \$1,126 each for the purchase of ballistic vests.

**Section 2.** That the following fiscal year 2022 budget revision is authorized:

General Fund:

Increase Estimated Revenues -	
Federal Grants – Police	\$1,126
Miscellaneous Grants	<u>1,126</u>
	<u>\$2,252</u>

Increase Expenditures – Police Department -	
Small Tools/Minor Equipment	\$ <u>2,252</u>

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 17<sup>TH</sup> DAY OF AUGUST, 2022.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced:	August 3, 2022
Enacted:	August 17, 2022
Effective:	August 17, 2022



# 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:** Paul Ostrander, City Manager

**FROM:** David Ross, Police Chief

**DATE:** July 12, 2022

**SUBJECT:** **Ordinance No. 3300-2022 Accepting Grant Funds for Ballistic Vests**

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The police department participates in the United States Department of Justice' Ballistic Vest Partnership (BVP), which provides grant funds for half the cost of Officer ballistic vests. The City's insurance carrier, AMLJIA, also has a grant program by which they cover half the cost of ballistic vests purchased by officers.

The Police Department recently purchased two ballistic vests for officers, at a total cost of \$2,252 and anticipates that cost to be covered 100% by the two programs.

I am respectfully requesting consideration of the ordinance accepting and appropriating the grant funds into the FY22 budget for the purpose they were intended.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3301-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND FY22 BUDGET – POLICE DEPARTMENT AND ACCEPTING A GRANT FROM THE ALASKA HIGH INTENSITY DRUG TRAFFICKING AREA (AK HIDTA) FOR DRUG INVESTIGATION OVERTIME EXPENDITURES.

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

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

WHEREAS, the overtime expense that was eligible for reimbursement from April of 2022 through the end of June, 2022 was \$5,324.07; and,

WHEREAS, overtime for these additional expenditures for drug investigations were not budgeted and the department is requesting appropriation into the FY22 overtime budget equal to the amount of the AK HIDTA funding.

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

**Section 1.** That the City Manager is authorized to accept these funds from the AK HIDTA in the amount of \$5,324.07 and to expend those funds to fulfill the purpose and intent of this ordinance

**Section 2.** That the fiscal year 2022 estimated revenues and appropriations be increased as follows:

General Fund:

Increase Estimated Revenues –	
Federal Grants – Police	<u>\$5,324.07</u>

Increase Appropriations – Police Department -	
Overtime	<u>\$5,324.07</u>

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 17<sup>th</sup> DAY OF AUGUST, 2022.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced:	August 3, 2022
Enacted:	August 17, 2022
Effective:	August 17, 2022





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** David Ross – Police Chief  
**DATE:** July 12, 2022  
**SUBJECT:** **Ordinance No. 3301-2022, Accepting HIDTA Grant Funds**

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The Kenai Police Department participates in the regional drug task force. Between April of 2022 and June of 2022 certain overtime worked in conjunction with the regional drug task force was eligible for reimbursement through the Alaska High Intensity Drug Trafficking Area (AK HIDTA), which receives its funding through Federal appropriation. The Police Department requested reimbursement for \$5,324.07 in overtime expenditures.

I am respectfully requesting consideration of the ordinance accepting and appropriating the grant funds into the FY22 budget for the purpose they were intended.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3302-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE WATER AND SEWER SPECIAL REVENUE AND WASTEWATER TREATMENT PLANT IMPROVEMENTS CAPITAL PROJECT FUND AND AUTHORIZING A CONSTRUCTION AGREEMENT AND PURCHASE ORDER FOR THE SLUDGE PRESS REPLACEMENT PROJECT.

WHEREAS, a formal Invitation to Bid was released on June 7, 2022 seeking construction services to provide for the replacement of the 40+ year old sludge press at the waste water plant; and,

WHEREAS, bids were originally due on June 28, 2022 and based on a lack of interest from contractors the due date was extended to July 22, 2022; and,

WHEREAS, two bids were received by the City, with the low bid being withdrawn at the request of the bidder, leaving Blazy Construction the lowest responsive and responsible bidder at a cost of \$1,437,913; and,

WHEREAS, the recommendation from City Administration is to award the construction agreement for the Sludge Press Replacement project to Blazy Construction for the total cost of \$1,437,913; and,

WHEREAS, this Ordinance will also appropriate contingency funding for the processing of change orders in the amount of \$72,000, approximately 5% of total construction contract, as well as \$25,000 for City Admin services, and \$143,000 for Engineering Contract Administration Services, for a total appropriation cost of \$240,000.

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

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

Water and Sewer Special Revenue Fund:

Increase Estimated Revenues –		
Appropriation of Fund Balance		<u>\$240,000</u>

Increase Appropriations –		
Transfer to Wastewater Treatment Plant Improvements Capital Project Fund		<u>\$240,000</u>

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

Wastewater Treatment Plant Improvements Capital Project Fund:

Increase Estimated Revenues –		
Transfer from Water and Sewer Special Revenue Fund		<u>\$240,000</u>

Increase Appropriations –		
Construction		<u>\$240,000</u>

**Section 3.** That the City Manager is authorized to execute a Construction Agreement in the amount of \$1,437,913, and to issue a Purchase Order to Blazy Construction in the amount of \$1,509,913 for the

contract amount of \$1,437,913 and \$72,000 of contingency funding, which may be authorized for construction change orders during completion of the project.

**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 17<sup>TH</sup> DAY OF AUGUST, 2022.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: \_\_\_\_\_



Introduced: August 3, 2022  
Enacted: August 17, 2022  
Effective: August 17, 2022



# 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:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin, Director of Public Works  
**DATE:** July 27, 2022  
**SUBJECT:** Ordinance No. 3302-2022 - Sludge Press Replacement

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The purpose of this memo is to request Council's support in awarding a Construction Agreement and corresponding purchase order for the Wastewater Treatment Plant's Sludge Press Replacement project and to provide supplemental funding in support of the project.

As Council may recall this is a primary project for the department to replace a 40+ year old piece of equipment, an existing belt press, with a new Andritz screw press. This press processes municipal wastewater sludge as one of the last steps in the treatment process prior to hauling the dewatered sludge to the landfill.

Staff has done an exceptional job of keeping the existing equipment operational while waiting for the new equipment to arrive. The Andritz Press was competitively sourced almost a year ago now, and the anticipated delivery for the new press is currently late October 2022. The contracted cost of the Andritz press is \$225,000 for equipment only.

Through development of the project, in coordination with the Engineering team, additional items in need of correction were identified in support of the project. These additional items are the reason additional funding is being requested at this time. The sludge pumps which feed the press are being replaced with this work, a new conveyor system for loading the sludge into disposal containers is now included, new air handling equipment to increase air exchanges within the space are also being completed with this work.

The Engineer's Estimate for this work was \$1,307,050 with Blazy Construction's bid totaling \$1,437,913. A second bid was received by the department in the amount of \$900,000. On July 27<sup>th</sup>, 2022 that contractor requested his bid to be withdrawn due to miscalculations on their part.

Completion of this work now is essential for the department. Parts have not been available for our existing press for some time, with failed pieces often requiring fabrication to maintain operability. This project has been identified through earlier Capital Improvement plans and is a big step in successfully maintaining our facilities and equipment. Council's support is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3303-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE WATER SEWER SPECIAL REVENUE FUND FOR OPERATIONAL CHEMICAL COSTS IN EXCESS OF BUDGETED AMOUNTS.

WHEREAS, the Public Works Department secures annual purchasing agreements for required chemicals at the City’s Water and Wastewater Treatment Plants; and,

WHEREAS, chemicals typically purchased through these agreements include Sodium Hypochlorite, Sodium Bisulfite, Lime, and polymer; and,

WHEREAS, these items were all competitively bid and the lowest bidder, Cascade Columbia’s total bid was \$28,390 in excess of budgeted amounts, approximately \$12,000 toward the wastewater plant and \$16,000 toward the water plant; and,

WHEREAS, additionally Nalco Company provides proprietary chemicals that are acquired through sole source purchase for the water department, these chemicals assist with the removal of tannins in the water for clarification purposes; and,

WHEREAS, Nalco’s pricing has resulted in costs totaling approximately \$29,000 in excess of budgeted funds; and,

WHEREAS, the Public Works Department did anticipate cost increases for these chemicals and did budget larger amounts than previous years, however the increases came in higher than expectations due to supply chain and inflationary pressures within the industry; and,

WHEREAS, these chemicals are essential for the continued safe operation of the utility to remain in compliance with permit requirements; and,

WHEREAS, providing these supplemental funds to the operational budgets for the waste water and water division will allow the department to continue operations effectively; and,

WHEREAS, the Administration is in support of this appropriation and providing the additional funds now is in the best interest of the City.

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

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

Water and Sewer Special Revenue Fund:	
Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$57,000</u>
Increase Appropriations –	
Wastewater Treatment Plant -	
Operating, Repair & Maintenance Supplies	\$12,000

Water	
Operating, Repair & Maintenance Supplies	<u>\$45,000</u>
	<u>\$57,000</u>

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 17<sup>TH</sup> DAY OF AUGUST, 2022.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced:	August 3, 2022
Enacted:	August 17, 2022
Effective:	August 17, 2022



# 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:** Paul Ostrander, City Manager

**FROM:** Scott Curtin, Director of Public Works

**DATE:** July 27, 2022

**SUBJECT:** **Ordinance No. 3303-2022 Chemicals in excess of budgeted amounts**

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The purpose of this memo is to request Council's support in providing supplemental funding to the Water and Wastewater operational budgets to account for Chemical purchases in excess of budgeted amounts. As Council is well aware of current supply chain and inflationary concerns affecting purchases across industries, the utility has incurred a larger than anticipated cost increase on our routine annual purchases of chemicals.

Cost increases were anticipated by the department for these chemicals with the Water division's budget being increased by \$10,000 from the previous year's budget, \$108,000 in FY22 increased to \$118,000 for FY23 with the actual FY23 now anticipated to be \$163,000. The Wastewater division's FY22 budget for these chemicals was \$50,600, with FY23 budget of \$65,910 and an anticipated FY23 actual cost of \$77,910.

The department had sufficient funds to issue Purchase Orders to Cascade Columbia and Nalco Company from within the Operating, Repair and Maintenance Supplies budget to start the fiscal year and to avoid delivery delays of chemicals. This Ordinance will now provide the supplemental funding to replenish the account to allow the department to operate as anticipated throughout the fiscal year.

Staff is investigating opportunities to become less dependent on these chemical purchases. Consideration for a future capital project to install new process equipment for the creation of our own chlorination chemicals is an option, as well as testing out new water clarification chemicals to a less expensive option from our current supplier. Council will be kept informed of any progress in this area.

The additional funds being requested are necessary and imperative to our operations, providing them now is in the best interest of the City. Council's support is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2022-61**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXTEND THE RESTAURANT CONCESSION AGREEMENT IN THE KENAI MUNICIPAL AIRPORT FOR AN ADDITIONAL YEAR.

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WHEREAS, on August 1, 2018, Council passed Resolution 2018-42 authorizing the City Manager to enter into a restaurant concession agreement with the Brothers' Café with an initial term of two years and an opportunity to extend for three successive one-year terms pending Council approval; and,

WHEREAS, on March 6, 2019 Council passed Resolution 2019-14 authorizing the City Manager to enter into an amended concession agreement with the Brothers' Café recognizing decreased business due to the terminal rehabilitation project; and,

WHEREAS, on December 4, 2019, Council passed Resolution 2019-78 authorizing the City Manager to enter into an amended concession agreement with the Brothers' Café recognizing a necessary business closure due to the terminal rehabilitation project; and,

WHEREAS, on June 3, 2020 Council passed Resolution 2020-34 authorizing the first one-year extension of the agreement until June 30, 2021; and,

WHEREAS, on December 16, 2020, Council passed Resolution 2020-94, adjusting the fee arrangement with Brother's Café; and,

WHEREAS, on June 16, 2021, Council passed Resolution 2021-44 authorizing the second one-year extension of the agreement until June 30, 2022; and,

WHEREAS, the City of Kenai and Brother's Café both desire to extend Agreement for the third one-year extension; and,

WHEREAS, at its regular meeting of August 11, 2022 the Airport Commission recommended Council approve the final one-year extension; and,

WHEREAS, it is in the best interest of the City of Kenai to authorize the City Manager to extend the term of the agreement for one additional year pursuant to ARTICLE II of the Restaurant Concession Agreement as Brother's Café provides a valuable service to the Airport.

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 Fifth Amendment to the Restaurant Concession Agreement with the Brothers Café, extending the term of the Agreement for the period of July 1, 2022 and ending June 30, 2023.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 17<sup>TH</sup> DAY OF AUGUST, 2022.

---

Brian Gabriel Sr., Mayor



ATTEST:

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Michelle M. Saner, MMC, City Clerk



# KENAI

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

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Eland Conway, Airport Manager  
**DATE:** August 4, 2022  
**SUBJECT:** **Resolution 2022-61 – Extend Restaurant Concession Agreement**

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James and Zachary Hamilton, Situla, LLC (d/b/a) Brothers Café, request an extension of the Restaurant Concession Agreement for the third successive one-year term.

The Airport Commission reviewed the request at its August 11, 2022 meeting and unanimously recommends that Council approve the Fifth Amendment to the Restaurant Concession Agreement extending the Agreement for another year.

Thank you for your consideration.

Attachment

**FIFTH AMENDMENT TO CITY OF KENAI MUNICIPAL AIRPORT RESTAURANT CONCESSION AGREEMENT**

**James Hamilton** and **Zachary Hamilton**, Co-Owners (Concessionaire), Situla LLC (d/b/a/ Brother’s Cafe, 1510 Kittiwake CT, Kenai, Alaska 99611, and the **CITY OF KENAI**, a municipal corporation, organized and existing under the laws of the State of Alaska (City), 210 Fidalgo Avenue, Suite 200, Kenai, Alaska 99611, entered into a contract for restaurant concession services at the Kenai Airport, beginning August 2, 2018.

Whereas: on August 1, 2018, the Kenai City Council adopted Resolution 2018-42, authorizing the City Manager to enter into a Restaurant Concession Agreement with Concessionaire; and,

Whereas: on March 6, 2019, the Kenai City Council adopted Resolution 2019-14, authorizing the City Manager to amend the Agreement with Concessionaire to reflect a temporary adjustment to the fees and payments due; and,

Whereas: on December 4, 2019, Council adopted Resolution 2019-78 authorizing the City Manager to enter into an amended concession agreement with Brothers’ Café recognizing a necessary business closure due to the terminal rehabilitation project; and,

Whereas: on June 3, 2020 the Kenai City Council adopted Resolution 2020-34 authorizing the City Manager to extend the Agreement through June 30, 2021; and,

Whereas: on December 16, 2020 the Kenai City Council adopted Resolution 2020-94 authorizing an additional change to the fee structure of the Agreement; and,

Whereas: on June 16, 2021 the Kenai City Council adopted Resolution 2021-44 authorizing the City Manager to extend the Agreement through June 30, 2022; and,

Whereas: pursuant to Article II of the Agreement, the City and Concessionaire mutually desire and agree to extend the Agreement for the third successive one-year term.

Now, therefore, the City of Kenai and Concessionaire agree as follows:

1. Pursuant to Article II of the Restaurant Concession Agreement for the Kenai Municipal Airport, this Agreement is extended for the third one-year term extension beginning on July 1, 2022 and ending on June 30, 2023.

2. All other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

**LESSOR:**

CITY OF KENAI

\_\_\_\_\_  
Paul Ostrander, City Manager

**CONCESSIONAIRE:**

Situla LLC (d/b/a/ Brother's Café)

Situla LLC (d/b/a/ Brother's Café)

\_\_\_\_\_  
James Hamilton – Co-Owner

\_\_\_\_\_  
Zachary Hamilton – Co-Owner

STATE OF ALASKA                    )  
  )ss  
THIRD JUDICIAL DISTRICT        )

THIS IS TO CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2022, James Hamilton, Co-Owner, Situla LLC (d/b/a/ Brother's Café), being personally known to me or having produced satisfactory evidence of identification, appeared before me and acknowledged the voluntary and authorized execution of the foregoing instrument on behalf of said Corporation.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires:\_\_\_\_\_

STATE OF ALASKA )  
 )ss  
THIRD JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2022, Zachary Hamilton, Co-Owner, Situla LLC (d/b/a/ Brother's Café), being personally known to me or having produced satisfactory evidence of identification, appeared before me and acknowledged the voluntary and authorized execution of the foregoing instrument on behalf of said Corporation.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires: \_\_\_\_\_

STATE OF ALASKA )  
 )ss  
THIRD JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2022, personally appeared before me, **PAUL OSTRANDER**, known to me and to me known to be the City Manager of the City of Kenai, Alaska, and who acknowledged before me that the foregoing instrument was freely and voluntarily executed on behalf of the City of Kenai, for the uses and purposes set forth and with full authority of the City of Kenai to do so.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires: \_\_\_\_\_

Approved by Kenai City Council on \_\_\_\_\_

Approved as to lease form by City Attorney \_\_\_\_\_

Approved by Finance Director \_\_\_\_\_

Approved by City Manager \_\_\_\_\_

**KENAI CITY COUNCIL – SPECIAL MEETING  
JULY 26, 2022 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
MAYOR BRIAN GABRIEL, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Special Meeting of the Kenai City Council was held on July 26, 2022, 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  
Teea Winger  
Glenese Pettey  
Henry Knackstedt

James Baisden  
Deborah Sounart  
Jim Glendening, Vice Mayor

A quorum was present.

Also, in attendance were:

Terry Eubanks, Acting City Manager  
Scott Bloom, City Attorney  
Meghan Thibodeau, Deputy City Clerk

**3. Agenda Approval**

Mayor Gabriel noted the following additions to the Packet:

- Add item B.1.                      **Resolution No. 2022-57**
- Public Comment

**MOTION:**

Council Member Knackstedt **MOVED** to approve the agenda with requested revisions. Vice Mayor Glendening **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion.

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

*[Clerk’s Note: Mayor Gabriel passed the gavel to Vice Mayor Glendening and stated a possible conflict with Resolution No. 2022-57 as he participates in the East Side Set Net Fishery. Vice Mayor Glendening ruled a conflict did exist and Mayor Gabriel abstained from discussion and voting on Resolution 2022-57.]*

**B. PUBLIC HEARINGS**

- 1. Resolution No. 2022-57** - Requesting the State of Alaska Commissioner of Fish and Game Allow the East Side Set Net Fishery Additional Opportunity to Harvest Sockeye Salmon During the 2022 Season. (Vice Mayor Glendening, Council Members Knackstedt, Pettey, Winger, Baisden and Sounart)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-57. Council Member Winger **SECONDED** the motion.

Vice Mayor Glendening opened the floor for public comment.

Ken Coleman stated that he is the Vice President of Kenai Peninsula Fisherman's Association, an organization which advocates for the East Side Setnet fishery; he noted this would be the third year in a row where their season has been truncated, followed by legal appeals so they could continue to fish responsibly. He explained how river closures due to low king salmon escapement results in closure of setnet fishing while other user groups are unaffected, how king salmon accounts for less than 1% exploitation rate, and how the economic effects of setnet closures are felt by families and businesses all over the Peninsula. He stated that they are trying to find a way to continue fishing responsibly, so that over-escapement of sockeye and resulting biomass does not hurt their population in future years; he expressed appreciation that Council called a special meeting and stated that he hopes the Commissioner of Fish and Game will take a second look at this issue.

Trey Brown stated that he works with OBI Seafoods and manages a fish-buying station in Salamatof. He presented data which reflects how the sockeye run overcrowds chinook, and as a result fishermen catch sockeye by a large majority. He stated that if the Alaska Department of Fish and Game (DFG) wants to preserve the chinook, they should allow setnetters to fish during the height of the sockeye run.

Wes Humbert stated that he is drift fisherman, and spoke in support of setnet fishermen. He explained that millions of dollars have been spent on lawsuits, and that the City should support setnetters because the community depends on them.

Amber Every noted her family are commercial fishermen. She stated this fight is based on politics and not biology; to keep their fishery going they have had to fight the sportfishing organization, a setnet initiative, the Board of Fisheries, and an administration whose financial supporters oppose them. She discussed the low number of kings caught, the problem of over-escapement, that the commissioner's decisions that closed the fishery were not a part of the Board of Fisheries' management plan, the economic impact of fishery closures, and the impact on residents and businesses.

Christine Brandt noted she is an eastside setnetter and stated that the Commissioner of Fish and Game is concerned with conservation of king salmon but they are not a stock of concern; she discussed policies and management of stocks of concern, and defined levels of stocks of concern. She stated that current management will crash the Kasilof River, because it has exceeded escapement.

Phil Sheridan expressed concern that local biologists are not able to do their job and decisions are being made by the Commissioner of Fish and Game; he stated that over-escapement makes dipnetters happy which has political advantages, and decisions are not being made based on biology.

Sharon Efta noted that setnetters and drift fishermen are having the same problems and it is hard for them to make a living. She discussed the expenses and difficulties faced by fishermen, how the Board of Fisheries is managing it for sport and dipnetting, and the problems caused by dipnetting. She noted that fish policy should do what is right and not what is politically expedient for votes.

Paul A. Shadura II noted his family's history of commercial fishing in the community. He discussed escapement goals and projected numbers, noting that returning less than optimum numbers for escapement is a tragedy for all users. He stated that this resolution would be supportive of what has already been estimated by DFG, and that management plans provide the Commissioner of Fish and Game full authority to manage in-season. He noted that 26% of fishing in the Kenai River is sportfishing, and passing the resolution will not harm any other users; fishing is a mainstay in the local economy.



Senator Peter Micciche stated that he will stand up for any user group when they are being unfairly treated; the long-term effects of this closure will affect every southcentral Alaska resident. He noted that he had attended a Board of Fisheries meeting where the collected consequences of over-escapement were discussed; he explained how over-escapement has significant impacts on future fish populations and is a lost opportunity for commerce which adversely affects every business on the Kenai Peninsula. He stated we have to revamp the system attempting to manage for one challenged species; he hopes Resolution No. 2022-57 passes and that every representative body in the Borough will follow suit; there is a king problem and there is some need for conservation but these measures are over and above.

Sarah Frostad-Hudkins discussed her family's multi-generational history of fishing, and noted that she had been witnessing this political battle all her life. She stated that the Commissioner has the power to open the East Side Setnet fishery today, but attempts to communicate with him have gotten little response and the Governor had not made a statement; it is time the rivers are managed biologically and not politically.

Representative Gillham noted that this fight has been going on for years, and he cannot accept that DFG will let one user group fish and not others. He noted that the number of dipnet permits from other areas have political affects, everyone should have access to these fish, and the fishery has been managed politically and not biologically.

Nate Berga stated that he is the Plant Manager for Pacific Star Seafoods. He explained the impact that the shutdown of the East Side Setnet fishery would have on his business, noting that 40% of the fish they purchase would be lost; how the local economy would lose millions of dollars which would be a huge hit to Alaska; and that fishing the rivers is important for fishermen, the community and the health of the rivers. He expressed concern for the future of this industry in Cook Inlet.

Richard McGahan stated that the way the fishery is being run now is wrong, and millions of dollars are being spent through fishing organizations. He remembered what it was like working in the fishing industry in the 1950's, and stated that the judge in Kenai will not grant an injunction against the DFG. He thanked the City Council and encouraged them to pass the resolution.

Maisie Hermansen noted she is a lifelong East Side Setnetter and Cook Inlet salmon have been part of her family's life for generations, and spoke of the loss of a lifetime of work and generations of heritage. She stated that the management of the fishery is reallocation couched as conservation, that setnetters bear the burden of low king numbers while other user groups are not shut down, that setnetters are not the cause of low king numbers but their seasons have been slashed and they are sidelined during most abundant part of sockeye migration. She thanked the Council for caring, and hoped the Commissioner will as well.

Karen McGahan stated that the setnetters are under difficult regulations when they are open, and that paired restrictions when kings are low prevents them from fishing sockeyes. She explained the number of permits used in her family, and how regulations have greatly restricted the number of nets they can use per permit. She stated that the regulations are political and not biological, and they are the result of a good lobby group and the Governor.

Gary Hollier read a message that he had sent to the Commissioner and members of the Kenai River Sportfishing Association (KRSA), explaining how he sees weak stock management and that what has happened to the Kasilof River is a travesty; how over-escapement to save very few kings is a joke; and that the Commissioner has full authority to open and close fisheries and asked that he use this to allow limited fishing on sockeye stocks. He stated that unattainable goals for king numbers is driven by KRSA with the support of the Commissioner and Governor, and encouraged fellow fishermen to show up to the Board of Fisheries meetings.

Erin Willahan stated that she is an East Side Setnetter and noted that the decision to close the East Side Setnet fishery is political and not supported by biology, common sense, economics or the management

plan. She stated that as a young person raised in Alaska she sees a future for herself here because of this fishery, that permit holders help keep both dollars and fish in Alaska, and that the mismanagement of the fishery is not sustainable for any user group. She thanked Council and stated that she hopes to see further steps and advocacy.

Eric Nyce stated that the closure of setnetting is not due to conservation, and Governor Dunleavy is destroying the fishery and setnetters' way of life. He compared the Kenai River's escapement goals and restrictions to those of other rivers, and noted that the Kenai and Kasilof Rivers cannot handle the continued over-escapement. He stated that we need to stand up to politically-motivated closures and force the department to allow set netters to harvest sockeye.

Jim Butler thanked those who had provided comments at the meeting, and pointed out how the setnet closure would result in lost tax revenue for the City. He stated that all user groups agree that conservation is important, but allocation through management is not appropriate; we will see a one-to-one return where dipnetters will complain that they cannot fish, and City will lose dipnet revenues and tax revenues. He encouraged the City Council to consider not only the impact on local businesses, but the City as well.

Representative Sarah Vance stated that she is a legislator representing the lower Kenai Peninsula, and has heard from many fishermen who feel that over-escapement has been happening for a long time and they want it to be managed according to science and data; she wanted the voices of her constituents to be heard and to add to testimony that this is an ongoing issue.

Ray DeBardelaben stated that he is the president of the Kenai River Professional Guide Association asked whether we want to give up on the authentic Kenai kings. He pointed out that the largest kings ever caught in the world were caught in the Kenai River, and their genetics are still there, there is a small hope for them and until we are ready to give that up he does not agree with opening the setnet fishery.

Naomi Daigle discussed how East Side Setnetters have faced endless discouragement because of restrictions and closures, and it is financially difficult for them to own a setnet operation and not be permitted to fish. She stated that their sites catch few to no kings because they swim out in deeper water, expressed support for the resolution and thanked everyone involved in bringing it forward.

Loren Leman stated that he has setnet near Ninilchik for over 64 years and throughout his time in elected office, and wanted to add his voice to those who are concerned about the very poor public policy of paired restrictions which is closing the East Side Setnet fishery. He thanked Council for bringing forward the resolution, and stated that he hopes this action results in needed change in the way fishery is managed.

Christine Grant noted that she had spoken with Governor Dunleavy about what is going on and he said he would speak with the Commissioner of Fish and Game, and stated that we need to let him know that this is an economic disaster for this area.

Assembly Member Jesse Bjorkman stated that there is overwhelming support for this large sector of our economy, and that conservation is paramount to the discussion because not one wants to endanger salmon we all rely on. He discussed how over-escapement has a compounding effect on our salmon that is bad for all user groups, and stated that he is available to listen and look for solutions for what we can do to maximize the sustained yield of fish and economic opportunities.

Russell Clark stated that he is not willing to give up on kings, and that many people have submitted agenda change requests (ACR) for possible solutions to the Board of Fisheries that fell on deaf ears. He drew comparisons to other areas of the state that were not being restricted in the same way, discussed the ways these restrictions and shutdowns affect set netters, and noted that the community has lost fish processors and as business owners they have employees that depend on them. He stated that the Board of Fisheries needs some ACRs to be put in place.

Brian Scow discussed where he fishes and the number of nets he fishes per his permits, and how he has only caught one king in the last period because kings don't swim in this shallow water. He explained how over-escapement is a problem for the river, and stated that fishing with beach nets only might be a way to keep escapement down and put money into the local economy.

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

Council Member Baisden expressed support for the resolution, and noted that the goal was fairness for all user groups in Cook Inlet. He explained that the City Council could be a voice for their constituents to the State, and that the public can also use their voices during elections to affect change at the State level.

Council Member Winger thanked the members of the public who joined the meeting, and recognized the written comments provided in the laydown; she noted that feedback had been received on both sides of the issue. She expressed concerns about the local impact to families and how the fishing season affects small local businesses, and for the future of the king salmon species and other sealife species which have been harmed by mismanagement.

**MOTION TO AMEND:**

Council Member Pettey **MOVED** to amend Section 2 by adding the Borough Mayor, the Mayors of Homer and Soldotna, the Borough's State Representatives, and Senators Murkowski and Sullivan to the list of recipients Resolution No. 2022-57 will be forwarded to. Council Member Winger **SECONDED** the motion.

It was also suggested that the motion also include the Mayor of Seward, and the Kenai Courthouse if approved by Legal. The motion was revised with concurrence of the second.

**UNANIMOUS CONSENT** was requested.

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

Council Member Pettey noted that some State representatives that had been included in the amended had been personally invited to this meeting. Discussion included the collective consequences of over-escapement, including the impacts on East Side Setnetters, the fish, and the economy.

Council Member Sounart thanked the members of the public for their participation and expressed concern for their experience over the past three summers. She encouraged everyone to keep fighting and be good stewards for this resource; hopefully the facts will be considered by the representatives the resolution is forwarded to. She discussed the economic effects of the closure and the financial hardship experienced by the setnetters, and that politics should be left out of it and biologists should be allowed to do their job.

Council Member Knackstedt noted that he was in concurrence with the rest of the Council; that politics are dominating biology on this issue and the fish science is being ignored. He stated that East Side Setnetters can be a tool to prevent over-escapement, and this should be part of the management plan. He stated that the fisheries have been mismanaged and the East Side Setnetters have been treated unfairly.

Vice Mayor Glendening discussed the economic impact of fishing access decisions, noting the high historical value of the product being brought into the City dock and how it represents sustenance to local families, economic value and City tax revenue. Thanked everyone for their support of the resolution.

Student Representative Thibodeau thanked the members of the public for attending the meeting. He noted that he believed Kenai Central High School students and teachers would be in support of this, as many of them participate in dipnetting and setnetting.

**VOTE:**

YEA: Winger, Pettey, Glendening, Baisden, Knackstedt, Sounart

NAY: None

\*\*Student Representative Thibodeau: YEA

**MOTION PASSED UNANIMOUSLY.**

*[Clerk's Note: Vice Mayor Glendening returned the gavel to Mayor Gabriel.]*

Mayor Gabriel noted that the resolution had been well-written, and had been sponsored by the entire body with the exception of himself due to being recused from deliberation. He discussed how the City Council recognizes the importance of treating all user groups fairly, and supports scientific management of these resources; he noted how the Council has weighed in on recent years in fisheries decisions because these meetings are important to the City of Kenai and give the public an opportunity to voice their concerns. He clarified that there is a concern for kings, and stated that he would support legislation to help fund studies of king salmon population issues.

**C. NEW BUSINESS** – None.

**D. PUBLIC COMMENT**

Richard McGahan thanked the City Council and asked them to look at the Alaska Constitution, noting that community comes first.

Ray DeBardelaben stated that this is a frustrating issue on both sides. He noted that he does not know the answer to solving king salmon population issues, and all user groups need to figure it out because they are the end of the line for all salmon species coming into Cook Inlet.

Sarah Frostad-Hudkins thanked the City Council and all the fishermen who attended the meeting. She noted that the fight is not over, noted that this issue will also be addressed by the Soldotna City Council on July 27<sup>th</sup>, 2022 and encouraged everyone to attend.

Mayor Gabriel thanked everyone for attending to voice their concerns, and noted that this is important to the City of Kenai.

Council Member Knackstedt thanked Mayor Gabriel for his leadership in bringing this issue to Council's attention.

**E. EXECUTIVE SESSION** – None.

**F. ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at 8:25 p.m.

I certify the above represents accurate minutes of the Kenai City Council special meeting of July 26, 2022.

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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 shall be cast in the rotation of the official council vote and shall not affect the outcome of the official council vote. Advisory votes shall be recorded in the minutes. A student representative may not move or second items during a council meeting.*

**KENAI CITY COUNCIL – REGULAR MEETING  
AUGUST 3, 2022 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
MAYOR BRIAN GABRIEL, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai City Council was held on August 3, 2022, 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  
Teea Winger  
Glenese Pettey  
Henry Knackstedt

James Baisden  
Deborah Sounart  
Jim Glendening, Vice Mayor

A quorum was present.

Also in attendance were:

Terry Eubank, Acting City Manager  
Scott Bloom, City Attorney  
Tony Prior, Fire Chief  
Mary Toll, Fire Department Administrative Assistant  
Dave Ross, Police Chief  
Scott Curtin, Public Works Director  
Max Best, Interim Planning Director  
Katja Wolf, Library Director  
Shellie Saner, City Clerk

**3. Agenda Approval**

Mayor Gabriel noted the following additions to the Packet:

Add item G.6.

**Action/Approval – AGDC Public Comment**

- Substitute Letter

**MOTION:**

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

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

**4. Consent Agenda**

**MOTION:**

Council Member Knackstedt **MOVED** to approve the consent agenda. Council Member Baisden **SECONDED** the motion.

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

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

**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 PUBLIC COMMENTS**

1. "Responsibilities for Americans with Disabilities Act Standards", Garret Dominic.

Mr. Dominic was not in attendance.

**C. UNSCHEDULED PUBLIC COMMENTS**

Keith Clancy addressed the Council regarding safety concerns for pedestrian and bicycle traffic on Lawton Drive, noting near misses he had seen with vehicles and bicycles and recommended new road design ideas to address the hazards.

**D. PUBLIC HEARINGS**

1. **Ordinance No. 3296-2022** – Accepting and Appropriating Donations to the Kenai Community Library for the Purchase of Library Materials. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3296-2022. Council Member Pettey **SECONDED** the motion.

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

Council Members thanked Library Director Wolf for her work and clarification was provided regarding the library of things and its content of items that are not traditionally found in libraries such as computers and board games.

**VOTE:**

YEA: Glendening, Baisden, Sounart, Pettey, Winger, Knackstedt, Gabriel

NAY: None

**MOTION PASSED.**

2. **Ordinance No. 3297-2022** – Amending Kenai Municipal Code 7.15.090 - Disposal of Surplus or Obsolete Materials and Equipment, to Allow for the Police Department to Dispose of Certain Surplus and Obsolete Materials without Advertisement, Public Opportunity, or Procedures to Obtain the Highest Price. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3297-2022. Council Member Winger **SECONDED** the motion.

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

**VOTE:**

YEA: Baisden, Sounart, Pettey, Winger, Knackstedt, Gabriel, Glendening

NAY: None

**MOTION PASSED.**

- 3. Ordinance No. 3298-2022** – Enacting Kenai Municipal Code Chapter 14.30 - Floodplain Management, within Title 14 - Planning and Zoning, to Regulate Land Use within the Flood Plain and Authorizing the City to Participate in the National Flood Insurance Program. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3298-2022. Council Member Pettey **SECONDED** the motion.

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

There was discussion regarding having maps attached to the Ordinance when it is presented to the Planning and Zoning Commission for recommendation and for the second public hearing before Council.

**MOTION:**

Council Member Knackstedt **MOVED** to schedule a second public hearing and postpone Ordinance No. 3298-2022, to the August 17, 2022 City Council Meeting. Council Member Glendening **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion to postpone.

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

- 4. Ordinance No. 3299-2022** – Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing a Non-Federal Reimbursable Agreement to Provide Project Support for a Medium Intensity Approach Light System with Runway Alignment Indicator Lights (MALSR) and any Other Impacts from the Kenai Municipal Airport Runway Rehabilitation Project. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3299-2022. Council Member Winger **SECONDED** the motion.

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

There was discussion regarding the Federal Aviation Administration doing the engineering work, this would forward fund the project and the City would be reimbursed for this amount at a later date.

**VOTE:**

YEA: Sounart, Pettey, Winger, Knackstedt, Gabriel, Glendening, Baisden

NAY: None

**MOTION PASSED.**

- 5. Resolution No. 2022-58** – Adopting the Updated City of Kenai Emergency Operations Plan. (Administration)

**MOTION:**

Council Member Glendening **MOVED** to adopt Resolution No. 2022-58. Council Member Winger **SECONDED** the motion.

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

There was discussion regarding the amount of work that went into the document; the updated document compliance with Federal Regulations; the process involved with updating each individual section; and the importance of having each individuals roles and contact information identified for an efficient response to an emergency.

**UNANIMOUS CONSENT** was requested.

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

- 6. Resolution No. 2022-59** – Granting Sewer System and Street Improvement Exceptions to KMC 14.10.080, Minimum Improvements, for King Cove Subdivision Pursuant to KMC 14.10.090, Variations and Exceptions. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-59. Council Member Glendening **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.

Clarification was provided regarding suitability of well and septic versus City water and sewer. There was discussion regarding waiving standards and the implications of those waivers' to homeowners in the future.

**VOTE:**

YEA: Winger, Gabriel, Glendening, Baisden, Sounart

NAY: Pettey, Knackstedt

**MOTION PASSED.**

- 7. Resolution No. 2022-60** – Awarding a Contract for the Purchase of Dell Computer Equipment. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-60. Council Member Pettey **SECONDED** the motion.

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

**UNANIMOUS CONSENT** was requested.

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

**E. MINUTES**

1. \*Regular Meeting of July 6, 2022. (City Clerk)

**F. UNFINISHED BUSINESS** – None.**G. NEW BUSINESS**



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

Approved by the consent agenda.

2. **\*Ordinance No. 3300-2022** – Increasing Estimated Revenues and Appropriations in the General Fund FY22 Budget– Police Department and Accepting Grants from the United States Department of Justice and Alaska Municipal League Joint Insurance Association (AMLJIA) for the Purchase of Ballistic Vests. (Administration)

Introduced by the consent agenda and Public Hearing set for August 17, 2022.

3. **\*Ordinance No. 3301-2022** – Increasing Estimated Revenues and Appropriations in the General Fund FY22 Budget – Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area (AK HIDTA) for Drug Investigation Overtime Expenditures. (Administration)

Introduced by the consent agenda and Public Hearing set for August 17, 2022.

4. **\*Ordinance No. 3302-2022** – Increasing Estimated Revenues and Appropriations in the Water and Sewer Special Revenue and Wastewater Treatment Plant Improvements Capital Project Fund and Authorizing a Construction Agreement and Purchase Order for the Sludge Press Replacement Project. (Administration)

Introduced by the consent agenda and Public Hearing set for August 17, 2022.

5. **\*Ordinance No. 3303-2022** – Increasing Estimated Revenues and Appropriations in the Water Sewer Special Revenue Fund for Operational Chemical Costs in Excess of Budgeted Amounts. (Administration)

Introduced by the consent agenda and Public Hearing set for August 17, 2022.

6. **Action/Approval** – Authorizing the Issuance of a Letter to the U.S. Department of Energy, National Energy Technology Laboratory Regarding the Alaska LNG Project. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to authorize the issuance of the **SUBSTITUTE** letter as presented in the laydown materials to the U.S. Department of Energy, National Energy Technology Laboratory regarding the Alaska LNG Project. Council Member Glendening **SECONDED** the motion.

Clarification was provided that the letter would be submitted as public comment showing continued support for the project.

**UNANIMOUS CONSENT** was requested on the motion.

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

**H. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging

Council Member Knackstedt reported on the July 14, 2022 meeting. Next meeting September 8, 2022.

2. Airport Commission

No report, next meeting August 11, 2022.

3. Harbor Commission

No report, next meeting August 8, 2022.

4. Parks and Recreation Commission

No report, next meeting September 1, 2022.

5. Planning and Zoning Commission

Vice Mayor Glendening reported on the July 27, 2022 meeting. Next meeting August 10, 2022.

6. Beautification Committee

No report, next meeting September 13, 2022.

7. Mini-Grant Steering Committee

Mayor Gabriel reported on the July 15, 2022 meeting and noted that a new application was just received.

**I. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Attending the Chamber Luncheon with Senator Micciche's wrap up report.

**J. ADMINISTRATION REPORTS**

1. City Manager – Acting City Manager Eubank reported on the following:

- Public Use Fishery ended on schedule.
- Mavis Cone Estate bequeathed approximately \$600,000 to the Senior Center.
- Upcoming Retirement Parties for Deputy Fire Chief Mark Anderson and Accountant Sue Best.
- New Controller Lana Metcalf will begin in mid-August.

2. City Attorney – City Attorney Bloom reported on the following:

- No report.

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

- Absentee Voting for the State of Alaska Special and Primary Election.
- Candidate filing period for the City of Kenai currently open.
- Now using Facebook Events to notice Council, Commission and Committee meetings.

**K. ADDITIONAL PUBLIC COMMENTS**

1. Citizen Comments (*Public comments limited to (5) minutes per speaker*) – None.

2. Council Comments

Council Member Pettey stated her thanks for a successful personal use fisheries season and thanked the individual for his comments regarding safety on Lawton Drive.

Council Member Sounart stated her thanks for the Resolution support the East Side Set-Netters and the public comment letter for the LNG Project; and wished everyone a safe and enjoyable summer.

Council Member Winger reminded everyone that the Kenai Spruce Bark Beetle Slash site was still open, that school would be starting up again soon and to be cautious in the school zones.

Vice Mayor Glendening thanked the Administration and staff for the thorough memorandums being provided with the legislation; and noted his appreciation for being able to work with Interim Planning Director Best.

**L. EXECUTIVE SESSION – None.**

M. **PENDING ITEMS** – None.

N. **ADJOURNMENT**

O. **INFORMATIONAL ITEMS**

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

There being no further business before the Council, the meeting was adjourned at 7:16 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of August 3, 2022.

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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 shall be cast in the rotation of the official council vote and shall not affect the outcome of the official council vote. Advisory votes shall be recorded in the minutes. A student representative may not move or second items during a council meeting.*



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3298-2022**

AN ORDINANCE ENACTING KENAI MUNICIPAL CODE CHAPTER 14.30-FLOODPLAIN MANAGEMENT, WITHIN TITLE 14-PLANNING AND ZONING, TO REGULATE LAND USE WITHIN THE FLOOD PLAIN AND AUTHORIZING THE CITY TO PARTICIPATE IN THE NATIONAL FLOOD INSURANCE PROGRAM.

WHEREAS, the Council expressed its intent to participate in the National Flood Insurance Program (NFIP) via Resolution 2022-13; and,

WHEREAS, participation in the NFIP is a requirement for the City to work with the US Army Corps of Engineers to complete the City's bluff erosion project; and,

WHEREAS, the City has the authority to enact and enforce regulations regarding the NFIP as a home rule municipality within the State of Alaska; and,

WHEREAS, participating in the NFIP will benefit affected property owners through the availability of more affordable flood insurance; and,

WHEREAS, the purpose of this ordinance is to promote public health, safety and general welfare, and to minimize public and private losses due to flooding in flood hazard areas; and,

WHEREAS, it is in the best interest of the City and its residents to join the NFIP.

WHEREAS, at its meeting on \_\_\_\_ (date) the Planning and Zoning Commission recommended \_\_\_\_\_.

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

**Section 1.** Enactment of Chapter 14.30 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 14.30 Flood Plain Management, is hereby enacted as follows:

**CHAPTER 14.30. FLOODPLAIN MANAGEMENT**

**14.30.010. Findings of Fact and Statement of Purpose.**

- A. Findings. The flood hazard areas of the City of Kenai are subject to periodic inundation which results in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. Flood losses may be caused by the cumulative effect of obstructions in flood hazard areas which increase flood heights and velocities and, when inadequately anchored, cause damage in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage, also contribute to flood loss.
- B. Statement of Purpose. It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

1. To protect human life and health;
2. To minimize expenditure of public money and costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
6. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
7. To ensure that potential buyers are notified that property is in an area of special flood hazard; and
8. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.
9. Participate in and maintain eligibility for flood insurance and disaster relief.

**14.30.015. Methods of Reducing Flood Loss.**

In order to accomplish its purposes, this chapter includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D. Controlling filling, grading, dredging, and other development which may increase flood damage; and
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

**14.30.030. General Provisions.**

- A. *Lands to Which this Chapter Applies.* This chapter shall apply to all flood hazard areas within the City of Kenai.
- B. *Basis for Establishing Flood Hazard Areas.* Flood hazard areas are identified as follows:  
  
The areas of special flood hazard identified by the federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study" applicable to the City of Kenai in its most recent adopted version (October 20,2016 titled "Flood Insurance Study for the Kenai Peninsula Borough, Alaska and Incorporated Areas") and any subsequent revisions thereto, with accompanying Flood Insurance Maps and revisions thereto. The Flood Insurance Study is on file at the City of Kenai administrative offices. The best available information for flood hazard area identification provided in this Chapter will be the basis for regulation until a new FIRM is issued.
- D. *Warning and Disclaimer of Liability.* The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood

damages. This chapter shall not create liability on the part of the City of Kenai, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

- E. *Noncompliance—Enforcement.* Structures and activities which are not permitted or allowed by this chapter are prohibited. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violation of the provisions of this chapter by failure to comply with any of its requirements shall be enforced by the remedies set forth in KMC 14.20 including any injunctive remedies allowed by law. Each day a violation continues is a separate violation.
- F. *Abrogation and greater Restrictions.* This Ordinance is not intended to repeal, abrogate, or impair any existing easements or deed restrictions. However, where this ordinance is more stringent, it must be complied with.
- G. *Interpretation.* In the interpretation and application of this ordinance, all provisions are considered minimum requirements, liberally construed in favor of the City and do not limit or repeal and other powers granted under state statutes.

**14.30.040. Administration.**

- A. *Development Permit Required.* A development permit shall be obtained before construction or development begins within flood hazard areas established or incorporated into this Chapter. Whether or not a project or activity meets the definition for "development" under this Chapter is subject to a final written determination made by the planning department after consultation with the applicant. The permit shall be for all structures (including manufactured homes) and for all other development including fill and other activities. Application for a development permit shall be made on forms furnished by the City and shall include but not be limited to the following: plans drawn to scale showing the nature, location, dimensions, and elevations of the area in question; logging, placement of storage tanks (fuel or other), existing or proposed structures, substantial improvements of existing structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:
  - 1. For A Zones (A, A1-30, AE, AH, AO):
    - a. Proposed elevation in relation to mean sea level of the lowest floor (including basement) of all structures. In Zone AO, elevation of existing highest adjacent grade and proposed elevation of lowest floor of all structures;
    - b. Proposed elevation in relation to mean sea level to which any non-residential structure will be floodproofed;
    - c. Certification by a registered professional engineer or architect that the floodproofing methods for any non-residential structure meet the floodproofing criteria for non-residential construction; and
    - d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
  - 2. For V Zones (VE, V1-30 and V):
    - a. Proposed elevation in relation to mean sea level of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all structures, and whether such structures contain a basement;
    - b. Base Flood Elevation data for subdivision proposals or other development, including manufactured home parks or subdivisions, greater than 50 lots or 5 acres, whichever is the lesser; and

- c. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- B. *Designation of the Floodplain Administrator.* The Planning Director or his / her designee is appointed to administer and implement this Chapter by granting or denying development permit applications in accordance with its provisions.
- C. *Duties and Responsibilities of the Planning Department.* Duties of the planning department shall include but not be limited to the following:
1. *Permit Application Review.*
    - a. Review all development permit applications to determine that the permit requirements have been met;
    - b. Review all development permit applications to determine that all necessary permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required;
    - c. Review all development permit applications to determine if the proposed development is located in the floodway. If located in the floodway, assure that all provisions of this Chapter are met.
  2. *Issue Permit.*
    - a. Upon determination that the submitted and recorded information connected with the permit application meets the terms of this chapter, the planning department shall issue a floodplain development permit to the original applicant. If the project involves the construction of a residential structure in a special flood hazard area, the planning department floodplain management office will issue an initial permit based on the building plans in the application. A final permit will be issued after the applicant submits an elevation certificate and floodplain management staff determines that the building is in compliance with all floodplain regulations.
    - b. The floodplain development permit shall be valid until the expiration date provided that the start of construction occurs within 180 days of the permit issue date. If construction does not begin within this time period, the permit will expire 180 days from the issue date. The planning department floodplain management office shall be notified at least three days prior to start of construction for possible site inspection and notice-to-proceed.
    - c. The floodplain development permit is not assignable without permission from the planning department.
  3. *Use of Other Base Flood Data.* When base flood elevation data has not been provided in accordance with the provisions of this Chapter, the planning department shall obtain, review, and reasonably utilize any base flood and floodway elevation data available from a federal, state or other source, in order to administer the requirements of this Chapter.
  4. *Information to be Obtained and Maintained.*
    - a. Where base flood elevation data is provided through the Flood Insurance Study or is otherwise required, actual elevation as submitted (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement must be recorded;
    - b. For all new or substantially improved floodproofed structures:
      - i. Record the actual elevation as submitted (in relation to mean sea level), and
      - ii. Maintain the flood proofing certifications required by this Chapter;

- c. Maintain for public inspection all records pertaining to the provisions of this chapter in perpetuity.

5. *Notification to Other Entities*

- a. Whenever a watercourse is to be altered or relocated, notify adjacent communities and the State Coordinating Office prior to such alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administrator through appropriate notification means, and assure that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained.
- b. Base Flood Elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the Floodplain Administrator shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Volume 44 Code of Federal Regulations Section 65.3. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.
- c. Notify the Federal Insurance Administrator in writing of acquisition by means of annexation, incorporation or otherwise, of additional areas of jurisdiction.

6. *Remedial Actions.* Take actions on violations of this ordinance as required in Chapter.

7. *Alteration of Watercourses.*

- a. Notify adjacent communities and the Department of Community and Regional Affairs prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- b. Require that the flood carrying capacity within altered or relocated portion of said watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse to ensure that flood carrying capacity is not diminished. Require compliance with all other sections of this Chapter.

8. *Fee Required.* The planning department shall charge fees for permits and exceptions. Fees shall be the amount listed in the most current Schedule of Rates, Charges and Fees to be paid by the applicant at the time that the floodplain development permit application is submitted.

**14.30.050. Standards.**

A. *General Standards.* In all flood hazard areas, the following standards are required:

1. *Anchoring.*

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- b. All manufactured homes must be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

2. *Construction Materials and Methods.*

- a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.



- c. Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- d. Within Zones AH or AO, adequate drainage paths shall be constructed around structures or slopes to guide floodwaters around and away from proposed structures.

3. *Utilities.*

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and,
- c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4. *Subdivision Proposals.*

- a. All subdivision proposals shall be consistent with the need to minimize flood damage.
- b. All proposed improvements such as water, sewer, natural gas, telephone and electrical facilities shall be located and constructed in a manner which will minimize damage in the event of a flood.
- c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
- d. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals which contain 50 lots or 5 acres, whichever is less. The floodplain requirements for subdivision plats, detailed in this Chapter, apply to all subdivision proposals.
- e. It is the responsibility of the subdivider to provide all necessary information regarding flood protection measures at the time the preliminary plat is presented for consideration by the planning commission.

5. *Review of Development Permits.* Where elevation data is not available, applications for development permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding and will minimize adverse impacts to neighboring properties. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available.

B. *Specific Standards.* In Zone A, AE, A1-30, Ah and AO, as set forth by this Chapter, the following provisions are required:

1. *Residential Construction.*

- a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the Flood Protection Elevation.
- b. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

- i. A minimum of two openings located on separate walls and having a total net area of not less than 1 square inch for every square foot of enclosed space subject to flooding shall be provided.
  - ii. The bottom of all openings shall be no higher than 1 foot above grade.
  - iii. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
  - iv. Enclosed areas below the Flood Protection Elevation must be unfinished and usable only for parking, access or storage of materials easily moved during a flood event.
  - v. Before a final floodplain development permit is issued by the planning department for a residential structure with enclosed areas below the base flood elevation, the owners shall sign a non-conversion agreement stating that the enclosed space shall remain in compliance with this Chapter. The non-conversion agreement shall be recorded by the City of Kenai placing future buyers of properties on notice of the hazards of enclosed spaces below the Flood Protection Elevation and the requirements to keep the permitted structure compliant with City of Kenai floodplain regulations.
- c. For zones AH, AO, drainage paths are required around structures on slopes to drain floodwaters away from proposed structures.
- d. A garage attached to a residential structure, constructed with the garage floor slab below the Flood Protection Elevation, must be designed to allow for the automatic entry and exit of flood waters.
- e. For A Zones (A, AE, A1-30, AH, AO):

Residential construction, new or substantial improvement, shall have the lowest floor, including basement, elevated to or above the Base Flood Elevation.

- i. In a Zone AO, the Base Flood Elevation is determined from the FIRM panel as the depth number specified. If no depth is specified, the required elevation is at minimum two (2) feet above highest adjacent grade.
- ii. In a Zone A where the Base Flood Elevation has not been determined, the Base Flood Elevation is determined locally by the criteria set out in this Chapter. A minimum of 2 feet above highest adjacent grade may result in a lower insurance premium.
- iii. In Zones AE, A1-30, and AH, the Base Flood Elevation is determined from the FIS and/or FIRM.
- iv. A garage attached to a residential structure, constructed with the garage floor slab below the Base Flood Elevation, must be designed to allow for the automatic entry and exit of flood waters.

Upon completion of the structure, certification by a registered professional engineer or surveyor that the elevation requirements of the lowest floor, including basement, of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

- f. For V Zones (VE, V1-30 and V):

Residential construction, new or substantial improvement, shall:

- i. Be located landward of the reach of mean high tide;
- ii. Have the bottom of the lowest structural member of the lowest floor (excluding pilings and columns), elevated to or above the Base Flood Elevation;
- iii. Have the pile or column foundation and structure attached thereto be anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used

shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards;

- iv. Have the space below the lowest floor, usable solely for parking of vehicles, building access, or storage, either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot;
- v. Prohibit the use of fill for structural support of buildings; and
- vi. Prohibit man-made alteration of sand dunes and mangrove stands.

A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this Section.

Upon completion of construction, certification by a registered professional engineer or architect that these design standards have been satisfied, and certification by a registered professional engineer or surveyor that the elevation requirements of the bottom of the lowest structural member of the lowest floor, excluding pilings and columns, of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

2. *Nonresidential Construction.* New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to or above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
- a. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
  - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
  - c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the official planning department.
  - d. Have the space below the lowest floor, usable solely for parking of vehicles, building access, or storage, either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot;
  - e. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are 1 foot below the floodproofed level (e.g. a building constructed to the base flood level will be rated as 1 foot below that level).
  - f. For zones AH, AO, and areas of the SMFDA, drainage paths are required around structures on slopes to drain floodwaters away from proposed structures.
  - g. For A Zones (A, AE, A1-30, AH, AO):

Non-residential construction, new or substantial improvement, shall have the lowest floor either elevated to conform with this non-residential requirements.

Or, together with attendant utility and sanitary facilities,

- i. Be floodproofed below the elevation recommended so that the structure is watertight with walls substantially impermeable to the passage of water; and
- ii. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice meeting the provisions listed above.

Upon completion of the structure, certification by a registered professional engineer or surveyor that the elevation requirements of the lowest floor, including basement, of this section have been satisfied shall be provided to the Floodplain Administrator for verification; or certification by a registered professional engineer or architect that the floodproofing design of this section is satisfied, including the specific elevation in relation to mean sea level to which such structures are floodproofed, shall be provided to the Floodplain Administrator for verification.

h. For V Zones (VE, V1-30, V):

Floodproofing of non-residential structures is prohibited. All structures must be elevated and constructed according to the requirements set forth for non-residential construction.

3. *Manufactured Homes.* All manufactured homes to be placed or substantially improved within Zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of subsection (A)(1) of this section.
4. *Recreational vehicles.* Recreational vehicles that are placed on sites within a Special Flood Hazard Area as identified by the current effective FIRM or DFIRM panel are required to either:
  - a. Meet the requirements of Chapter, or
  - b. Be on the site for fewer than 180 consecutive days, or
  - c. Be fully licensed and ready for highway use, on its wheels or jacking system, and attached to the site only by a quick disconnect type utilities and security devices.
5. *Appurtenant Structures (Detached garages and Storage Structures).*
  - a. For A Zones (A, AE, A1-30, AH, AO):

Appurtenant structures used solely for parking of vehicles or storage may be constructed such that the floor is below the Base Flood Elevation, provided the structure is designed and constructed in accordance with the following requirements:

- i. Use of the appurtenant structure must be limited to parking of vehicles or storage;
- ii. The portions of the appurtenant structure located below the Base Flood Elevation must be built using flood resistant materials;
- iii. The appurtenant structure must be adequately anchored to prevent flotation, collapse and lateral movement;
- iii. Any machinery or equipment servicing the appurtenant structure must be elevated or floodproofed to or above the Base Flood Elevation;
- iv. The appurtenant structure must comply with floodway encroachment provisions; and

- v. The appurtenant structure must be designed to allow for the automatic entry and exit of flood waters.

Detached garages, storage structures and other appurtenant structures not meeting the above standards must be constructed in accordance with all applicable standards as required for A zones.

Upon completion of the structure, certification that the requirements of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

- b. For V Zones (VE, V1-30 and V):

Floodproofing of non-residential structures is prohibited. All structures must be elevated and constructed according to the requirements set forth for residential construction.

- i. *Before regulatory floodway.* In areas where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Special Flood Hazard Area zones AE, A1-A30 as identified in the current effective FIRM or DFIRM panel at that location unless the applicant demonstrates in the application that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the community.
  - ii. *Fuel storage tanks.* Any fuel storage tanks shall be elevated above the base flood elevation or made watertight and anchored to resist flotation, collapse, and lateral movement. The tank must also be installed within an impervious containment basin of a size sufficient to contain 110 percent of storage capacity plus 12 inches of freeboard.
  - iii. *Logging or clearing.* Within any special flood hazard area of the current effective FIRM or DFIRM, logging or clearing may not increase runoff and/or erosion to such levels that it may significantly damage the floodplain function, riparian habitat or wetlands.
  - iv. *Floodways.* Located within flood hazard areas established in this Chapter are areas designated as floodways. Since the floodway is an extremely hazardous area due to erosion potential and the velocity of floodwaters which carry debris, the following provisions apply:
    - 1. All encroachments, including fill, new construction, substantial improvements, and other development are prohibited unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
    - 2. If subdivision (1) of this subsection is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section.
    - 3. Encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations may be permitted, provided that the City first applies for and fulfills the requirements for a Conditional Letter of Map Revision (CLOMR), and receives approval from the Federal Insurance Administrator to revise the FIRM and FIS in accordance with Notification to Other Entities (B)
- D. Coastal High Hazard Areas. Where FEMA has identified coastal high hazard areas (Zones V, VE, and V1-V30) on the FIRM or DFIRM, construction shall meet the following requirements in addition to all other provisions in this chapter:
- 1. All new construction shall be located landward of the reach of mean high tide and shall be anchored to prevent lateral movement, flotation or collapse.

- a. Proposed elevation in relation to mean sea level of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all structures, and whether such structures contain a basement;
  - b. Base Flood Elevation data for subdivision proposals or other development, including manufactured home parks or subdivisions, greater than 50 lots or 5 acres, whichever is the lesser; and
  - c. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
2. All new construction, manufactured homes, and substantial improvements within coastal high hazard areas shall be elevated on adequately anchored pilings or columns such that:
- a. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood elevation; and
  - b. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a 1 percent chance of being equaled or exceeded in any given year (100-year or 1-percent annual exceedance probability mean recurrence interval); and
  - c. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction and shall provide a certification that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subdivisions (2)(a) and (2)(b) of this subsection. The certification and related records will be maintained in the planning department permit files in perpetuity.
3. All new construction and substantial improvements shall have the space below the lowest floor free of obstructions. Such enclosed space shall not be used for human habitation (only used for parking of vehicles, storage or building access) and must be in compliance with the residential construction standards required in this Chapter.
- b. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have a 1 percent chance of being equaled or exceeded in any given year (100-year or 1-percent annual exceedance probability mean recurrence interval).
4. The use of fill for structural support of buildings within coastal high hazard areas on the FIRM or DFIRM is prohibited.
5. Manufactured Homes. All manufactured homes to be placed or substantially improved within coastal high hazard areas shall meet the requirements for new and substantial improvement construction.

**E. Standards for Storage of Materials and Equipment**

- a. The storage or processing of materials that could be injurious to human, animal or plant life if released due to damage from flooding is prohibited in special flood hazard areas.

Storage of other material or equipment may be allowed if not subject to damage by floods and if firmly anchored to prevent flotation, or if readily removable from the area within the time available after flood warning.

**14.30.060. Variance procedure.**

**A. Appeal Board.**

1. The Kenai Planning and Zoning Commission shall hear and decide appeals and requests for variances from the requirements of this chapter.
2. The planning commission shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the planning department in the enforcement or administration of this chapter.
3. Those aggrieved by the decision of the planning commission may appeal such decision in accordance with KMC 14.20.290 and 14.20.300.
4. In passing upon such applications, the planning commission shall consider all technical evaluations, all relevant factors, standards specified in other section of this chapter, and:
  - a. The danger that materials may be swept onto other lands to the injury of others;
  - b. The danger to life and property due to flooding or erosion damage;
  - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - d. The importance of the services provided by the proposed facility to the community;
  - e. The necessity to the facility of a waterfront location, where applicable;
  - f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - g. The compatibility of the proposed use with the existing and anticipated development;
  - h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
  - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
5. Upon consideration of the factors of subsection (A)(4) of this section and the purposes of this chapter, the planning commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter,
6. The planning department shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

**B. *Conditions for Variances.***

1. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of ½ acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing subparagraphs (a) through (k) of subsection (A)(4) of this section have been fully considered. As the lot size increases the technical justification required for issuing the variance increases.
2. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in this section.
3. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
5. Variances shall only be issued upon:
  - a. A showing of good and sufficient cause;
  - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;
  - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
6. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, or to economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, exceptions from the flood elevations should be quite rare.
7. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-flood proofing where it can be determined that such action will have low damage potential, complies with all other exception criteria except subsection (B)(1) of this section, and otherwise complies with this Chapter.
8. Any applicant to whom a variances is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

#### **14.30.070. Definitions.**

For the purposes of this chapter, the following words and phrases shall be defined as follows:

"100-year or 1-percent annual exceedance probability flood" (also called "regulatory flood," "base flood", "base flood depth", or "special flood hazard area") means a flood with a 1 percent chance of being equaled or exceeded in any year. Statistical analysis of available streamflow or storm records, or analysis of rainfall and runoff characteristics of the watershed, or topography and storm characteristics are used to determine the extent and depth of the 100-year or 1-percent annual exceedance probability flood.

"Area of shallow flooding" A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of special flood hazard" The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

"Base flood" The flood having a one percent chance of being equaled or exceeded in any given year.

"Base flood elevation (BFE)" The elevation to which floodwater is anticipated to rise during the base flood.

"Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.



"Clearing" means the act of removing trees or vegetation on a cumulative 20 percent or more of a given parcel of land.

"Coastal high hazard area" means the area subject to high velocity waters due to wind, tidal action, storm, tsunami or any similar force, acting singly or in any combination resulting in a wave or series of waves of sufficient magnitude, velocity or frequency to endanger property and lives. The Area designated on the FIRM as zone V1-30, VE or V.

"Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

"Variance" means a grant of relief from the requirements of this chapter, which permits construction in a manner that would otherwise be prohibited by this chapter.

"Federal Emergency Management Agency" is the agency responsible for administration of the National Flood Insurance Program.

"Flood hazard area" means the land area covered by the flood, having a 1 percent chance of occurring in any given year. See also "100-year or 1-percent annual exceedance probability flood." The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). "flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

"Flood Insurance Rate Map (FIRM) and Digital Flood Insurance Rate Map (DFIRM)" means the official map of a community on which the Federal Insurance Administrator has delineated both the special hazard areas and risk premium zones applicable to the community. A FIRM that been made available digitally is called a Digital Flood Insurance Rate Map.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."

"Functionally dependent use" A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

"Highest adjacent grade" The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Logging" means the process, work, or business of cutting down trees, storage of logs and transporting the logs to sawmill(s), or for sale or export.

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than the basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter.

"Manufactured home" means a structure, transportable in 1 or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

"New construction" For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

"Planning department" means the planning department of the City of Kenai.

"Primary structure" means a dwelling, a building suitable for commercial use, or any structure which will be served by water or wastewater disposal systems or a fuel storage tank. This definition is applicable only in the SMFDA.

"Special Flood Hazard Area (SFHA)" see "Flood Hazard Area".

"Start of construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

"Structure" means a walled and roofed building including liquid or gas storage tank, as well as a manufactured home that is principally above ground.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damage condition would equal or exceed 50 percent of the assessed value of the structure before damage occurred.

"Substantial evidence" means evidence a reasonable mind might accept to support a conclusion.

"Substantial improvement" means any remodeling, repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the assessed value of the structure before the improvement or repair is started or, if the property has been damaged and is being restored, before the damage occurred. This term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified or cited by the local code enforcement official, and which are the minimum necessary to assure safe living conditions, or
- (2) Any alteration of a structure listed on the National Register of Historic Places or State Register of Historic Places.

**Section 2.** That the City Manager, or his designee, is authorized to apply for entry into the NFIP on behalf of the City.

**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 3<sup>RD</sup> DAY OF AUGUST, 2022.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Introduced: July 6, 2022  
Enacted: August 3, 2022  
Effective: September 2, 2022



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Scott Bloom, City Attorney

**DATE:** June 30, 2022

**SUBJECT:** **Ordinance 3298 – 2022 Enacting Floodplain Management**

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The Council expressed its intent to participate in the National Flood Insurance Program (NFIP) earlier this year via Resolution No. 2022-13. Participation in the NFIP is a requirement to work with the US Army Corp of Engineers on the bluff erosion project. This ordinance enacts a new chapter of code within Title 14 and authorizes the City Manager to apply for entry into the NFIP on behalf of the City. City administration has been working with a FEMA Region 10 Floodplain Management Specialist to work through the process and draft the new chapter of code with provisions meeting federal regulatory requirements. The new proposed chapter was modeled after the Kenai Peninsula Borough's existing NFIP ordinances, updated to meet newer federal requirements, and customized to work within the City's existing code structure. It is intended by administration that Council will receive input from the Planning and Zoning Commission prior to enactment.

Your consideration is appreciated.



# 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:** Scott Bloom  
**DATE:** July 26, 2022  
**SUBJECT:** Ordinance No. 3298-2022 NFIP Program

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This memorandum requests Council postpone the public hearing on Ordinance No. 3298-2022 until the Council’s August 17, 2022 meeting. The Planning and Zoning Commission will make a recommendation on the Ordinance at its August 10, 2022 meeting and a substitute ordinance will be recommended by administration after review by the Commission. Additionally, Administration is trying to coordinate with a FEMA representative to speak to the NFIP program at the Council’s public hearing at the August 17, 2022 meeting.

A motion “to move to postpone the public hearing until the regular Council meeting of August 17, 2022 to allow the Planning and Zoning Commission to make a recommendation prior to the public hearing” would be appropriate.

Your consideration is appreciated.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**FROM:** Scott Bloom, City Attorney  
**DATE:** August 11, 2022  
**SUBJECT:** **Amend Ordinance 3298-2022 by Ordinance 3298-2022 (Substitute)**

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Administration request Council "move to amend Ordinance 3298-2022 by Ordinance 3298-2022(Substitute)"

The substitute makes technical and housekeeping amendments pursuant to further administrative and federal agency review. A copy of the substitute ordinance in track changes is provided to show all the changes as compared to the original introduced ordinance.

Your consideration is appreciated.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3298-2022 (SUBSTITUTE)**

AN ORDINANCE ENACTING KENAI MUNICIPAL CODE CHAPTER 14.30-FLOODPLAIN MANAGEMENT, WITHIN TITLE 14-PLANNING AND ZONING, TO REGULATE LAND USE WITHIN THE FLOOD PLAIN AND AUTHORIZING THE CITY TO PARTICIPATE IN THE NATIONAL FLOOD INSURANCE PROGRAM.

WHEREAS, the Council expressed its intent to participate in the National Flood Insurance Program (NFIP) via Resolution 2022-13; and,

WHEREAS, participation in the NFIP is a requirement for the City to work with the US Army Corps of Engineers to complete the City's bluff erosion project; and,

WHEREAS, the City has the authority to enact and enforce regulations regarding the NFIP as a home rule municipality within the State of Alaska; and,

WHEREAS, participating in the NFIP will benefit affected property owners through the availability of more affordable flood insurance; and,

WHEREAS, the purpose of this ordinance is to promote public health, safety and general welfare, and to minimize public and private losses due to flooding in flood hazard areas; and,

WHEREAS, at its meeting on August 10, 2022 the Planning and Zoning Commission recommended approval by unanimous consent; and,

WHEREAS, it is in the best interest of the City and its residents to join the NFIP.

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

**Section 1.** Enactment of Chapter 14.30 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 14.30 Flood Plain Management, is hereby enacted as follows:

**CHAPTER 14.30. FLOODPLAIN MANAGEMENT**

**14.30.010. Findings of Fact and Statement of Purpose.**

- A. Findings. The flood hazard areas of the City of Kenai are subject to periodic inundation which results in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. Flood losses may be caused by the cumulative effect of obstructions in flood hazard areas which increase flood heights and velocities and, when inadequately anchored, cause damage in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage, also contribute to flood loss.
- B. Statement of Purpose. It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

1. To protect human life and health;
2. To minimize expenditure of public money and costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
6. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
7. To ensure that potential buyers are notified that property is in an area of special flood hazard; and
8. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.
9. Participate in and maintain eligibility for flood insurance and disaster relief.

**14.30.020. Methods of Reducing Flood Loss.**

In order to accomplish its purposes, this chapter includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D. Controlling filling, grading, dredging, and other development which may increase flood damage; and
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

**14.30.030. General Provisions.**

- A. *Lands to Which this Chapter Applies.* This chapter shall apply to all flood hazard areas within the City of Kenai.
- B. *Basis for Establishing Flood Hazard Areas.* Flood hazard areas are identified as follows:  

The areas of special flood hazard identified by the federal Insurance Administration in a scientific and engineering report entitled “The Flood Insurance Study” applicable to the City of Kenai in its most recent adopted version (October 20,2016 titled “Flood Insurance Study for the Kenai Peninsula Borough, Alaska and Incorporated Areas”) and any subsequent revisions thereto, with accompanying Flood Insurance Maps and revisions thereto. The Flood Insurance Study is on file at the City of Kenai administrative offices. The best available information for flood hazard area identification provided in this Chapter will be the basis for regulation until a new FIRM is issued.
- C. *Warning and Disclaimer of Liability.* The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas



of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the City of Kenai, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

- D. *Noncompliance—Enforcement.* Structures and activities which are not permitted or allowed by this chapter are prohibited. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violation of the provisions of this chapter by failure to comply with any of its requirements shall be enforced by the remedies set forth in KMC 14.20 including any injunctive remedies allowed by law. Each day a violation continues is a separate violation.
- E. *Abrogation and greater Restrictions.* This Ordinance is not intended to repeal, abrogate, or impair any existing easements or deed restrictions. However, where this ordinance is more stringent, it must be complied with.
- F. *Interpretation.* In the interpretation and application of this ordinance, all provisions are considered minimum requirements, liberally construed in favor of the City and do not limit or repeal and other powers granted under state statutes.

**14.30.040. Administration.**

- A. *Development Permit Required.* A development permit shall be obtained before construction or development begins within flood hazard areas established or incorporated into this Chapter. Whether or not a project or activity meets the definition for "development" under this Chapter is subject to a final written determination made by the planning department after consultation with the applicant. The permit shall be for all structures (including manufactured homes) and for all other development including fill and other activities. Application for a development permit shall be made on forms furnished by the City and shall include but not be limited to the following: plans drawn to scale showing the nature, location, dimensions, and elevations of the area in question; logging, placement of storage tanks (fuel or other), existing or proposed structures, substantial improvements of existing structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:
  - 1. For A Zones (A, A1-30, AE, AH, AO):
    - a. Proposed elevation in relation to mean sea level of the lowest floor (including basement) of all structures. In Zone AO, elevation of existing highest adjacent grade and proposed elevation of lowest floor of all structures;
    - b. Proposed elevation in relation to mean sea level to which any non-residential structure will be floodproofed;
    - c. Certification by a registered professional engineer or architect that the floodproofing methods for any non-residential structure meet the floodproofing criteria for non-residential construction; and
    - d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
  - 2. For V Zones (VE, V1-30 and V):
    - a. Proposed elevation in relation to mean sea level of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all structures, and whether such structures contain a basement;
    - b. Base Flood Elevation data for subdivision proposals or other development, including manufactured home parks or subdivisions, greater than 50 lots or 5 acres, whichever is the lesser; and

- c. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- B. *Designation of the Floodplain Administrator.* The Planning Director or his / her designee is appointed to administer and implement this Chapter by granting or denying development permit applications in accordance with its provisions.
- C. *Duties and Responsibilities of the Planning Department.* Duties of the planning department shall include but not be limited to the following:
- 1. *Permit Application Review.*
    - a. Review all development permit applications to determine that the permit requirements have been met;
    - b. Review all development permit applications to determine that all necessary permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required;
    - c. Review all development permit applications to determine if the proposed development is located in the floodway. If located in the floodway, assure that all provisions of this Chapter are met.
  - 2. *Issue Permit.*
    - a. Upon determination that the submitted and recorded information connected with the permit application meets the terms of this chapter, the planning department shall issue a floodplain development permit to the original applicant. If the project involves the construction of a residential structure in a special flood hazard area, the planning department floodplain management office will issue an initial permit based on the building plans in the application. A final permit will be issued after the applicant submits an elevation certificate and floodplain management staff determines that the building is in compliance with all floodplain regulations.
    - b. The floodplain development permit shall be valid until the expiration date provided that the start of construction occurs within 180 days of the permit issue date. If construction does not begin within this time period, the permit will expire 180 days from the issue date. The planning department floodplain management office shall be notified at least three days prior to start of construction for possible site inspection and notice-to-proceed.
    - c. The floodplain development permit is not assignable without permission from the planning department.
  - 3. *Use of Other Base Flood Data.* When base flood elevation data has not been provided in accordance with the provisions of this Chapter, the planning department shall obtain, review, and reasonably utilize any base flood and floodway elevation data available from a federal, state or other source, in order to administer the requirements of this Chapter.
  - 4. *Information to be Obtained and Maintained.*
    - a. Where base flood elevation data is provided through the Flood Insurance Study or is otherwise required, actual elevation as submitted (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement must be recorded;
    - b. For all new or substantially improved floodproofed structures:
      - i. Record the actual elevation as submitted (in relation to mean sea level), and
      - ii. Maintain the flood proofing certifications required by this Chapter;

- c. Maintain for public inspection all records pertaining to the provisions of this chapter in perpetuity.

5. *Notification to Other Entities*

- a. Whenever a watercourse is to be altered or relocated, notify adjacent communities and the State Coordinating Office prior to such alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administrator through appropriate notification means, and assure that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained.
- b. Base Flood Elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the Floodplain Administrator shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Volume 44 Code of Federal Regulations Section 65.3. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.
- c. Notify the Federal Insurance Administrator in writing of acquisition by means of annexation, incorporation or otherwise, of additional areas of jurisdiction.

6. *Remedial Actions.* Take actions on violations of this ordinance as required in KMC Chapter 14.20.

7. *Alteration of Watercourses.*

- a. Notify adjacent communities and the Department of Community and Regional Affairs prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- b. Require that the flood carrying capacity within altered or relocated portion of said watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse to ensure that flood carrying capacity is not diminished. Require compliance with all other sections of this Chapter.

8. *Fee Required.* The planning department shall charge fees for permits and exceptions. Fees shall be the amount listed in the most current Schedule of Rates, Charges and Fees to be paid by the applicant at the time that the floodplain development permit application is submitted.

**14.30.050. Standards.**

A. *General Standards.* In all flood hazard areas, the following standards are required:

1. *Anchoring.*

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- b. All manufactured homes must be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

2. *Construction Materials and Methods.*

- a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
  - c. Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
  - d. Within Zones AH or AO, adequate drainage paths shall be constructed around structures or slopes to guide floodwaters around and away from proposed structures.
3. *Utilities.*
- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
  - b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and,
  - c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
4. *Subdivision Proposals.*
- a. All subdivision proposals shall be consistent with the need to minimize flood damage.
  - b. All proposed improvements such as water, sewer, natural gas, telephone and electrical facilities shall be located and constructed in a manner which will minimize damage in the event of a flood.
  - c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
  - d. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals which contain 50 lots or 5 acres, whichever is less. The floodplain requirements for subdivision plats, detailed in this Chapter, apply to all subdivision proposals.
  - e. It is the responsibility of the subdivider to provide all necessary information regarding flood protection measures at the time the preliminary plat is presented for consideration by the planning commission.
5. *Review of Development Permits.* Where elevation data is not available, applications for development permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding and will minimize adverse impacts to neighboring properties. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available.
6. *Alteration of Watercourses.* The flood carrying capacity within the altered or relocated portion of said watercourse shall be maintained. Maintenance shall be provided within the altered or relocated portion of said watercourse to ensure that flood carrying capacity is not diminished.
- B. *Specific Standards.* In Zone A, AE, A1-30, Ah and AO, as set forth by this Chapter, the following provisions are required:
- 1. *Residential Construction.*
    - a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the Flood Protection Elevation.
    - b. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by

allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

- i. A minimum of two openings located on separate walls and having a total net area of not less than 1 square inch for every square foot of enclosed space subject to flooding shall be provided.
  - ii. The bottom of all openings shall be no higher than 1 foot above grade.
  - iii. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
  - iv. Enclosed areas below the Flood Protection Elevation must be unfinished and usable only for parking, access or storage of materials easily moved during a flood event.
  - v. Before a final floodplain development permit is issued by the planning department for a residential structure with enclosed areas below the base flood elevation, the owners shall sign a non-conversion agreement stating that the enclosed space shall remain in compliance with this Chapter. The non-conversion agreement shall be recorded by the City of Kenai placing future buyers of properties on notice of the hazards of enclosed spaces below the Flood Protection Elevation and the requirements to keep the permitted structure compliant with City of Kenai floodplain regulations.
- c. For zones AH and AO drainage paths are required around structures on slopes to drain floodwaters away from proposed structures.
- d. A garage attached to a residential structure, constructed with the garage floor slab below the Flood Protection Elevation, must be designed to allow for the automatic entry and exit of flood waters.
- e. For A Zones (A, AE, A1-30, AH, AO):

Residential construction, new or substantial improvement, shall have the lowest floor, including basement, elevated to or above the Base Flood Elevation.

- i. In a Zone AO, the Base Flood Elevation is determined from the FIRM panel as the depth number specified. If no depth is specified, the required elevation is at minimum two (2) feet above highest adjacent grade.
- ii. In a Zone A where the Base Flood Elevation has not been determined, the Base Flood Elevation is determined locally by the criteria set out in this Chapter. A minimum of 2 feet above highest adjacent grade may result in a lower insurance premium.
- iii. In Zones AE, A1-30, and AH, the Base Flood Elevation is determined from the FIS and/or FIRM.
- iv. A garage attached to a residential structure, constructed with the garage floor slab below the Base Flood Elevation, must be designed to allow for the automatic entry and exit of flood waters.

Upon completion of the structure, certification by a registered professional engineer or surveyor that the elevation requirements of the lowest floor, including basement, of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

- f. For V Zones (VE, V1-30 and V):

Residential construction, new or substantial improvement, shall:

- i. Be located landward of the reach of mean high tide;

- ii. Have the bottom of the lowest structural member of the lowest floor (excluding pilings and columns), elevated to or above the Base Flood Elevation;
- iii. Have the pile or column foundation and structure attached thereto be anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards;
- iv. Have the space below the lowest floor, usable solely for parking of vehicles, building access, or storage, either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot;
- v. Prohibit the use of fill for structural support of buildings; and
- vi. Prohibit man-made alteration of sand dunes and mangrove stands.

A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this Section.

Upon completion of construction, certification by a registered professional engineer or architect that these design standards have been satisfied, and certification by a registered professional engineer or surveyor that the elevation requirements of the bottom of the lowest structural member of the lowest floor, excluding pilings and columns, of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

2. *Nonresidential Construction.* New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to or above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
- a. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
  - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
  - c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the official planning department.
  - d. Have the space below the lowest floor, usable solely for parking of vehicles, building access, or storage, either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot;
  - e. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are 1 foot below the floodproofed level (e.g. a building constructed to the base flood level will be rated as 1 foot below that level).

f. For zones AH and AO drainage paths are required around structures on slopes to drain floodwaters away from proposed structures.

g. For A Zones (A, AE, A1-30, AH, AO):

Non-residential construction, new or substantial improvement, shall have the lowest floor elevated to conform with the standards in Section (B)(1)(b) and (B)(1)(e).

h. For V Zones (VE, V1-30, V):

Floodproofing of non-residential structures is prohibited. All structures must be elevated and constructed according to the requirements set forth in (B)(1)(f).

3. *Manufactured Homes.* All manufactured homes to be placed or substantially improved within Zones A1-30, AH, AE, and AO shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of subsection (A)(1) of this section and meet residential requirements for Zones AO as applicable
4. *Recreational vehicles.* Recreational vehicles that are placed on sites within a Special Flood Hazard Area as identified by the current effective FIRM or DFIRM panel are required to either:
  - a. Be on the site for fewer than 180 consecutive days, or
  - b. Be fully licensed and ready for highway use, on its wheels or jacking system, and attached to the site only by a quick disconnect type utilities and security devices.
  - c. Meet the permit requirements of Section 14.30.040 of this Ordinance and the applicable elevation and anchoring requirements for manufactured homes in this Ordinance.
5. Appurtenant Structures (Detached garages and Storage Structures).
  - a. For A Zones (A, AE, A1-30, AH, AO):

Appurtenant structures used solely for parking of vehicles or storage may be constructed such that the floor is below the Base Flood Elevation, provided the structure is designed and constructed in accordance with the following requirements:

- i. Use of the appurtenant structure must be limited to parking of vehicles or storage;
- ii. The portions of the appurtenant structure located below the Base Flood Elevation must be built using flood resistant materials;
- iii. The appurtenant structure must be adequately anchored to prevent flotation, collapse and lateral movement;
- iv. Any machinery or equipment servicing the appurtenant structure must be elevated or floodproofed to or above the Base Flood Elevation;
- v. The appurtenant structure must comply with floodway encroachment provisions; and
- vi. The appurtenant structure must be designed to allow for the automatic entry and exit of flood waters.

Detached garages, storage structures and other appurtenant structures not meeting the above standards must be constructed in accordance with all applicable standards as required for A zones.

Upon completion of the structure, certification that the requirements of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

b. For V Zones (VE, V1-30 and V):

Floodproofing of non-residential structures is prohibited. All structures must be elevated and constructed according to the requirements set forth for residential construction.

- c. *Before regulatory floodway.* In areas where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Special Flood Hazard Area zones AE, A1-A30 as identified in the current effective FIRM or DFIRM panel at that location unless the applicant demonstrates in the application that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the community.
- d. *Fuel storage tanks.* Any fuel storage tanks shall be elevated above the base flood elevation or made watertight and anchored to resist flotation, collapse, and lateral movement. The tank must also be installed within an impervious containment basin of a size sufficient to contain 110 percent of storage capacity plus 12 inches of freeboard.
- e. *Logging or clearing.* Within any special flood hazard area of the current effective FIRM or DFIRM, logging or clearing may not increase runoff and/or erosion to such levels that it may significantly damage the floodplain function, riparian habitat or wetlands.
- f. *Floodways.* Located within flood hazard areas established in this Chapter are areas designated as floodways. Since the floodway is an extremely hazardous area due to erosion potential and the velocity of floodwaters which carry debris, the following provisions apply:
  - i. All encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during occurrence of base flood discharge.
  - ii. If subdivision (1) of this subsection is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section.
  - iii. Encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations may be permitted, provided that the City first applies for and fulfills the requirements for a Conditional Letter of Map Revision (CLOMR), and receives approval from the Federal Insurance Administrator to revise the FIRM and FIS in accordance with Notification to Other Entities.

C. Standards for Storage of Materials and Equipment

- 1. The storage or processing of materials that could be injurious to human, animal or plant life if released due to damage from flooding is prohibited in special flood hazard areas.

Storage of other material or equipment may be allowed if not subject to damage by floods and if firmly anchored to prevent flotation, or if readily removable from the area within the time available after flood warning.

**14.30.060. Variance procedure.**

A. *Appeal Board.*

- 1. The Kenai Planning and Zoning Commission shall hear and decide appeals and requests for variances from the requirements of this chapter.



2. The planning commission shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the planning department in the enforcement or administration of this chapter.
3. Those aggrieved by the decision of the planning commission may appeal such decision in accordance with KMC 14.20.290 and 14.20.300.
4. In passing upon such applications, the planning commission shall consider all technical evaluations, all relevant factors, standards specified in other section of this chapter, and:
  - a. The danger that materials may be swept onto other lands to the injury of others;
  - b. The danger to life and property due to flooding or erosion damage;
  - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - d. The importance of the services provided by the proposed facility to the community;
  - e. The necessity to the facility of a waterfront location, where applicable;
  - f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - g. The compatibility of the proposed use with the existing and anticipated development;
  - h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
  - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
5. Upon consideration of the factors of subsection (A)(4) of this section and the purposes of this chapter, the planning commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter,
6. The planning department shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

**B. *Conditions for Variances.***

1. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in this section.
2. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
3. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
4. Variances shall only be issued upon:
  - a. A showing of good and sufficient cause;
  - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;

- c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
5. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, or to economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, exceptions from the flood elevations should be quite rare.
6. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-flood proofing where it can be determined that such action will have low damage potential, complies with all other exception criteria except subsection (B)(1) of this section, and otherwise complies with this Chapter.
7. Any applicant to whom a variances is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

#### **14.30.070. Definitions.**

For the purposes of this chapter, the following words and phrases shall be defined as follows:

"100-year or 1-percent annual exceedance probability flood" (also called "regulatory flood," "base flood", "base flood depth", or "special flood hazard area") means a flood with a 1 percent chance of being equaled or exceeded in any year. Statistical analysis of available streamflow or storm records, or analysis of rainfall and runoff characteristics of the watershed, or topography and storm characteristics are used to determine the extent and depth of the 100-year or 1-percent annual exceedance probability flood.

"Area of shallow flooding" A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of special flood hazard" The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

"Base flood" The flood having a one percent chance of being equaled or exceeded in any given year.

"Base flood elevation (BFE)" The elevation to which floodwater is anticipated to rise during the base flood.

"Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

"Clearing" means the act of removing trees or vegetation on a cumulative 20 percent or more of a given parcel of land.

"Coastal high hazard area" means the area subject to high velocity waters due to wind, tidal action, storm, tsunami or any similar force, acting singly or in any combination resulting in a wave or series of waves of sufficient magnitude, velocity or frequency to endanger property and lives. The Area designated on the FIRM as zone V1-30, VE or V.

"Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

"Federal Emergency Management Agency" is the agency responsible for administration of the National Flood Insurance Program.

"Flood hazard area" means the land area covered by the flood, having a 1 percent chance of occurring in any given year. See also "100-year or 1-percent annual exceedance probability flood." The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). "flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

"Flood Insurance Rate Map (FIRM) and Digital Flood Insurance Rate Map (DFIRM)" means the official map of a community on which the Federal Insurance Administrator has delineated both the special hazard areas and risk premium zones applicable to the community. A FIRM that been made available digitally is called a Digital Flood Insurance Rate Map.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."

"Functionally dependent use" A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

"Highest adjacent grade" The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Logging" means the process, work, or business of cutting down trees, storage of logs and transporting the logs to sawmill(s), or for sale or export.

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than the basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter.

"Manufactured home" means a structure, transportable in 1 or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

"New construction" For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

"Planning department" means the planning department of the City of Kenai.

"Primary structure" means a dwelling, a building suitable for commercial use, or any structure which will be served by water or wastewater disposal systems or a fuel storage tank. This definition is applicable only in the SMFDA.

"Recreational Vehicle" means a vehicle which is: (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projection; (3) designed to be self-propelled or permanently towable by a light-duty truck; and (4) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel or seasonal use.

"Special Flood Hazard Area (SFHA)" see "Flood Hazard Area".

"Start of construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

"Structure" means a walled and roofed building including liquid or gas storage tank, as well as a manufactured home that is principally above ground.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damage condition would equal or exceed 50 percent of the assessed value of the structure before damage occurred.

"Substantial evidence" means evidence a reasonable mind might accept to support a conclusion.

"Substantial improvement" means any remodeling, repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the assessed value of the structure before the improvement or repair is started or, if the property has been damaged and is being restored, before the damage occurred. This term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified or cited by the local code enforcement official, and which are the minimum necessary to assure safe living conditions, or
- (2) Any alteration of a structure listed on the National Register of Historic Places or State Register of Historic Places.

"Variance" means a grant of relief from the requirements of this chapter, which permits construction in a manner that would otherwise be prohibited by this chapter.

**Section 2.** That the City Manager, or his designee, is authorized to apply for entry into the NFIP on behalf of the City.

**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 17<sup>TH</sup> DAY OF AUGUST, 2022.

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Brian Gabriel Sr., Mayor

ATTEST:

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Michelle M. Saner, MMC, City Clerk

Introduced: July 6, 2022  
Enacted: August 17, 2022  
Effective: September 16, 2022

Kenai River (Revised Draft - 2022.07)

Update the Kenai River. The hydraulic and hydrologic modeling by USACE is now complete.

As of July 2022, the FEMA Regulatory Analysis and Draft Mapping has now been completed. In early 2022, FEMA held a Town Hall Meeting (THM) meeting, available for draft maps and asking community feedback.

Next Steps:

The next steps will be for FEMA to issue the Preliminary Flood Insurance Rate Map (PFIRM) and Flood Insurance Study (FIS) report and other associated products for public availability through the FEMA Mapping Service Center (MSC). Once the Preliminary maps become available, FEMA will schedule a Consultation Coordination Offsets (CCO) Meeting to review the Preliminary maps and discuss the follow-on steps toward adoption of the new maps.

For a copy of the current Effective Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs), please visit: FEMA Mapping Service Center (MSC)

Draft Limit of Study (as of July 5, 2022)



Draft Study Reach (as of July 5, 2022)



Draft Water Surface Elevation (as of July 5, 2022)



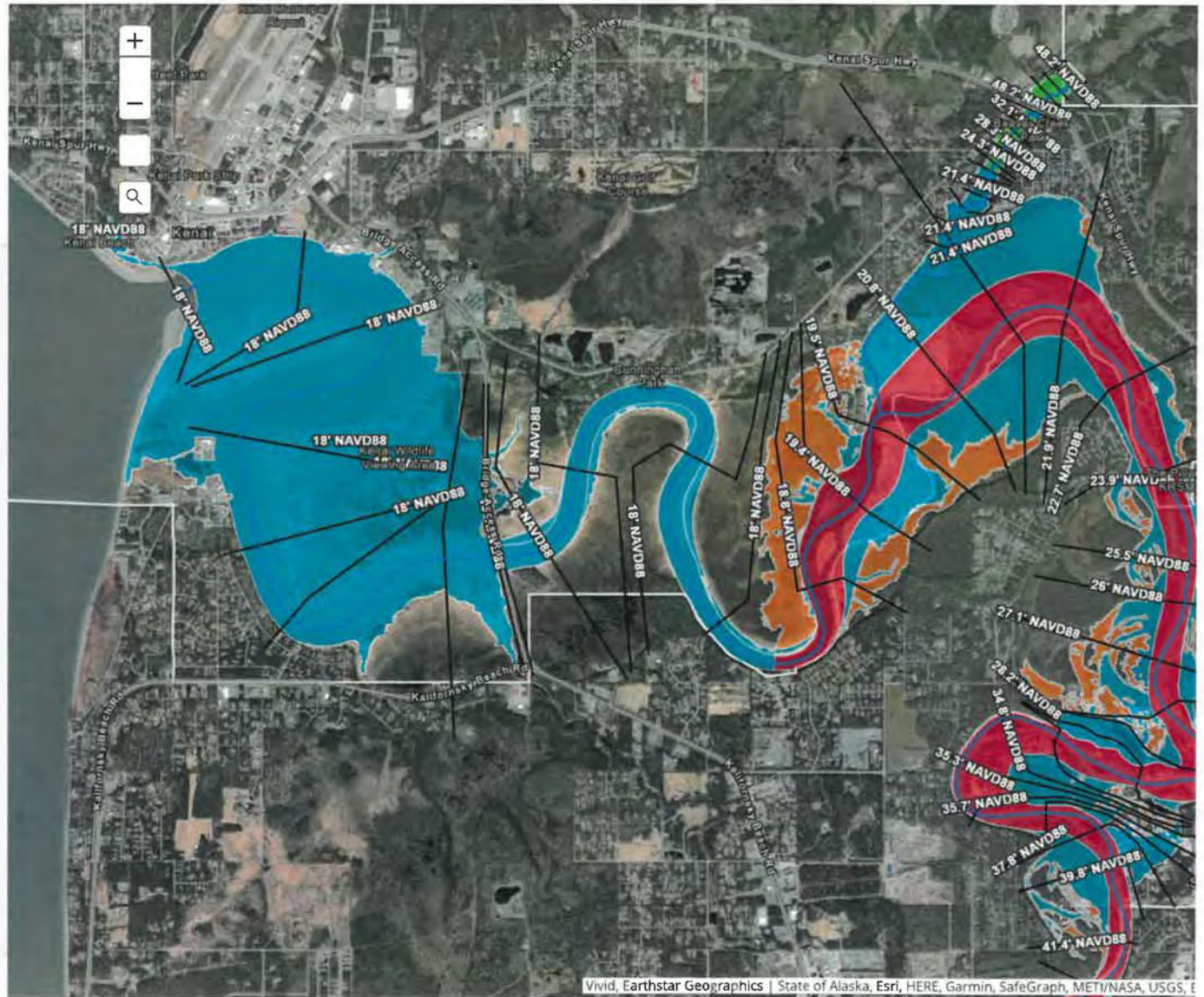
Draft Flood Hazard Area (as of July 5, 2022)

- Zone A
- Zone AE
- Zone A1 (Floodway)
- Zone A1(Shaded)

Borough



Community







## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Max Best, Interim Planning Director

**DATE:** August 17, 2022

**SUBJECT:** Ordinance 3298 – 2022 Enacting Floodplain Management

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At the regularly scheduled Planning Commission meeting of August 10, 2022 the Commissions, recommended approval of Ordinance 3298-2022 by unanimous vote.

Mapping information provided for Ordinance 3298-2022 for the August 17, 2022 meeting is located at the following site.

[Kenai Peninsula Borough, Alaska - FEMA Risk MAP Project \(arcgis.com\)](https://arcgis.com)

At the top of the page click on “Kenai River (Revised Draft – 2022.07)” for new mapping.



## MEMORANDUM

**TO:** Planning and Zoning Commission  
**FROM:** Max Best, Interim Planning Director  
**DATE:** August 10, 2022  
**SUBJECT:** Ordinance 3298 – 2022 Enacting Floodplain Management

The Kenai City Council expressed its intent to participate in the National Flood Insurance Program (NFIP) via Resolution 2022-13. Participation in the NFIP is a requirement for the City to work with the US Army Corps of Engineers to complete the City’s bluff erosion project. The City has the authority to enact and enforce regulations regarding the NFIP as a home rule municipality within the State of Alaska. Participation in the NFIP will benefit affected property owners through the availability of more affordable flood insurance. This Ordinance will be add a new chapter of code within Tile 14 and be administered by the City Planning Department. The new proposed chapter was modeled after the Kenai Peninsula Borough’s existing NFIP ordinances, updated to meet newer federal requirements and customized to work within the City’s existing code.

Enactment of this ordinance will ensure the Federal Insurance Administrator that the City will maintain and keep in force adequate land use and control measures in those areas having flood, mudslide, or flood-related erosion hazards.

Does the Commission recommend Council approve and adopt Ordinance 3928-2022 Enacting Floodplain Management?

- Attachments  
 Ordinance 3928-2022  
 Resolution 2022-13  
 NFIP fact sheet





Sponsored by: Administration

**CITY OF KENAI**

**RESOLUTION NO. 2022-13**

**A RESOLUTION OF THE CITY OF KENAI, ALASKA EXPRESSING INTENT TO PARTICIPATE IN THE NATIONAL FLOOD INSURANCE PROGRAM.**

**WHEREAS, certain areas of the City of Kenai could be subject to periodic flooding, mudslides, or flood-related erosion, causing serious damages to properties within these areas; and,**

**WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood insurance Act of 1968; and,**

**WHEREAS, it is the intent of the City Council to require the recognition and evaluation of flood, mudslide, or flood-related erosion hazards in all official actions relating to land use in areas having these hazards; and,**

**WHEREAS, as a home-rule municipality, the City Council has the legal authority to adopt land use and control measures to reduce future flood losses.**

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

**Section 1.** That the Kenai City Council assures the Federal Insurance Administrator that it will enact as necessary, and maintain in force in those areas having flood, mudslide (i.e. mudflow), or flood-related erosion hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth for the National Flood Insurance Program in Part 60 Title 44 of the Code of Federal Regulations.

**Section 2.** That the City Manager or designee has the responsibility, authority and means to:

1. Assist the Administrator, by request, in the delineation of the limits of the area having special flood, mudslide (i.e. mud-flow), or flood-related erosion hazards.
2. Provide such information as the Administrator may request concerning present uses and occupancy of the floodplain, mudslide (i.e. mud flow) or flood-related erosion areas.
3. Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain, mudslide (i.e. mudflow), or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain, mudslide (i.e. mudflow) and/or flood related erosion areas in order to prevent aggravation of existing hazards.
4. Submit on the anniversary date of the community's initial eligibility an Annual Report to the Administrator on the progress made during the past year within the community in the development and implementation of floodplain management measures.
5. Upon occurrence, notify the Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all Flood Hazard Boundary Maps and/or Flood Insurance

Rate Maps accurately represent the community ' s boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished flood plain management regulatory authority .


6. Appoints the City of Kenai Planning Department to maintain for public inspection and to furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, any certificates of flood- proofing, and information on the elevation (in relation to mean sea level) of the level of the lowest habitable floor (including basement if habitable) of all new or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been floodproofed the elevation (in relation to mean sea level) to which the structure was floodproofed.
7. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

**Section 3.** That this Resolution takes effect immediately upon adoption.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 2<sup>nd</sup> day of March, 2022.

  
\_\_\_\_\_  
BRIAN GABRIEL, SR., MAYOR

ATTEST:

  
\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

# Joining the National Flood Insurance Program

The National Flood Insurance Program (NFIP) was established with the passage of the National Flood Insurance Act of 1968. The NFIP is a Federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages. Over 20,000 communities participate in the Program.

The decision on whether to join the NFIP is very important for a community. There is no Federal law that requires a community to join the Program and community participation is voluntary. A benefit of participation is that your citizens are provided the opportunity to purchase flood insurance to protect themselves from flood losses. Another consideration is that a community that has been identified by the Department of Homeland Security's Federal Emergency Management Agency (FEMA) as being flood-prone and has not joined the NFIP within one year of being notified of being mapped as flood-prone will be sanctioned. This means that Federal agencies cannot provide financial assistance for buildings in flood hazards areas.

FEMA is required by law to identify and map the Nation's flood-prone areas. The identification of flood hazards serves many important purposes. Identifying flood hazards creates an awareness of the hazard, especially for those who live and work in flood-prone areas. Maps provide States and communities with the information needed for land use planning and to reduce flood risk to floodplain development and implement other health and safety requirements through codes and regulations. States and communities can also use the information for emergency management.

To participate in the NFIP, a community must adopt and enforce floodplain management regulations that meet or exceed the minimum requirements of the Program. These requirements are intended to prevent loss of life and property and reduce taxpayer costs for disaster relief, as well as minimize economic and social hardships that result from flooding.

When FEMA provides a community with a flood hazard map, the community should carefully review these maps and determine whether flood insurance and floodplain management would benefit the community and its citizens.

In making the decision whether to join the NFIP, communities need to keep in mind that homeowners' insurance policies generally do not cover flood losses, and many homeowners and other property owners are often unaware that their property is flood-prone. Even if your community has not been identified as flood-prone by FEMA, your community can still join the NFIP. By participating in the NFIP, property owners throughout the community will be able to purchase flood insurance.

Communities that have been identified as flood-prone by FEMA need to keep in mind that property owners in a non-participating community are ineligible for most forms of disaster assistance within the identified flood hazard areas. This does not affect communities that have not had flood hazards identified by FEMA.

## What must a community do to join the NFIP?

To join the Program, the community must submit an application package that includes the following information:

- **Application For Participation in the National Flood Insurance Program (FEMA Form 81-64):**  
This one-page form asks for the following information:
  - Community name
  - Chief Executive Officer
  - Person responsible for administering the community's floodplain management program
  - Community repository for public inspection of flood maps
  - Estimates of land area, population, and number of structures in and outside the floodplain
- **Resolution of Intent:** The community must adopt a resolution of intent, which indicates an explicit desire to participate in the NFIP and commitment to recognize flood hazards and carry out the objectives of the Program.



**IMPORTANT FACTS YOU SHOULD KNOW**

Floods are the most common and most costly natural disaster in the United States.

Before most forms of Federal disaster assistance can be offered, the President must declare a major disaster.

Flood insurance claims are paid whether or not a disaster has been Presidentially declared.

The most common form of Federal disaster assistance is a loan, which must be paid back with interest.

There are about 4.7 million flood insurance policies in force in more than 20,000 communities across the U.S.

Over the life of a 30-year mortgage, there is a 26-percent (or 1 in 4) chance that a building in a floodplain will experience a flood that will equal or exceed the 1-percent-chance flood (100-year flood).

Since 1969, the NFIP has paid over \$14 billion in flood insurance claims that have helped hundreds of thousands of families recover from flood disasters.

Approximately 25% of all claims paid by the NFIP are for policies outside of the mapped floodplain.

**CAN YOUR COMMUNITY AFFORD NOT TO PARTICIPATE?**

- **Floodplain Management Regulations:** The community must adopt and submit floodplain management regulations that meet or exceed the minimum flood plain management requirements of the NFIP.

Please contact your FEMA Regional Office or the NFIP State Coordinating Agency for information about joining the Program. These offices will provide an application, sample resolution, and a model floodplain management ordinance. (See "For Assistance" on the back page for contact information)

**What are the requirements that a community must adopt?**

The NFIP requirements are designed to ensure that new buildings and substantially improved existing buildings in flood-prone areas are protected from flood damages. The minimum NFIP floodplain management requirements that a community must adopt are located in *Title 44 of the Code of Federal Regulations (44 CFR) section 60.3*. The specific requirements that a community must adopt depend on the type of flood hazard data that is provided to the community by FEMA.

In addition to meeting the requirements of the NFIP, a community's floodplain management regulations must be legally enforceable. This means that the regulations must meet applicable provisions of State enabling laws, which authorize communities to enact and enforce floodplain management regulations and be adopted through a process that meets applicable State and local due process procedures.

State authority for floodplain management varies from State to State. Some States require that communities regulate floodplains to a higher standard than the minimum NFIP requirements for certain aspects of floodplain management. Some States have a requirement that communities must submit their floodplain management regulations to the State for approval. Communities should contact the State NFIP Coordinating Agency for assistance on specific State requirements that must also be met.

As indicated above, the FEMA Regional Office or the NFIP State Coordinating Agency can provide the community with a model floodplain management ordinance and guidance on the specific requirements the community will need to adopt.

**What type of regulations can a community adopt?**

Community floodplain management regulations are usually found in the following types of regulations: zoning ordinances, building codes, subdivision ordinance, sanitary regulations, and "stand alone" floodplain management ordinances. How your community approaches floodplain management depends on State laws and regulations and also how your community chooses to manage its flood hazards.

**What happens if a community is identified as flood-prone, but does not join the NFIP?**

The following sanctions apply if a community does not qualify for participation in the NFIP within one year of being identified as flood-prone by FEMA. Non-participating communities that have not been identified as flood-prone by FEMA are not subject to these sanctions.

- Property owners will not be able to purchase NFIP flood insurance policies and existing policies will not be renewed.
- Federal grants or loans for development will not be available in identified flood hazard areas under programs administered by Federal agencies such as the Department of Housing and Urban Development, Environmental Protection Agency, and Small Business Administration.
- Federal disaster assistance for flood damage will not be provided to repair insurable buildings located in identified flood hazard areas.
- Federal mortgage insurance or loan guarantees, such as those written by the Federal Housing Administration and the Department of Veteran Affairs, will not be provided in identified flood hazard areas.
- Federally insured or regulated lending institutions, such as banks and credit unions, are allowed to make conventional loans for insurable buildings in flood hazard areas of nonparticipating communities. However, the lender must notify applicants that the property is in a flood hazard area and that the property is not eligible for Federal disaster assistance. Some lenders may voluntarily choose not to make these loans.

Kenai River (Revised Draft- 2022.07)

update the Kenai River. The hydraulic and hydrologic modeling by USACE is now complete.

As of July 2022, the FEMA floodway analysis and draft modeling has now been completed. In early 2022, FEMA held a Flood Risk Review (FRR) meeting to share the draft maps and solicit community feedback.

**Next Steps:**

The next steps will be for FEMA to use the Preliminary Flood Insurance Rate Maps (P-FIRMs) and Flood Insurance Study (FIS) reports and other associated products for public availability through the FEMA Mapping Service Center (MSC). Once the Preliminary maps become available, FEMA will schedule a Consultation Coordination Officers (CCO) Meeting to review the Preliminary maps and discuss the follow-on steps toward adoption of the new maps.

For a copy of the current Effective Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs), please visit: FEMA Mapping Service Center (MSC)

**Draft Limit of Study (as of July 5, 2022)**



**Draft Study Reach (as of July 5, 2022)**



**Draft Water Surface Elevation (as of July 5, 2022)**



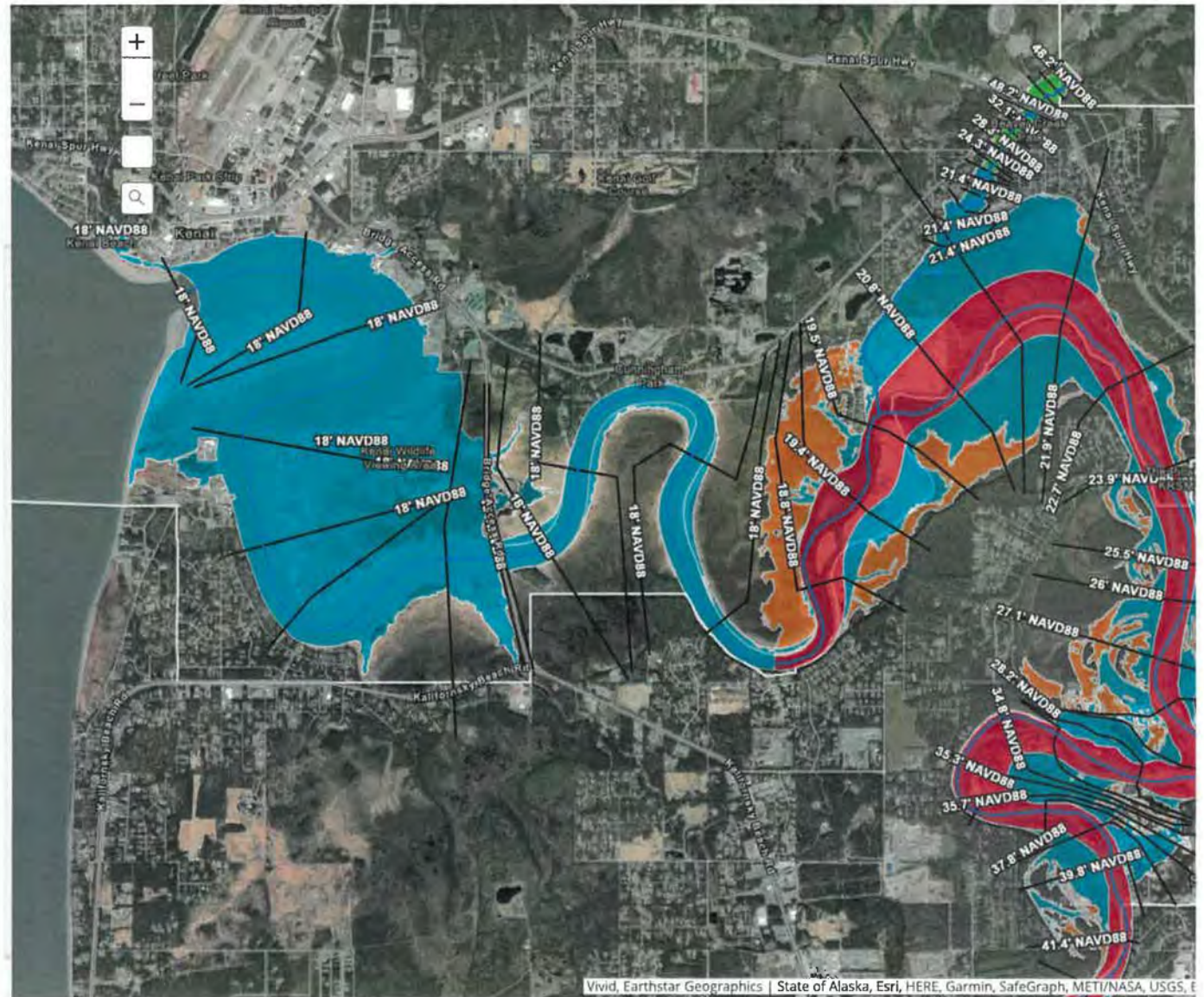
**Draft Flood Hazard Area (as of July 5, 2022)**

- Zone A
- Zone AE
- Zone AC (Flowway)
- Zone X (Shaded)

**Borough**



**Community**







Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3298-2022 (SUBSTITUTE)**

AN ORDINANCE ENACTING KENAI MUNICIPAL CODE CHAPTER 14.30-FLOODPLAIN MANAGEMENT, WITHIN TITLE 14-PLANNING AND ZONING, TO REGULATE LAND USE WITHIN THE FLOOD PLAIN AND AUTHORIZING THE CITY TO ~~PARTICIPATE~~PARTICIPATE IN THE NATIONAL FLOOD INSURANCE PROGRAM.

WHEREAS, the Council expressed its intent to participate in the National Flood Insurance Program (NFIP) via Resolution 2022-13; and,

WHEREAS, participation in the NFIP is a requirement for the City to work with the US Army Corps of Engineers to complete the City’s bluff erosion project; and,

WHEREAS, the City has the authority to enact and enforce regulations regarding the NFIP as a home rule municipality within the State of Alaska; and,

WHEREAS, participating in the NFIP will benefit affected property owners through the availability of more affordable flood insurance; and,

WHEREAS, the purpose of this ordinance is to promote public health, safety and general welfare, and to minimize public and private losses due to flooding in flood hazard areas; and,

WHEREAS, at its meeting on August 10, 2022 the Planning and Zoning Commission recommended approval by unanimous consent; and,

WHEREAS, it is in the best interest of the City and its residents to join the NFIP.

~~WHEREAS, at its meeting on \_\_\_\_\_(date) the Planning and Zoning Commission recommended \_\_\_\_\_.~~

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

**Section 1.** Enactment of Chapter 14.30 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 14.30 Flood Plain Management, is hereby enacted as follows:

**CHAPTER 14.30. FLOODPLAIN MANAGEMENT**

**14.30.010. Findings of Fact and Statement of Purpose.**

- A. Findings. The flood hazard areas of the City of Kenai are subject to periodic inundation which results in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. Flood losses may be caused by the cumulative effect of obstructions in flood hazard areas which increase flood heights and velocities and, when inadequately anchored, cause damage in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage, also contribute to flood loss.

- B. Statement of Purpose. It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:
1. To protect human life and health;
  2. To minimize expenditure of public money and costly flood control projects;
  3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
  4. To minimize prolonged business interruptions;
  5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
  6. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
  7. To ensure that potential buyers are notified that property is in an area of special flood hazard; and
  8. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.
  9. Participate in and maintain eligibility for flood insurance and disaster relief.

**14.30.015020. Methods of Reducing Flood Loss.**

In order to accomplish its purposes, this chapter includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D. Controlling filling, grading, dredging, and other development which may increase flood damage; and
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

**14.30.030. General Provisions.**

- A. *Lands to Which this Chapter Applies.* This chapter shall apply to all flood hazard areas within the City of Kenai.
- B. *Basis for Establishing Flood Hazard Areas.* Flood hazard areas are identified as follows:

The areas of special flood hazard identified by the federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study" applicable to the City of Kenai in its most recent adopted version (October 20,2016 titled "Flood Insurance Study for the Kenai Peninsula Borough, Alaska and Incorporated Areas") and any subsequent revisions thereto, with accompanying Flood Insurance Maps and revisions thereto. The Flood Insurance Study is on file at the City of Kenai administrative offices. The best available information for flood hazard area identification provided in this Chapter will be the basis for regulation until a new FIRM is issued.

- DC.** *Warning and Disclaimer of Liability.* The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the City of Kenai, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.
- ED.** *Noncompliance—Enforcement.* Structures and activities which are not permitted or allowed by this chapter are prohibited. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violation of the provisions of this chapter by failure to comply with any of its requirements shall be enforced by the remedies set forth in KMC 14.20 including any injunctive remedies allowed by law. Each day a violation continues is a separate violation.
- FE.** *Abrogation and greater Restrictions.* This Ordinance is not intended to repeal, abrogate, or impair any existing easements or deed restrictions. However, where this ordinance is more stringent, it must be complied with.
- GE.** *Interpretation.* In the interpretation and application of this ordinance, all provisions are considered minimum requirements, liberally construed in favor of the City and do not limit or repeal and other powers granted under state statutes.

#### **14.30.040. Administration.**

- A. *Development Permit Required.* A development permit shall be obtained before construction or development begins within flood hazard areas established or incorporated into this Chapter. Whether or not a project or activity meets the definition for "development" under this Chapter is subject to a final written determination made by the planning department after consultation with the applicant. The permit shall be for all structures (including manufactured homes) and for all other development including fill and other activities. Application for a development permit shall be made on forms furnished by the City and shall include but not be limited to the following: plans drawn to scale showing the nature, location, dimensions, and elevations of the area in question; logging, placement of storage tanks (fuel or other), existing or proposed structures, substantial improvements of existing structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:
1. For A Zones (A, A1-30, AE, AH, AO):
    - a. Proposed elevation in relation to mean sea level of the lowest floor (including basement) of all structures. In Zone AO, elevation of existing highest adjacent grade and proposed elevation of lowest floor of all structures;
    - b. Proposed elevation in relation to mean sea level to which any non-residential structure will be floodproofed;
    - c. Certification by a registered professional engineer or architect that the floodproofing methods for any non-residential structure meet the floodproofing criteria for non-residential construction; and
    - d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
  2. For V Zones (VE, V1-30 and V):
    - a. Proposed elevation in relation to mean sea level of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all structures, and whether such structures contain a basement;



- b. Base Flood Elevation data for subdivision proposals or other development, including manufactured home parks or subdivisions, greater than 50 lots or 5 acres, whichever is the lesser; and
  - c. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- B. *Designation of the Floodplain Administrator.* The Planning Director or his / her designee is appointed to administer and implement this Chapter by granting or denying development permit applications in accordance with its provisions.
- C. *Duties and Responsibilities of the Planning Department.* Duties of the planning department shall include but not be limited to the following:
- 1. *Permit Application Review.*
    - a. Review all development permit applications to determine that the permit requirements have been met;
    - b. Review all development permit applications to determine that all necessary permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required;
    - c. Review all development permit applications to determine if the proposed development is located in the floodway. If located in the floodway, assure that all provisions of this Chapter are met.
  - 2. *Issue Permit.*
    - a. Upon determination that the submitted and recorded information connected with the permit application meets the terms of this chapter, the planning department shall issue a floodplain development permit to the original applicant. If the project involves the construction of a residential structure in a special flood hazard area, the planning department floodplain management office will issue an initial permit based on the building plans in the application. A final permit will be issued after the applicant submits an elevation certificate and floodplain management staff determines that the building is in compliance with all floodplain regulations.
    - b. The floodplain development permit shall be valid until the expiration date provided that the start of construction occurs within 180 days of the permit issue date. If construction does not begin within this time period, the permit will expire 180 days from the issue date. The planning department floodplain management office shall be notified at least three days prior to start of construction for possible site inspection and notice-to-proceed.
    - c. The floodplain development permit is not assignable without permission from the planning department.
  - 3. *Use of Other Base Flood Data.* When base flood elevation data has not been provided in accordance with the provisions of this Chapter, the planning department shall obtain, review, and reasonably utilize any base flood and floodway elevation data available from a federal, state or other source, in order to administer the requirements of this Chapter.
  - 4. *Information to be Obtained and Maintained.*
    - a. Where base flood elevation data is provided through the Flood Insurance Study or is otherwise required, actual elevation as submitted (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement must be recorded;
    - b. For all new or substantially improved floodproofed structures:

- i.—Record the actual elevation as submitted (in relation to mean sea level), and
- ii.—Maintain the flood proofing certifications required by this Chapter;
- c. Maintain for public inspection all records pertaining to the provisions of this chapter in perpetuity.

5. *Notification to Other Entities*

- a. Whenever a watercourse is to be altered or relocated, notify adjacent communities and the State Coordinating Office prior to such alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administrator through appropriate notification means, and assure that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained.
- b. Base Flood Elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the Floodplain Administrator shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Volume 44 Code of Federal Regulations Section 65.3. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.
- c. Notify the Federal Insurance Administrator in writing of acquisition by means of annexation, incorporation or otherwise, of additional areas of jurisdiction.

6. *Remedial Actions.* Take actions on violations of this ordinance as required in [KMC Chapter 14.20](#).

7. *Alteration of Watercourses.*

- a. Notify adjacent communities and the Department of Community and Regional Affairs prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- b. Require that the flood carrying capacity within altered or relocated portion of said watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse to ensure that flood carrying capacity is not diminished. Require compliance with all other sections of this Chapter.

8. *Fee Required.* The planning department shall charge fees for permits and exceptions. Fees shall be the amount listed in the most current Schedule of Rates, Charges and Fees to be paid by the applicant at the time that the floodplain development permit application is submitted.

**14.30.050. Standards.**

A. *General Standards.* In all flood hazard areas, the following standards are required:

1. *Anchoring.*

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- b. All manufactured homes must be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

2. *Construction Materials and Methods.*

- a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- c. Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- d. Within Zones AH or AO, adequate drainage paths shall be constructed around structures or slopes to guide floodwaters around and away from proposed structures.

3. *Utilities.*

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and,
- c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4. *Subdivision Proposals.*

- a. All subdivision proposals shall be consistent with the need to minimize flood damage.
- b. All proposed improvements such as water, sewer, natural gas, telephone and electrical facilities shall be located and constructed in a manner which will minimize damage in the event of a flood.
- c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
- d. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals which contain 50 lots or 5 acres, whichever is less. The floodplain requirements for subdivision plats, detailed in this Chapter, apply to all subdivision proposals.
- e. It is the responsibility of the subdivider to provide all necessary information regarding flood protection measures at the time the preliminary plat is presented for consideration by the planning commission.

5. *Review of Development Permits.* Where elevation data is not available, applications for development permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding and will minimize adverse impacts to neighboring properties. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available.

6. *Alteration of Watercourses.* The flood carrying capacity within the altered or relocated portion of said watercourse shall be maintained. Maintenance shall be provided within the altered or relocated portion of said watercourse to ensure that flood carrying capacity is not diminished.

- B. *Specific Standards.* In Zone A, AE, A1-30, Ah and AO, as set forth by this Chapter, the following provisions are required:

1. *Residential Construction.*

- a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the Flood Protection Elevation.

- b. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
  - i. ~~i.~~—A minimum of two openings located on separate walls and having a total net area of not less than 1 square inch for every square foot of enclosed space subject to flooding shall be provided.
  - ii. ~~ii.~~—The bottom of all openings shall be no higher than 1 foot above grade.
  - iii. ~~iii.~~—Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
  - iv. ~~iv.~~—Enclosed areas below the Flood Protection Elevation must be unfinished and usable only for parking, access or storage of materials easily moved during a flood event.
  - v. ~~v.~~—Before a final floodplain development permit is issued by the planning department for a residential structure with enclosed areas below the base flood elevation, the owners shall sign a non-conversion agreement stating that the enclosed space shall remain in compliance with this Chapter. The non-conversion agreement shall be recorded by the City of Kenai placing future buyers of properties on notice of the hazards of enclosed spaces below the Flood Protection Elevation and the requirements to keep the permitted structure compliant with City of Kenai floodplain regulations.
- c. For zones AH, AO, drainage paths are required around structures on slopes to drain floodwaters away from proposed structures.
- d. A garage attached to a residential structure, constructed with the garage floor slab below the Flood Protection Elevation, must be designed to allow for the automatic entry and exit of flood waters.
- e. For A Zones (A, AE, A1-30, AH, AO):

Residential construction, new or substantial improvement, shall have the lowest floor, including basement, elevated to or above the Base Flood Elevation.

  - i. In a Zone AO, the Base Flood Elevation is determined from the FIRM panel as the depth number specified. If no depth is specified, the required elevation is at minimum two (2) feet above highest adjacent grade.
  - ii. In a Zone A where the Base Flood Elevation has not been determined, the Base Flood Elevation is determined locally by the criteria set out in this Chapter. A minimum of 2 feet above highest adjacent grade may result in a lower insurance premium.
  - iii. In Zones AE, A1-30, and AH, the Base Flood Elevation is determined from the FIS and/or FIRM.
  - iv. A garage attached to a residential structure, constructed with the garage floor slab below the Base Flood Elevation, must be designed to allow for the automatic entry and exit of flood waters.

Upon completion of the structure, certification by a registered professional engineer or surveyor that the elevation requirements of the lowest floor, including basement, of this section have been satisfied shall be provided to the Floodplain Administrator for verification.
- f. For V Zones (VE, V1-30 and V):

Residential construction, new or substantial improvement, shall:

- i. Be located landward of the reach of mean high tide;
- ii. Have the bottom of the lowest structural member of the lowest floor (excluding pilings and columns), elevated to or above the Base Flood Elevation;
- iii. Have the pile or column foundation and structure attached thereto be anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards;
- iv. Have the space below the lowest floor, usable solely for parking of vehicles, building access, or storage, either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot;
- v. Prohibit the use of fill for structural support of buildings; and
- vi. Prohibit man-made alteration of sand dunes and mangrove stands.

A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this Section.

Upon completion of construction, certification by a registered professional engineer or architect that these design standards have been satisfied, and certification by a registered professional engineer or surveyor that the elevation requirements of the bottom of the lowest structural member of the lowest floor, excluding pilings and columns, of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

2. *Nonresidential Construction.* New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to or above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
  - a. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
  - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
  - c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the official planning department.
  - d. Have the space below the lowest floor, usable solely for parking of vehicles, building access, or storage, either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot;

- e. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are 1 foot below the floodproofed level (e.g. a building constructed to the base flood level will be rated as 1 foot below that level).
- f. For zones AH, ~~AO~~, and ~~areas of the SMFDA~~, [AO](#) drainage paths are required around structures on slopes to drain floodwaters away from proposed structures.
- g. For A Zones (A, AE, A1-30, AH, AO):

Non-residential construction, new or substantial improvement, shall have the lowest floor ~~either~~ elevated to conform with ~~this non-residential requirements.~~ [the standards in Section \(B\)\(1\)\(b\) and \(B\)\(1\)\(e\).](#)

~~Or, together with attendant utility and sanitary facilities,~~

- ~~i. Be floodproofed below the elevation recommended so that the structure is watertight with walls substantially impermeable to the passage of water; and~~
- ~~i. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.~~

~~A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice meeting the provisions listed above.~~

~~Upon completion of the structure, certification by a registered professional engineer or surveyor that the elevation requirements of the lowest floor, including basement, of this section have been satisfied shall be provided to the Floodplain Administrator for verification; or certification by a registered professional engineer or architect that the floodproofing design of this section is satisfied, including the specific elevation in relation to mean sea level to which such structures are floodproofed, shall be provided to the Floodplain Administrator for verification.~~

- h. For V Zones (VE, V1-30, V):

Floodproofing of non-residential structures is prohibited. All structures must be elevated and constructed according to the requirements set forth ~~for non-residential construction.~~ [in \(B\)\(1\)\(f\).](#)

3. *Manufactured Homes.* All manufactured homes to be placed or substantially improved within Zones A1-30, AH, [AE](#), and [AEAO](#) shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of subsection (A)(1) of this section. ~~—~~ [and meet residential requirements for Zones AO as applicable](#)
4. *Recreational vehicles.* Recreational vehicles that are placed on sites within a Special Flood Hazard Area as identified by the current effective FIRM or DFIRM panel are required to either:
  - ~~a. Meet the requirements of Chapter, or~~
  - ~~ba.~~ Be on the site for fewer than 180 consecutive days, or
  - ~~eb.~~ Be fully licensed and ready for highway use, on its wheels or jacking system, and attached to the site only by a quick disconnect type utilities and security devices.
  - [c. Meet the permit requirements of Section 14.30.040 of this Ordinance and the applicable elevation and anchoring requirements for manufactured homes in this Ordinance.](#)
5. *Appurtenant Structures (Detached garages and Storage Structures).*
  - a. For A Zones (A, AE, A1-30, AH, AO):



Appurtenant structures used solely for parking of vehicles or storage may be constructed such that the floor is below the Base Flood Elevation, provided the structure is designed and constructed in accordance with the following requirements:

- i. ~~i.~~—Use of the appurtenant structure must be limited to parking of vehicles or storage;
- ii. ~~ii.~~—The portions of the appurtenant structure located below the Base Flood Elevation must be built using flood resistant materials;
- iii. ~~iii.~~—The appurtenant structure must be adequately anchored to prevent flotation, collapse and lateral movement;
- iv. Any machinery or equipment servicing the appurtenant structure must be elevated or floodproofed to or above the Base Flood Elevation;
- v. The appurtenant structure must comply with floodway encroachment provisions; and
- vi. The appurtenant structure must be designed to allow for the automatic entry and exit of flood waters.

Detached garages, storage structures and other appurtenant structures not meeting the above standards must be constructed in accordance with all applicable standards as required for A zones.

Upon completion of the structure, certification that the requirements of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

b. ~~For V Zones (VE, V1-30 and V):~~

Floodproofing of non-residential structures is prohibited. All structures must be elevated and constructed according to the requirements set forth for residential construction.

- ~~ic.~~ *Before regulatory floodway.* In areas where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Special Flood Hazard Area zones AE, A1-A30 as identified in the current effective FIRM or DFIRM panel at that location unless the applicant demonstrates in the application that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the community.
- ~~iid.~~ *Fuel storage tanks.* Any fuel storage tanks shall be elevated above the base flood elevation or made watertight and anchored to resist flotation, collapse, and lateral movement. The tank must also be installed within an impervious containment basin of a size sufficient to contain 110 percent of storage capacity plus 12 inches of freeboard.
- ~~iiie.~~ *Logging or clearing.* Within any special flood hazard area of the current effective FIRM or DFIRM, logging or clearing may not increase runoff and/or erosion to such levels that it may significantly damage the floodplain function, riparian habitat or wetlands.
- ~~ivf.~~ *Floodways.* Located within flood hazard areas established in this Chapter are areas designated as floodways. Since the floodway is an extremely hazardous area due to erosion potential and the velocity of floodwaters which carry debris, the following provisions apply:
  - i. ~~1.~~—All encroachments are prohibited, including fill, new construction, substantial improvements, and other development ~~are prohibited~~ within the adopted regulatory floodway unless ~~certification by a registered professional engineer or architect is provided demonstrating it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice~~ that

~~encroachments shall~~ the proposed encroachment would not result in any increase in flood levels within the community during ~~the~~ occurrence of ~~the~~ base flood discharge.

- ii. ~~2.~~—If subdivision (1) of this subsection is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section.
- iii. ~~3.~~—Encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations may be permitted, provided that the City first applies for and fulfills the requirements for a Conditional Letter of Map Revision (CLOMR), and receives approval from the Federal Insurance Administrator to revise the FIRM and FIS in accordance with Notification to Other Entities ~~(B).~~

~~D. Coastal High Hazard Areas. Where FEMA has identified coastal high hazard areas (Zones V, VE, and V1-V30) on the FIRM or DFIRM, construction shall meet the following requirements in addition to all other provisions in this chapter:~~

- ~~1. All new construction shall be located landward of the reach of mean high tide and shall be anchored to prevent lateral movement, floatation or collapse.
  - ~~a. Proposed elevation in relation to mean sea level of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all structures, and whether such structures contain a basement;~~
  - ~~b. Base Flood Elevation data for subdivision proposals or other development, including manufactured home parks or subdivisions, greater than 50 lots or 5 acres, whichever is the lesser; and~~
  - ~~c. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.~~~~
- ~~2. All new construction, manufactured homes, and substantial improvements within coastal high hazard areas shall be elevated on adequately anchored pilings or columns such that:
  - ~~a. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood elevation; and~~
  - ~~b. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a 1 percent chance of being equaled or exceeded in any given year (100-year or 1-percent annual exceedance probability mean recurrence interval); and~~
  - ~~c. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction and shall provide a certification that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subdivisions (2)(a) and (2)(b) of this subsection. The certification and related records will be maintained in the planning department permit files in perpetuity.~~~~
- ~~3. All new construction and substantial improvements shall have the space below the lowest floor free of obstructions. Such enclosed space shall not be used for human habitation (only used for parking of vehicles, storage or building access) and must be in compliance with the residential construction standards required in this Chapter.
  - ~~b. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have~~~~



~~a 1 percent chance of being equaled or exceeded in any given year (100-year or 1-percent annual exceedance probability mean recurrence interval).~~

~~4. The use of fill for structural support of buildings within coastal high hazard areas on the FIRM or DFIRM is prohibited.~~

~~5. Manufactured Homes. All manufactured homes to be placed or substantially improved within coastal high hazard areas shall meet the requirements for new and substantial improvement construction.~~

E.C. Standards for Storage of Materials and Equipment

1. The storage or processing of materials that could be injurious to human, animal or plant life if released due to damage from flooding is prohibited in special flood hazard areas.

Storage of other material or equipment may be allowed if not subject to damage by floods and if firmly anchored to prevent flotation, or if readily removable from the area within the time available after flood warning.

**14.30.060. Variance procedure.**

A. *Appeal Board.*

1. The Kenai Planning and Zoning Commission shall hear and decide appeals and requests for variances from the requirements of this chapter.
2. The planning commission shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the planning department in the enforcement or administration of this chapter.
3. Those aggrieved by the decision of the planning commission may appeal such decision in accordance with KMC 14.20.290 and 14.20.300.
4. In passing upon such applications, the planning commission shall consider all technical evaluations, all relevant factors, standards specified in other section of this chapter, and:
  - a. The danger that materials may be swept onto other lands to the injury of others;
  - b. The danger to life and property due to flooding or erosion damage;
  - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - d. The importance of the services provided by the proposed facility to the community;
  - e. The necessity to the facility of a waterfront location, where applicable;
  - f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - g. The compatibility of the proposed use with the existing and anticipated development;
  - h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
  - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

5. Upon consideration of the factors of subsection (A)(4) of this section and the purposes of this chapter, the planning commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter,
6. The planning department shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

**B. Conditions for Variances.**

- ~~1. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of ½ acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing subparagraphs (a) through (k) of subsection (A)(4) of this section have been fully considered. As the lot size increases the technical justification required for issuing the variance increases.~~
21. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in this section.
32. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
43. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
54. Variances shall only be issued upon:
  - a. A showing of good and sufficient cause;
  - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;
  - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
65. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, or to economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, exceptions from the flood elevations should be quite rare.
76. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-flood proofing where it can be determined that such action will have low damage potential, complies with all other exception criteria except subsection (B)(1) of this section, and otherwise complies with this Chapter.
87. Any applicant to whom a variances is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

**14.30.070. Definitions.**

For the purposes of this chapter, the following words and phrases shall be defined as follows:

"100-year or 1-percent annual exceedance probability flood" (also called "regulatory flood," "base flood", "base flood depth", or "special flood hazard area") means a flood with a 1 percent chance of being equaled or exceeded in any year. Statistical analysis of available streamflow or storm records, or analysis

of rainfall and runoff characteristics of the watershed, or topography and storm characteristics are used to determine the extent and depth of the 100-year or 1-percent annual exceedance probability flood.

“Area of shallow flooding” A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community’s Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

“Area of special flood hazard” The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). “Special flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard”.

“Base flood” The flood having a one percent chance of being equaled or exceeded in any given year.

“Base flood elevation (BFE)” The elevation to which floodwater is anticipated to rise during the base flood.

"Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

"Clearing" means the act of removing trees or vegetation on a cumulative 20 percent or more of a given parcel of land.

"Coastal high hazard area" means the area subject to high velocity waters due to wind, tidal action, storm, tsunami or any similar force, acting singly or in any combination resulting in a wave or series of waves of sufficient magnitude, velocity or frequency to endanger property and lives. The Area designated on the FIRM as zone V1-30, VE or V.

"Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

~~"Variance" means a grant of relief from the requirements of this chapter, which permits construction in a manner that would otherwise be prohibited by this chapter.~~

"Federal Emergency Management Agency" is the agency responsible for administration of the National Flood Insurance Program.

"Flood hazard area" means the land area covered by the flood, having a 1 percent chance of occurring in any given year. See also "100-year or 1-percent annual exceedance probability flood." The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). “flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard”.

"Flood Insurance Rate Map (FIRM) and Digital Flood Insurance Rate Map (DFIRM)" means the official map of a community on which the Federal Insurance Administrator has delineated both the special hazard areas and risk premium zones applicable to the community. A FIRM that been made available digitally is called a Digital Flood Insurance Rate Map.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as “Regulatory Floodway.”

“Functionally dependent use” A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are

necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

"Highest adjacent grade" The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Logging" means the process, work, or business of cutting down trees, storage of logs and transporting the logs to sawmill(s), or for sale or export.

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than the basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter.

"Manufactured home" means a structure, transportable in 1 or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

"New construction" For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

"Planning department" means the planning department of the City of Kenai.

"Primary structure" means a dwelling, a building suitable for commercial use, or any structure which will be served by water or wastewater disposal systems or a fuel storage tank. This definition is applicable only in the SMFDA.

"Recreational Vehicle" means a vehicle which is: (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projection; (3) designed to be self-propelled or permanently towable by a light-duty truck; and (4) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel or seasonal use.

"Special Flood Hazard Area (SFHA)" see "Flood Hazard Area".

"Start of construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

"Structure" means a walled and roofed building including liquid or gas storage tank, as well as a manufactured home that is principally above ground.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damage condition would equal or exceed 50 percent of the assessed value of the structure before damage occurred.

"Substantial evidence" means evidence a reasonable mind might accept to support a conclusion.

"Substantial improvement" means any remodeling, repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the assessed value of the structure before the improvement or repair is started or, if the property has been damaged and is being restored, before the damage occurred. This term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified or cited by the local code enforcement official, and which are the minimum necessary to assure safe living conditions, or
- (2) Any alteration of a structure listed on the National Register of Historic Places or State Register of Historic Places.

"Variance" means a grant of relief from the requirements of this chapter, which permits construction in a manner that would otherwise be prohibited by this chapter.

**Section 2.** That the City Manager, or his designee, is authorized to apply for entry into the NFIP on behalf of the City.

**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 ~~3<sup>RD</sup>~~ 17<sup>TH</sup> DAY OF AUGUST, 2022.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Introduced:	July 6, 2022
Enacted:	August <del>3</del> <u>17</u> , 2022
Effective:	September <del>2</del> <u>16</u> , 2022



**PAYMENTS OVER \$15,000.00 WHICH NEED COUNCIL RATIFICATION  
COUNCIL MEETING OF: AUGUST 17, 2022**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPARTMENT</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
PERS	PERS	VARIOUS	LIABILITY	100,127.89
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	89,196.57
REBORN AGAIN JANITORIAL	JULY SERVICES	AIRPORT	REPAIR & MAINTENANCE	4,231.25

**INVESTMENTS**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>MATURITY DATE</b>	<b>AMOUNT</b>	<b>Effect. Int.</b>
PIPER JAFFRAY	U.S. AGENCY SECURITY	05/11/2023	245,114.11	3.39%
PIPER JAFFRAY	U.S. AGENCY SECURITY	08/10/2027	245,000.00	3.40%
PIPER JAFFRAY	U.S. AGENCY SECURITY	08/16/2027	245,000.00	3.40%
PIPER JAFFRAY	U.S. AGENCY SECURITY	05/11/2023	245,000.00	2.85%
PIPER JAFFRAY	U.S. AGENCY SECURITY	5/15/2023	245,000.00	2.90%
PIPER JAFFRAY	U.S. AGENCY SECURITY	7/31/2023	245,000.00	3.00%
PIPER JAFFRAY	U.S. AGENCY SECURITY	8/16/2023	245,000.00	3.00%
PIPER JAFFRAY	U.S. AGENCY SECURITY	8/16/2023	245000.00	3.00%





Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3304-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT SPECIAL REVENUE AND AIRPORT IMPROVEMENTS CAPITAL PROJECT FUNDS FOR KENAI MUNICIPAL AIRPORT DISADVANTAGE BUSINESS ENTERPRISE PROGRAM UPDATES.

WHEREAS, Title 49 Part 26 – Participation by Disadvantaged Business Enterprises (DBE) in Department of Transportation Financial Assistance Programs requires recipients of airport funds authorized by Title 49 U.S.C. 47101 for planning, or development, who award prime contracts the cumulative total value of which exceeds \$250,000 in FAA funds in a Federal fiscal year to maintain a DBE Program; and,

WHEREAS, significant changes in the DBE Program must be submitted to the concerned operating administration; and,

WHEREAS, the current Kenai Municipal Airport (ENA) DBE Program projected Program participation goals through fiscal year 2021; and,

WHEREAS, ENA planning, and development projects through fiscal year 2026 exceed \$250,000 in expended FAA funds; and,

WHEREAS, the DBE Program ensures a good faith effort to achieve a DBE goal or other requirements of Title 49 CFR Part 26; and,

WHEREAS, 93.75% of the costs associated with this Ordinance are grant eligible under the U.S. Department of Transportation FAA Order 5100.38D, Airport Improvement Program Handbook, Chapter 3. Section 11. 3-67.; and,

WHEREAS, approval of this Ordinance is in the best interest of the City.

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

**Section 1.** That the following budget revision is authorized:

Airport Special Revenue Fund:

Increase estimated Revenues –  
Appropriation of Fund Balance \$19,620

Increase Appropriations –  
Transfer to Airport Improvement Capital Project Fund \$19,620

Airport Improvement Capital Project Fund:

Increase Estimated Revenues –  
Transfer from Airport Special Revenue Fund \$19,620

Increase Appropriations:  
Professional Services: \$19,620



**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 7<sup>TH</sup> DAY OF SEPTEMBER, 2022.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: \_\_\_\_\_

Introduced: August 17, 2022  
Enacted: September 07, 2022  
Effective: September 07, 2022



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Eland Conway, Airport Manager

**DATE:** August 8, 2022

**SUBJECT:** **Kenai Municipal Airport (ENA) Disadvantage Business Enterprise (DBE) Program updates. Ordinance 3304-2022**

In accordance with 49 CFR Part 26, ENA is required to maintain a current DBE Program. The Program ensures that ENA is making good faith efforts to achieve a predefined percentage goal based on demonstrable evidence of the availability of ready, willing and able DBEs relative to all businesses ready, willing and able to participate on airport contracts.

The DBE Program seeks to achieve the following objectives:

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highway, transit, and airport financial assistance programs;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contract;
3. To ensure that the Department's DBE program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet this part's eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT-assisted contracts;
6. To promote the use of DBEs in all types of federally-assisted contracts and procurement activities conducted by recipients;
7. To assist the development of firms that can compete successfully in the marketplace outside the DBE program; and
8. To provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

The estimated cost to update the ENA DBE Program of \$19,620 is reimbursable under the FAA Airport Improvement Program (AIP) at 93.75%:

ENA DBE Update	\$19,620.00
FAA Share 93.75%	<u>18,393.75</u>
<b>ENA share 6.25%</b>	<b><u>\$ 1,226.25</u></b>

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3305-2022**

AN ORDINANCE CONDITIONALLY GRANTING CERTAIN FORECLOSED CITY-OWNED PROPERTIES DESCRIBED AS LOTS 8 & 11, BLOCK 9 AND LOT 4, BLOCK 10, MOMMSEN'S REPLAT OF ADDITIONS NO. 1 & 2 (PARCEL NUMBERS 03910211, 03910208 AND 03910304) TO CENTRAL PENINSULA HABITAT FOR HUMANITY, INC. FOR CONSTRUCTION OF HOUSING.

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WHEREAS, Kenai Municipal Code 22.05.095(b)(iii) allows the Council, by Ordinance, to grant or devote a piece of real property to a nonprofit corporation; and,

WHEREAS, Central Peninsula Habitat for Humanity, Inc. is a nonprofit charitable housing organization and has identified Lot 8 & 11, Block 9, and Lot 4, Block 10, Mommsen Subdivision Replat Addition No. 1 & 2, (parcel Numbers 03910211, 03910208 and 03910304) as properties meeting the needs of their organization; and,

WHEREAS, the above-referenced properties were acquired through tax and special assessment foreclosures (judgement year was 1987); and,

WHEREAS, Ordinance 1414-91 declared the properties were not needed for a public purpose and could be sold; and,

WHEREAS, the recently adopted City of Kenai Land Management Plan reestablished the properties are not needed for a public purpose and recommends disposal; and,

WHEREAS, Ordinance 2942-2017 authorized the City Manager to transfer these lots to Habitat for Humanity, Inc. at less than fair market value for the sole purpose of construction of single-family residences subject to conditions; and,

WHEREAS, due to COVID-19 pandemic workplace guidance procedure as issued by the Center for Disease Control, the outlined schedule of construction in Ordinance 2942-2017 could not be met; and,

WHEREAS, it is advantageous to the City of Kenai to grant these lots to Central Peninsula Habitat for Humanity, Inc. to provide needed safe affordable low income housing over the next few years, which will produce tax revenue for the City of Kenai, rather than having these lots remain vacant; and,

WHEREAS, the lots are zoned and of appropriate size for the intended development; and,

WHEREAS, The Imagine Kenai 2030 Comprehensive Plan outlines goals, objectives, and action items for the City, including the following supporting this application: Objective Q- 4 - Promote the siting and design of land uses that are in harmony and scale with surrounding uses: Objective ED-1 - Promote the infill of existing, improved subdivision lots, and;

WHEREAS, at their regular meeting of June 22, 2022 the Planning and Zoning Commission recommended donation of the above lots to Habitat for Humanity, Inc.

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

**Section 1.** That the Kenai City Council hereby authorizes the City Manager to execute the transfer of title of certain foreclosed City-owned real properties described as Lot 8 and 11, Block 9, and Lot 4, Block 10, Mommson's Replat of Addition No. 1 & 2 (Parcel Numbers 03910211, 03910208 and 03910304) to Habitat for Humanity, Inc. for less than market value and for sole purpose of the construction of single-family residences, subject to the following conditions:

1. Central Peninsula Habitat for Humanity, Inc. shall pay the sum of taxes and assessments owed to the Kenai Peninsula Borough and the City of Kenai upon transfer of ownership to Central Peninsula Habitat for Humanity, Inc.
2. Up to three parcels will be granted for construction to Central Peninsula Habitat for Humanity, Inc. Upon timely completion of the first project, a second parcel may be conveyed. Upon completion of the second project, a third parcel may be conveyed. All projects must be completed by December 31, 2028.

**Section 2.** That the Kenai City Council further finds the disposal of the subject parcel to be in the best interests of the citizens of the City of Kenai and the public interest shall be served by disposing of the property interest for less than fair market value, in accordance with the recitals above which are incorporated herein.

**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 7<sup>TH</sup> DAY OF SEPTEMBER, 2022.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: \_\_\_\_\_

Introduced:	August 17, 2022
Enacted:	September 7, 2022
Effective:	October 7, 2022



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Max Best, Interim Planning Director

**DATE:** August 17, 2022

**SUBJECT:** **Donation of Lots to Central Peninsula Habitat for Humanity, Inc. Ordinance 3305-2022**

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On February 6, 1991 the Kenai City Council passed Ordinance No. 1414-91 declaring certain foreclosed properties were not needed for a public purpose and could be sold.

On January 21, 2009, the Council passed Ordinance 2373-2009, approving the donation of certain foreclosed City-owned lots in Mommsens Subdivision Replat of Additions 1 & 2 to Habitat for Humanity for construction of housing, so long as the sum of taxes and assessments owed to the Kenai Peninsula Borough and the City of Kenai are paid at the time of transfer. Five homes were constructed by 2015 under Ordinance 2373-2009 with a collection of water and sewer service fees and a taxable value of over one million dollars.

Subsequently, on April 5, 2017 the Council passed Ordinance 2942-2017 approving the donation of five additional lots in Mommsens Subdivision to Habitat for Humanity with similar transfer conditions and timelines as required in Ordinance 2373-2009. Due to COVID-19 pandemic workplace guidance procedures as issued by the Center for Disease Control the timeline in the ordinance for additional projects was not met and only one house was completed.

On May 30, 2022, staff received a letter from the Central Peninsula Habitat for Humanity, Inc. requesting to continue construction of housing on Second Street parcels as agreed to in Ordinance 2942-2017 for conditional donation, which has expired.

After public notification, Amy Fisher an adjoining property owner submitted a requested for purchase of a Habitat for Humanity selected lot adjacent to her residence on Second Avenue. After discussions with Amy Fisher, Habitat for Humanity agreed to withdraw 1107 Second Street from the request for conditional donations for construction of housing. The proposal is now for three parcels: Lots 8 & 11, Block 9, and Lot 4, Block 10 Mommsens Subdivision Replat of Additions 1 & 2.

It is advantageous to the City to donate the lots in accordance with timelines and conditions contained in the Ordinance to Habitat for Humanity, Inc. and have residences constructed on the lots over the next few years. Having residences on the lots as opposed to vacant lots would

provide revenue from payment of property taxes levied by the Kenai Peninsula Borough. In addition, the City will receive water and sewer payments of the services provided to the homeowners.

Thank you for your consideration.





## MEMORANDUM

**TO:** Planning and Zoning Commission

**FROM:** Ryan Foster, Planning Director

**DATE:** June 17, 2022

**SUBJECT:** **Action/Approval: Recommending the City Council Approve Ordinance No. XXXX-2022 – Approving the Conditional Donation of City Owned Parcels to the Central Peninsula Habitat for Humanity, Inc.**

On May 30, 2022, staff received a letter from the Central Peninsula Habitat for Humanity, Inc. requesting to continue with the construction of housing on Second Street parcels agreed to in Ordinance 2942-2017 for a conditional donation, which has expired. In the letter, it was noted that Habitat for Humanity has not built homes for the past two years due to COVID-19. After discussions with Amy Fisher, Habitat for Humanity agreed to withdraw 1107 Second Street from their request for conditional donations for construction of housing. The proposal is now for:

- 1109 Second Street (#03910208)
- 1106 Second Street (#03910304)
- 1103 Second Street (#03910211)

The parcels are within the Suburban Residential (RS) Zone. Pursuant to KMC 14.20.065, the purpose of the RS Zone is intended to provide for medium density residential development in areas which will be provided with common utility systems. The construction of single family homes would be consistent with this zoning district. Both City sewer and water services are located adjacent to the subject properties.

The Imagine Kenai 2030 Comprehensive Plan outlines goals, objectives, and action items for the City, including the following supporting this request:

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

Objective LU-2: Promote the infill of existing, improved subdivision lots.

Please review the attached materials.

**Does the Commission recommend Council approve the conditional donation of City owned parcels to the Central Peninsula Habitat for Humanity, Inc.?**



Attachments:

Letter Requesting Conditional Donation to Habitat for Humanity

Email Withdrawing 1107 Second Street from Their Request

Ordinance 2942-2017

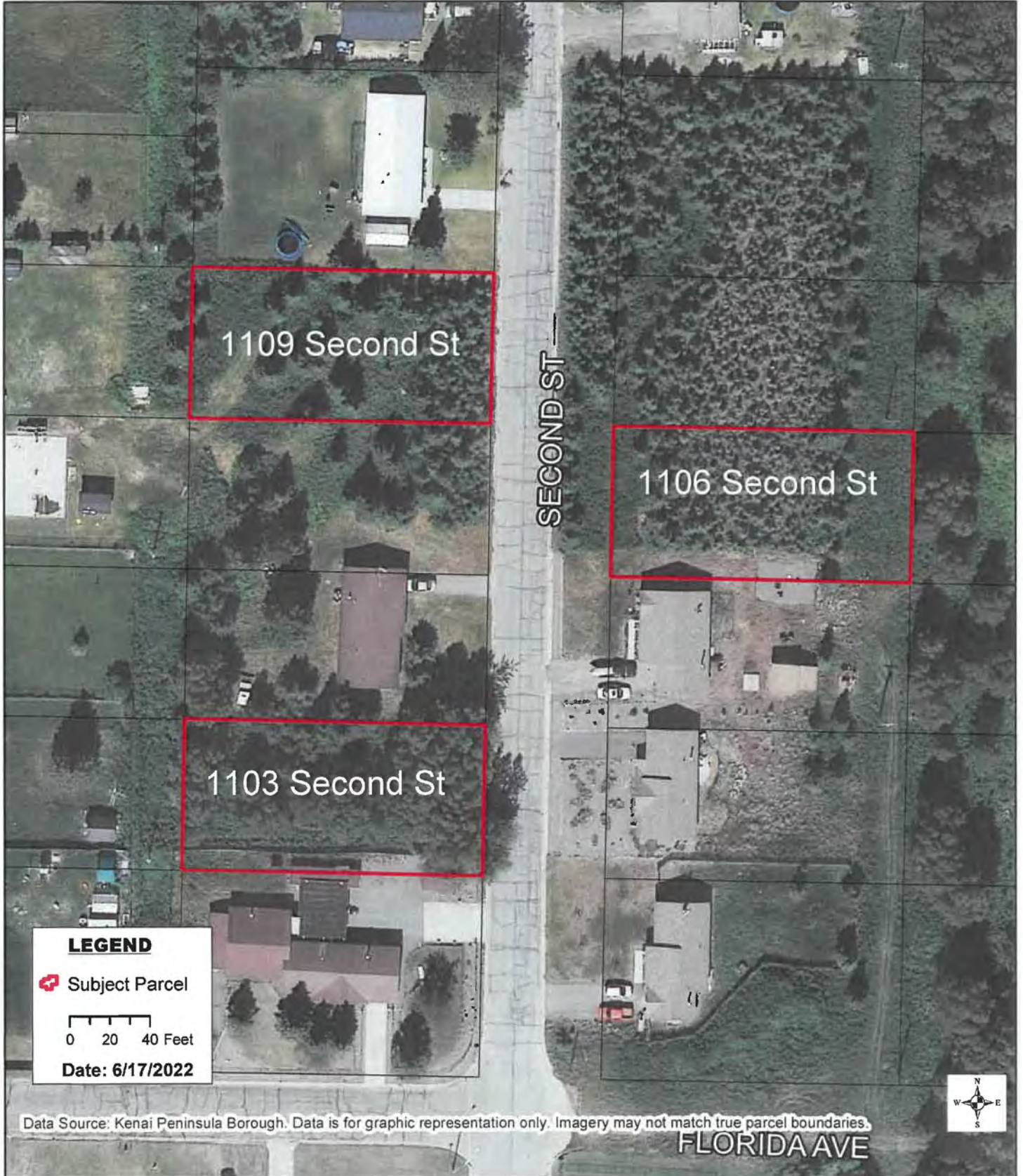
Requested Second Street Parcels Map







1109 Second Street (#03910208)  
1106 Second Street (#03910304)  
1103 Second Street (#03910211)



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



Sponsored by: City Manager

**CITY OF KENAI**  
**ORDINANCE NO. 2942 - 2017**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, CONDITIONALLY DONATING CERTAIN FORECLOSED CITY-OWNED PROPERTIES DESCRIBED AS LOTS 8, 9, AND 11, BLOCK 9, AND LOTS 4 AND 5, BLOCK 10, MOMMSENS SUBDIVISION REPLAT OF ADDN. 1 & 2, ADDN. NO. 2, (PARCEL NUMBERS 03910208; 03910209; 03910211; 03910304 AND 03910305) TO CENTRAL PENINSULA HABITAT FOR HUMANITY, INC. FOR CONSTRUCTION OF HOUSING.

WHEREAS, Kenai Municipal Code 22.05.125 allows the Council, by Ordinance, to donate foreclosed real property no longer needed by the City for public purpose to a non-profit corporation, for consideration agreed upon between the City and Grantee without a public sale, if it is advantageous to the City; and,

WHEREAS, Central Peninsula Habitat for Humanity, Inc. is a non-profit charitable housing organization and has identified Lots 8, 9, and 11, Block 9, and Lots 4 and 5, Block 10, Mommsens Subd. Replat Addn. No. 1 & 2, Addn. No. 2 (Parcel Numbers 03910208; 03910209; 03910211; 03910304; and 03910305) – (See Attachment B) as properties meeting the needs of their organization; and,

WHEREAS, the above-referenced properties were acquired through tax and special assessment foreclosures (judgement year was 1987); and,

WHEREAS, Ordinance No. 1414-91 declared the properties were not needed for a public purpose and could be sold; and,

WHEREAS, the subject properties have been included in public foreclosure sales in 2005 and 2007 where no bids to purchase were received; and,

WHEREAS, it is advantageous to the City of Kenai to donate these lots to Central Peninsula Habitat for Humanity, Inc. to provide needed safe affordable low income housing over the next few years, which will produce tax revenue for the City of Kenai, rather than having these lots remain vacant; and,

WHEREAS, at their regular meeting of March 22, 2017 the Planning and Zoning Commission reviewed the subject Ordinance and recommends the Council of the City of Kenai enact this Ordinance.

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

**Section 1.** Form: That this is a non-code ordinance.

**Section 2.** That the Kenai City Council hereby authorizes the City Manager to execute the transfer of title of certain foreclosed City-owned real properties described as Lots 8, 9, and 11, Block 9, and Lots 4 and 5, Block 10, Mommsens Subd. Replat Addn. No. 1 & 2, Addn. No. 2 (Parcel Numbers 03910208; 03910209; 03910211; 03910304; and



03910305), to Habitat for Humanity, on a form approved by the City Attorney, for less than fair market value and for the sole purpose of the construction of single-family residences, subject to the following conditions:

1. Central Peninsula Habitat for Humanity, Inc. shall pay the sum of taxes and assessments owed to the Kenai Peninsula Borough and the City of Kenai, upon the transfer of ownership to Central Peninsula Habitat for Humanity, Inc. from the City of Kenai.
2. Up to five parcels will be granted for construction to Central Peninsula Habitat for Humanity, Inc. The grants will be according to the following timeline: One parcel will be granted for the 2017 construction season. Construction must be complete on the parcel by the end of 2018. Upon timely completion of that project, the second parcel may be granted. The second project must be completed by the end of 2020. Upon timely completion of the second project, a third parcel may be granted. The third project must be completed by the end of 2022. Upon timely completion of the third project, a fourth parcel may be granted. That project must be completed by the end of 2024. Upon timely completion of the fourth project, a fifth parcel may be granted. The fifth project must be completed by the end of 2026.

**Section 3.** That the Kenai City Council further finds the disposal of the subject parcel to be in the best interests of the citizens of the City of Kenai and that the public interest shall be served by disposing of the property interest for less than fair market value, in accordance with the recitals above which are incorporated herein.

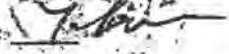
**Section 4.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all 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 30 days after adoption.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 5<sup>th</sup> day of April, 2017.

  
BRIAN GABRIEL, SR., MAYOR

ATTEST:  
  
Sandra Modigh, City Clerk

Approved by Finance: 

Introduced: March 15, 2017  
Adopted: April 5, 2017  
Effective: May 5, 2017

Attachments: A - C

**PURCHASE ORDERS OVER \$15,000.00 WHICH NEED COUNCIL APPROVAL  
COUNCIL MEETING OF: AUGUST 17, 2022**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPT.</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
EB MECHANICAL LLC	CLARIFIER EXHAUST FANS	WWTP	REPAIR & MAINTENANCE	19,586.00

**INCREASE OF EXISTING PURCHASE ORDER**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>P.O. # - DEPT.</b>	<b>REASON</b>	<b>AMOUNT</b>	<b>TOTAL PO AMT</b>
K+A DESIGNS	KENAI REC CENTER IMPROVEMENTS	125053 - REC CTR IMPS.	CIVIL DESIGN TO MANAGE STORM WATER	16,000.00	108,085.00
HDL ENGINEERING CONSULTANTS	SLUDGE PRESS REPLACEMENT	121735 - WASTEWATER FACILITY	CONSTRUCTION ADMIN SERVICES	204,626.00	460,895.00

**\*\* Contingent Upon Passage of Ordinance No. 3302-2022 \*\***

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Scott Curtin, Director of Public Works

**DATE:** August 10, 2022

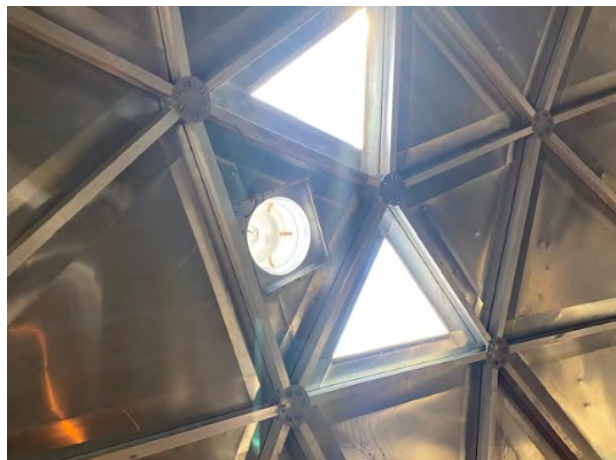
**SUBJECT:** Purchase Order – EB Mechanical WWTP Clarifier Fans

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The purpose of this memo is to request Council’s approval to issue a Purchase Order to EB Mechanical in the amount of \$19,586 for the replacement of two currently nonfunctioning exhaust fans at the wastewater treatment plant’s clarifiers. The fans are utilized to remove humidity from within the clarifiers. During the winter months when these are not working properly the humidity creates very icy conditions, resulting in greater operational maintenance to avoid safety concerns.

The FY23 Budget included \$26,000 for Repair & Maintenance items within account 010-467-4538. \$10,000 was specifically slated for this work. As this project is a priority for the department we plan on deferring some of the other lower priority items to complete this work now. Photos below show one of the two clarifiers and the fan to be replaced.

Council’s approval is respectfully requested.





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin, Director of Public Works  
**DATE:** August 10, 2022  
**SUBJECT:** Purchase Order Increase – K+A Architecture

---

The purpose of this memo is to request Council's approval to increase Purchase Order 125053 to K+A Architecture from \$92,085 to \$108,085, an increase of \$16,000. Resolution 2022-06 authorized the original agreement with K+A Architecture on January 19, 2022. The additional professional services costs through execution of contract amendment 1, will provide civil design work to manage storm water from the recreation center's proposed new roof drain system, as well as provide cost estimation services for the project.

Design Documents are at 95% completion. Staff has been in close coordination with the AE team to address code related issues within the facility. We are still hopeful of bidding the project in the next few weeks. Priority will be given to roof replacement and completion of civil storm water work. If on bid day there is insufficient budget, the mechanical systems replacements may have to wait until additional funding can be secured. They will be bid as additive alternates, to allow the department the greatest flexibility in awarding a contract.

Sufficient existing funding resides in the Kenai Recreation Center Improvements Capital Project Fund under Activity Code 285 for this purchase order increase.

This is a priority project for the Parks & Recreation Department. The Maintenance Department has been dealing with multiple roof leaks over the last few years at this property. Council's support is respectfully requested.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin, Director of Public Works  
**DATE:** August 9, 2022  
**SUBJECT:** Purchase Order Increase to HDL Engineering Consultants

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The purpose of this memo is to increase Purchase Order 121735 to HDL Engineering Consultants by \$204,626 for Construction Administrative Services for the Sludge Press Replacement project. It is noted that this Purchase Order increase request is contingent upon Council's approval of Ordinance 3302-2022 at the August 17, 2022 meeting. Without approval of that Ordinance, sufficient funding is not available for this requested increase.

The current Purchase Order is increasing from \$256,269 to \$460,895. This project is providing for the replacement of the 40 year old belt press at the wastewater plant with a new screw sludge press by Andritz Corp. The Andritz press was purchased through a separate procurement process from the Construction Bid due to the long lead times to acquire the equipment. The total purchase price was \$225,000.

Blazy Construction was the lowest responsive bidder on July 22, 2022 with a winning bid of \$1,437,913. Total combined project costs to date will be \$2,123,808. The design fees as a percentage of total contract are higher than our usual due to the extensive number of disciplines involved in this project: civil, structural, architectural, mechanical, electrical, process, and process control. All having their part to play to bring the project to a successful completion.

The project is scheduled to run through Spring 2023, with the new press currently on track to arrive in late October 2022.

This is the current highest priority project for the Utility. The current press requires constant attention and maintenance. Completion of this work will provide a measure of reliability and safety back to the operations of the facility. Council's approval is respectfully requested.

**KENAI COUNCIL ON AGING  
REGULAR MEETING  
JULY 14, 2022 – 3:00 P.M.  
KENAI SENIOR CENTER  
CHAIR RACHAEL CRAIG, PRESIDING**

**MEETING SUMMARY**

**1. CALL TO ORDER**

Chair Craig called the meeting to order at approximately 3:00 p.m.

**a. Pledge of Allegiance**

Chair Craig led those assembled in the Pledge of Allegiance.

**b. Roll was confirmed as follows:**

Members Present: R. Craig, R. Williams, C. Thornton, V. Geller, A. Heckert, J. Straughn, B. Modigh

Members Absent: F. Kilfoyle

A quorum was present.

Staff/Council Liaison: Senior Center Director K. Romain, Administrative Assistant R. Piersee, City Manager Paul Ostrander, and Council Liaison H. Knackstedt

**c. Agenda Approval**

**MOTION:**

Member Thornton **MOVED** for approval of the agenda as presented and Member Williams **SECONDED** the motion. There were no objections. **SO ORDERED.**

**2. SCHEDULED PUBLIC COMMENTS – None.**

**3. UNSCHEDULED PUBLIC COMMENT -- None.**

**4. APPROVAL OF MEETING SUMMARY**

a. June 9, 2022

**MOTION:**

Member Williams **MOVED** to approve the June 9, 2022 meeting summary. Member Straughn **SECONDED** the motion. There were no objections. **SO ORDERED.**

**5. UNFINISHED BUSINESS -- None.**

**6. NEW BUSINESS**

a. **Discussion** – Update on the Bluff Stabilization Project

City Manager Ostrander provided a memo and a packet for the members giving the project timeline and current funding for this project. Questions asked from the members were regarding



the location of the project, angle of the repost, construction costs, handicapped accessible trails, and a possible river walk.

b. **Discussion** – Update on the Waterfront Revitalization Project

City Manager Ostrander provided information on the project and community participation in the development process.

7. **REPORTS**

- a. Senior Center Director – Director Romain reported on the following:
  - New ARPA (American Rescue Plan Act) recently submitted for extra personnel during the winter months, employee training, and funds for a raised bed extension to the greenhouse.
  - The Greenhouse Memorial Dedication was well attended. The Osborn family presented a plaque commemorating the dedication.
- b. Council on Aging Chair – Chair Craig reported on the following:
  - The loss of four actively participating seniors during the past weeks.
  - Expressed desire to see increased volunteering at the Center.
  - Work session in September.
- c. City Council Liaison – Council Member Knackstedt reported on the actions of the July 6, 2022, City Council Meetings.

8. **NEXT MEETING ATTENDANCE NOTIFICATION** – September 8, 2022

It was noted that there will be no meeting in August.

9. **COUNCIL MEMBERS COMMENTS AND QUESTIONS**

**MOTION:**

Member Straughn **MOVED** to set the Council on Aging Work Session for Thursday, September 29, at 3:00 p.m. Member Thornton **SECONDED** the motion. There were no objections. **SO ORDERED.**

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

11. **INFORMATION ITEMS** – None.

12. **ADJOURNMENT**

There being no further business, the Council on Aging meeting adjourned at 4:10 p.m.

Meeting summary prepared and submitted by:

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Meghan Thibodeau  
Deputy City Clerk

**KENAI AIRPORT COMMISSION  
REGULAR MEETING  
AUGUST 11, 2022 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
CHAIR GLENDA FEEKEN, PRESIDING**

**MEETING SUMMARY**

**1. CALL TO ORDER**

Chair Feeken called the meeting to order at 6:00 p.m.

**a. Pledge of Allegiance**

Chair Feeken led those assembled in the Pledge of Allegiance.

**b. Roll was confirmed as follows:**

Commissioners Present: G. Feeken, P. Minelga, J. Bielefeld, J. Caldwell, J. Daily, J. Zirul

Commissioners Absent: D. Pitts

Staff/Council Liaison Present: Airport Manager E. Conway, Administrative Assistant E. Brincefield, Council Liaison Baisden

A quorum was present.

**c. Agenda Approval**

**MOTION:**

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

**2. SCHEDULED PUBLIC COMMENT – None.**

**3. UNSCHEDULED PUBLIC COMMENT – None.**

**4. APPROVAL OF MEETING SUMMARY**

**a. May 12, 2022**

**MOTION:**

Commissioner Caldwell **MOVED** to approve the meeting summary of May 12, 2022 as presented. Commissioner Zirul **SECONDED** the motion. There were no objections; **SO ORDERED.**

**b. June 9, 2022**

**MOTION:**

Commissioner Caldwell **MOVED** to approve the meeting summary of June 9, 2022 as presented. Commissioner Zirul **SECONDED** the motion. There were no objections; **SO ORDERED.**

**5. UNFINISHED BUSINESS – None.**

## 6. NEW BUSINESS

- a. **Discussion/Recommendation** – Recommending the Kenai City Council Approve the Fifth Amendment to City of Kenai Municipal Airport Restaurant Concession Agreement, Authorizing the City Manager to Extend the Restaurant Concession Agreement in the Kenai Municipal Airport for an Additional Year.

### **MOTION:**

Commissioner Zirul **MOVED** to recommend Council approve a Fifth Amendment to the Kenai Municipal Airport Restaurant Concession Agreement. Commissioner Caldwell **SECONDED** the motion.

It was noted that Brothers Café requests a third and final extension to their Restaurant Concession Agreement.

**UNANIMOUS CONSENT** was requested.

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

## 7. REPORTS

- a. **Airport Manager** – Airport Manager Conway reported on the following:
- Enplanements are down 4% for July 2022 from 2021;
  - Parking revenue is up 28% for July from 2021;
  - My Alaskan Gifts Special Use Permit expires at the end of August;
  - Received two design proposals for terminal landscape design.
- b. **City Council Liaison** – No report.

## 8. NEXT MEETING ATTENDANCE NOTIFICATION – September 8, 2022

## 9. COMMISSIONER COMMENTS AND QUESTIONS

Commissioner Bielefeld noted that the dock at the float plane needs new rope.

Commissioner Caldwell asked about progress removing beetle kill; Airport Manager Conway stated that they are working on grant funds for beetle kill removal.

Concerns were expressed about snow removal during the upcoming winter season.

## 10. ADDITIONAL PUBLIC COMMENT – None.

## 11. INFORMATION ITEMS

- a. April 2022 Enplanement Report  
 b. May 2022 Enplanement Report  
 c. June 2022 Enplanement Report

## 12. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 6:12 p.m.

Meeting summary prepared and submitted by:

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Meghan Thibodeau  
Deputy City Clerk

DRAFT

**KENAI HARBOR COMMISSION  
REGULAR MEETING  
AUGUST 8, 2022 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
CHAIR PRO TEM DAVID PECK, PRESIDING**

**MEETING SUMMARY**

**1. CALL TO ORDER**

Chair Pro Tem Peck called the meeting to order at approximately 6:00 p.m.

**a. Pledge of Allegiance**

Chair Pro Tem Peck led those assembled in the Pledge of Allegiance.

**b. Roll Call**

Roll was confirmed as follows:

- Commissioners present: D. Peck, B. Peters, V. Askin, C. Hutchison
- Commissioners absent: M. Dunn, N. Berga, B. Bornemann
- Staff/Council Liaison present: Public Works Director S. Curtin, Public Works Administrative Assistant L. List, Council Liaison G. Pettey

A quorum was present.

**c. Agenda Approval**

**MOTION:**

Commissioner Hutchison **MOVED** to approve the agenda as written. Commissioner Peters **SECONDED** the motion. There were no objections; **SO ORDERED**.

**2. SCHEDULED PUBLIC COMMENT – None.**

**3. UNSCHEDULED PUBLIC COMMENT – None.**

**4. APPROVAL OF MEETING SUMMARY**

**a. June 6, 2022**

**MOTION:**

Commissioner Peters **MOVED** to approve the meeting summary of June 6, 2022. Commissioner Hutchison **SECONDED** the motion. There were no objections; **SO ORDERED**.

**5. UNFINISHED BUSINESS – None**

**6. NEW BUSINESS**

- a. Discussion** – HDR Bluff Stabilization Project 65% DDR Complete .....  
..... [Kenai Bluffs Bank Stabilization Project Webpage](#)

Director Curtin explained that 65% of the dock was done, that the shape would be changing slightly as requested by the Army Corps, and that the next steps would include the bid release goal of April 3<sup>rd</sup>. He noted that on Tuesday, August 2<sup>nd</sup>, representatives from the Corps met in Old Town and by boat; funding is now in State; \$28.5 million in account is with the Corps. They

are currently on time with the budget, and 95% is expected by this winter.

Further discussion from the commission involved the 2023 bid/source materials and 2024 construction start timelines. Clarification was provided that a \$2 million bond is not included in the \$4 million State grants, and that the City cannot move rock, but will coordinate with the Borough and Seldovia to use contractors.

**b. Discussion – Clean Harbors Participation**

There was a presentation by a representative who wanted to get the Commission's feelings about participation. Discussion included the benefit of acknowledgment for the City, and best management practices.

Clarification was provided that participation would involve education, trash containers, dumpsters and restrooms, and that some items are already in place. It was noted that a downside would be that it would cause a lot of work for Director Curtin.

**c. Discussion – Capital Improvement Plan Potential Projects/Amendments**

Director Curtin explained two projects: reconstruction of floats and Lane 4 concrete ramps. He asked the commission for suggestions for the next Capital Improvement Plan, and noted to bring their suggestions to the commission so they can make a motion before the end of the year. It was noted that the boat house for fireboat would be deferred to the Fire Chief.

**7. REPORTS**

- a. Public Works Director – Director Curtin reported on the following:
  - Fishery is on target; budget and actual figures were reported;
  - Dock closure on November 1<sup>st</sup>;
  - Dredging hauled over to racetrack.
- b. Commission Chair – Chair Pro Tem noted that his neighbors had been happy with the dipnet season.
- c. City Council Liaison – Council Member Pettey reported on the City Council Special Meeting of July 26, 2022 and the Regular Meeting of August 3, 2022.

**8. NEXT MEETING ATTENDANCE NOTIFICATION – September 12, 2022**

**9. COMMISSIONER COMMENTS AND QUESTIONS**

Commissioner Peters asked about how often Kenai Avenue is graded, and it was clarified that it was twice a year. He also asked about dipnet cameras, and was referred to contact the City's IT department.

Commissioner Askin noted that we are down in the budget because the number of people is down.

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

**11. ADJOURNMENT**

**MOTION:**

Commissioner Peters **MOVED** to adjourn. Commissioner Hutchison **SECONDED** the motion. There were no objections; **SO ORDERED**.

The meeting was adjourned at approximately 7:09 p.m.

Meeting summary prepared and submitted by:

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Meghan Thibodeau  
Deputy City Clerk

DRAFT

**KENAI PLANNING & ZONING COMMISSION –  
REGULAR MEETING  
AUGUST 10, 2022 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR JEFF TWAIT, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai Planning & Zoning Commission was held on August 10, 2022, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

**1. Pledge of Allegiance**

Chair Twait led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Commissioners present: J. Twait, G. Woodard, D. Fikes, V. Askin, G. Greenberg, J. Halstead

Commissioners absent: A. Douthit

Staff/Council Liaison present: Interim Planning Director M. Best, Interim Administrative Assistant W. Anderson, Vice Mayor J. Glendening, Deputy Clerk M. Thibodeau

A quorum was present.

**3. Agenda Approval**

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

**ACTION**

**ITEM**

Add to item H.1

**Recommending Ordinance 3298-2022  
Enacting Floodplain Management**

- Memorandum to Commission

**MOTION:**

Commissioner Askin **MOVED** to approve the agenda as revised. Commissioner Halstead **SECONDED** the motion. There being no objection; **SO ORDERED.**

**4. Consent Agenda**

**MOTION:**

Commissioner Halstead **MOVED** to approve the consent agenda. Commissioner Woodard **SECONDED** the motion. 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.



5. \*Excused Absences – None.

**B. APPROVAL OF MINUTES**

1. \*Regular Meeting of July 27, 2022

Approved by the consent agenda.

**C. SCHEDULED PUBLIC COMMENTS** – None.

**D. UNSCHEDULED PUBLIC COMMENTS** – None.

**E. CONSIDERATION OF PLATS** – None.

**F. PUBLIC HEARINGS**

1. **Resolution PZ2022-21** – Application for a Conditional Use Permit for an Elementary through High School in the Suburban Residential zone, on Tract A, Kenai Fellowship Church, located at 8333 Kenai Spur Highway, Kenai, Alaska 99611. The application was submitted by Kenai Fellowship, a Church of Christ, P.O. Box 538, Kenai, AK 99611

**MOTION:**

Commissioner Halstead **MOVED** to adopt Resolution No. PZ2022-21. Commissioner Askin **SECONDED** the motion.

Director Best presented his staff report with information provided in the packet explaining that the applicant wishes to obtain a conditional use permit (CUP) for an elementary through high school. It was noted the application met KMC criteria for CUPs and City staff recommends approval subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. A fire inspection must be performed biennially by the City of Kenai Fire Marshal. The applicant must comply with any recommendations made by the Fire Marshal.
3. The Permittee must adhere to the maximum occupancy of the 49 occupants, including staff and students, in the elementary through high school area (basement).
4. The permittee must comply with the parking requirement for the premises as set forth KMC 14.20.250.
5. In the event that the Department of Environmental Conservation (DEC) requires upgrades to the exiting septic system, the applicant will upgrade the septic system.
6. Prior to issuance of the Conditional Use Permit, Permittee must install a water meter on the premises.
7. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
8. The applicant will meet with City staff for on-site inspections when requested.
9. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
10. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.

Applicant Rick Baldwin noted that the CUP would allow Kenai Classical to have their school in this building, and that one of the teachers was also available to answer any questions.

Chair Twait opened for public hearing.

Bill Smith stated that he had no objection to the school but noted that he shared a property line. He asked about how big of a facility would be built, and if they would be clearcutting tract A; he noted that if there was going to be, he would like to see a greenbelt buffer between their properties.

Rick Baldwin clarified that they do not intend to have any construction nor clearcutting outside the premises, and the school would be held in the basement.

Bill Smith asked about whether the access could be off the highway or if the unnamed driveway on the property would be used; Rick Baldwin clarified that the unnamed driveway would be kept closed.

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

Clarification was provided that there is plenty of parking space to meet the requirements for school and auditorium use. It was noted that if the school intended to expand the facility it would require a modification of their CUP, and they would have to reapply through the Planning Department.

**VOTE:**

YEA: Askin, Woodard, Fikes, Greenberg, Halstead, Twait

NAY: None.

**MOTION PASSED UNANIMOUSLY.**

Chair Twait noted the fifteen-day appeal period.

**G. UNFINISHED BUSINESS – None.**

**H. NEW BUSINESS**

- 1. **Action/Approval** – Recommending the Kenai City Council Enact Ordinance No. 3298-2022 Kenai Municipal Code Chapter 14.30 - Floodplain Management, within Title 14 - Planning and Zoning, to Regulate Land Use within the Flood Plain and Authorizing the City to Participate in the National Flood Insurance Program.

**MOTION:**

Commissioner Askin **MOVED** to recommend the Kenai City Council enact Substitute Ordinance No. 3298-2022. Commissioner Fikes **SECONDED** the motion.

Director Best noted that he had included a link to the current Kenai Peninsula Borough FEMA Risk Map Project in the laydown, and that it was an improvement from the previous mapping system. He explained that the main zones for the Commission to consider in the National Flood Insurance Program (NFIP) mapping are the AE zone, X zone and the floodway because those are located in City limits. The objectives of the program were reviewed, and it was noted it is a method to establish development; that one of the requirements is that development needs to stay out of the floodway; and that in other zones you may be able to build with a permit, but only in a way that doesn't affect the floodway. Best explained some of the benefits of the program to the City and residents living in flood zone areas, and how there will be a new development permitting process in the City which will likely come through the Building Inspector before being evaluated by the Planning Department.

Director Best demonstrated the 2022 digital flood insurance rate maps and reviewed the different floodplane zones in the City.

It was noted that the Commission had previously dealt with issues regarding construction in floodplane zones, and it would have been beneficial to have this process place at that time.

**VOTE:**

YEA: Fikes, Greenberg, Halstead, Twait, Askin, Woodard

NAY: None.

**MOTION PASSED UNANIMOUSLY.**

**I. PENDING ITEMS – None.**

**J. REPORTS**

1. City Council – Vice Mayor Glendening reported on the actions of the August 3, 2022 City Council Meeting.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the August 8, 2022 Kenai Peninsula Borough Planning Meeting.
3. City Administration – Planning Director Best reported on the following:
  - He performed a site inspection on the property of the CUP transferred at the last meeting; reported that there were no farm animals, and was in conformance with the CUP;
  - He does not yet know the new owner of the bowling alley property;
  - Thanked Willie Anderson for coming out of retirement and serving as interim Planning Assistant; expressed appreciation for her institutional knowledge and all the hard work she does for City.

**K. ADDITIONAL PUBLIC COMMENTS** – None.

**L. INFORMATION ITEMS** – None.

**M. NEXT MEETING ATTENDANCE NOTIFICATION**

1. August 24, 2022

**N. COMMISSION COMMENTS & QUESTIONS**

Commission Greenberg noted that the old NFIP mapping was not as accurate; the new mapping was an improvement because it is easier to use, and does not put a burden on as many people in the floodplane zones.

Vice Mayor Glendening thanked Director Best for the mapping demonstration, noting that it answered many of his questions.

**O. ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 7:50 p.m.

Minutes prepared and submitted by:

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Meghan Thibodeau  
Deputy City Clerk



# MEMORANDUM

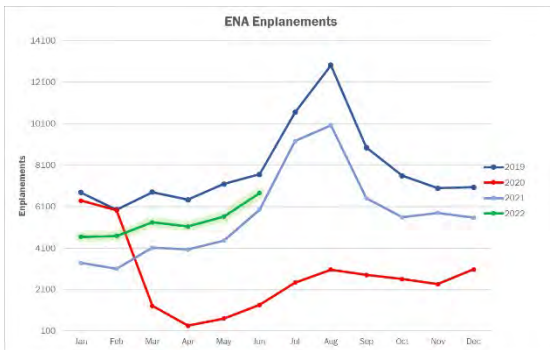
**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Eland Conway, Airport Manager  
**DATE:** August 10, 2022  
**SUBJECT:** Kenai Municipal Airport (ENA) Mid-Month Report

## My Alaska Gifts

The term for the Terminal Gift Shop will expire at the end of August 2022. The Airport will begin advertising for another suitable tenant.

## Enplanements

2022 passenger enplanements remain higher than the previous year, they are continuing to trend closer to pre-pandemic levels – up 28% YTD compared to 2021.



	2021	2022	% Δ
	PAX Enplanements	PAX Enplanements	
Jan	3389	4646	37.09%
Feb	3112	4695	50.87%
Mar	4127	5349	29.61%
Apr	4035	5150	27.63%
May	4464	5621	25.92%
Jun	5953	6760	13.56%
<b>Grand Total</b>	<b>25080</b>	<b>32221</b>	<b>28.47%</b>

## Parking Revenue

Parking revenue for the month of June surpassed 2021 parking revenue for the same month. Parking revenue continues to trend toward pre-pandemic numbers – up 48% YTD compared to 2021.



	2021 Parking	2022 Parking	% Δ
Jan	6,626	13,448	103%
Feb	8,373	15,338	83%
Mar	11,315	18,532	64%
Apr	11,757	20,530	75%
May	15,309	16,467	8%
Jun	14,236	15,920	12%
<b>Grand Total</b>	<b>67,615</b>	<b>100,235</b>	<b>48%</b>





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**THROUGH:** Dave Ross, Police Chief

**FROM:** Jessica “JJ” Hendrickson, Animal Control Chief

**DATE:** August 4, 2022

**SUBJECT:** July 2022 Monthly Report

This month the Kenai Animal Shelter took in **36** animals. Animal intake and disposition:

DOGS:				
	INTAKE	24	DISPOSITION	19
	Waiver	5	Adopted	7
	Stray	13	Euthanized	1
	Impound	0	Claimed	11
	Protective Custody	3	Field Release	0
	Quarantine	2	Transferred	0
	Microchips	0	Other Dispositions	0
	Other Intakes	1		
CATS:				
	INTAKE	12	DISPOSITION	24
	Waiver	6	Adopted	18
	Stray	6	Euthanized	2
	Impound	0	Claimed	1
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	3

Microchips	0	Other Dispositions	0
Other Intakes	0		0
OTHER ANIMALS:			
INTAKE	0	DISPOSITION	0
Chinchilla	0	Chinchilla	0
Rabbit	0	Rabbit	0
Other	0	Guinea Pig	0
DOA:	0	OTHER STATISTICS:	
Dog	0	Licenses (City of Kenai Dog Licenses)	9
Cat	0		
Rabbit	0		

- 3 Animal dropped with After Hours (days we are closed but cleaning and with KPD)
- 23 Animals are *known* borough animals
- 17 Animals are *known* City of Kenai
- 5 Animals are *known* City of Soldotna
- 0 Animals from unknown location
- 41 Field Investigations & patrols
- 5.45 Volunteer Hours Logged
- 1 Citations
- 0 Educational Outreach

Statistical Data:

- 454 2020 YTD Intakes
- 368 2021 YTD Intakes
- 242 2022 YTD Intakes





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Terry Eubank, Finance Director  
**DATE:** August 10, 2022  
**SUBJECT:** Finance Department, August 2022 Mid-month Report

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The department completed its part of the 2022 Personal Use Fishery management and is working toward completion of the annual report on the fishery. Fishery revenue was \$479,300 which was 97.44% of the FY2023 budgeted amount of \$497,901. Total expenditures are still being compiled and a full financial analysis will be part of the annual report.

With the end of FY2022, the department's focus has switched to closing of that year's books and completion of the City's Annual Comprehensive Financial Report. This process includes closing of the FY22 financial records, fiscal year end grant reporting, completion of the annual Audit and finally financial statement preparation. The annual audit is scheduled for the week of October 3<sup>rd</sup>.

The upcoming retirement of Sue Best, the City's Accountant, on September 2<sup>nd</sup>, the City's new Controller, Lana Metcalf, started with the City on August 22<sup>nd</sup> and will spend two weeks transitioning with Sue. We want to wish Sue the best in her retirement and offer a warm welcome to Lana.





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Tony Prior, Fire Chief

**DATE:** August 10, 2022

**SUBJECT:** Fire Department Mid-Month Report – July

Calls for service for July decreased from 2021 as we wrap up our dip net season. Here is the breakdown for July 2022.

July	2021	2022	% change
Totals	144	128	-11.1%
EMS	104	90	-13.5%
All Other	40	38	-5.0%
Year total	815	855	4.9%

### Training:

- Scott Summers attended training on our Run Reporting System (Image Trend) to continue to improve on reports and data collection.

### Projects/Grants:

- Chief Prior and Deputy Chief Anderson traveled to Braun Northwest to complete a pre-build meeting for our new ambulance.
- We are continuing work with the Division of Forestry and US Forest Service on grants that will provide funding to mitigate dead and dying trees in the Shqui Tsalnu Creek drainage, which is the gulley between Forest Drive and Spruce Street, and the Beaver Loop corridor. All in supported of the CWPP.
- Completed the Emergency Operations Plan with final approval of City Council.

It is with mixed emotions that we congratulate Deputy Chief Mark Anderson on his retirement announcement. He has been a vital member of this department for the last 23years, and we will miss the leadership, training, knowledge, and friendship he has given all of us here at KFD. He leaves big shoes to fill, but we are up for the task. We wish him and Dori Lynn well on their traveling adventures and with the next chapter of their lives.



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Christine Cunningham, Human Resources Director  
**DATE:** August 5, 2022  
**SUBJECT:** Human Resources Activity – July 2022

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### Recruitment

Human Resources worked with Parks and Rec to actively recruit for remaining unfilled or vacated Temporary Parks & Recreation Maintenance Worker positions and the Fire Department to recruit for a Deputy Fire Chief utilizing an internal recruitment process.

Offers of employment were accepted for the following positions: Building Maintenance Lead Technician, Water & Sewer Operator II, Controller, and Library Assistant/ Youth Services Coordinator.

Applications are currently under review for the Planning Director and Planning Administrative Assistant III/ Code Enforcement Officer positions, with temporary employees providing support for the Planning Department until the positions are filled.

The City is currently recruiting for the following positions:

- Temporary Parks & Recreation Maintenance Worker
- Library Aide (part-time)

### Safety

No accidents were reported that resulted in property damage or employee injury.

### Special Projects





Human Resources is working on an update to the City's Employee Handbook to reflect legislative changes affecting personnel policies since the last update in July 2018. In the coming months, Human Resources will work with the City's Health Benefits Consultant and Administration to develop a communications plan to solicit employee feedback and provide information to employees in advance of open enrollment in December.



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Katja Wolfe, Library Director  
**DATE:** August 4, 2022  
**SUBJECT:** Library Mid-Month Report for July 2022

### July 2022 at a Glance

Items Borrowed		Jul-21	Jul-22	2022 YTD
Physical		6,911	7,552	45,004
Digital		1,493	1,566	10,756
<b>Services</b>				
New Memberships		47	67	361
Room Reservations		94	130	828
<b>Programs</b>				
Number of Programs		19	33	203
Program Attendance		122	397	2,948
<b>Technology Sessions</b>				
Computer sessions		436	465	3,374
WiFi Sessions		6,177	8,228	50,575
Early Literacy Station Sessions		186	384	1,741

### July 2022 programming highlights

- 33 total in-person programs – 397 attendees
  - 8 Story Times (total of 82 participants)
  - 3 Lego Clubs (total of 24 participants)
  - Computer Class at the Senior Center (4 participants)
  - Raspberry Pi Club (4 participants)
  - Teen Advisory Board (6 participants)
  - Plant Swap (11 participants)
  - James Webb Day (34 participants)
- Summer Reading Programs
  - Dive into Maritime Folktales (23 participants)
  - Dive into Shark Week (34 participants)
  - Dive into Marine Mammals (35 participants)
  - Dive into Aquatic Engineering (15 participants)
  - 2 DIY Kits (120 kits given away)

### June 2022 library services highlights

- Volunteers logged 47 hours this past month. Tasks included shelving and program support.
- Our study and conference rooms were used by 130 individuals/groups for a total of 279 hours.
- We gave out 79 meals to children 18 and under during our Summer Food Service hours in July.
- We launched 2 new Discovery Kits (1 NASA@ my Library astronomy kit and 1 money skills kit).
- We are wrapping up our Summer Reading Program:
  - 424 children, 57 teens, and 125 adults signed up to participate
  - Over 6000 tickets have been distributed! Each ticket equals 1 hour read or one library-related activity completed.
  - Prize drawings will commence during our Grand Finale on August 4<sup>th</sup>.





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Brad Walker, Parks & Recreation Director  
**DATE:** August 10, 2022  
**SUBJECT:** **Mid-month Report – July 2022**

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- The department had seventeen shelter reservations for the month of July.
- Park staff completed set up for the July 4<sup>th</sup> parade.
- Park staff assisted KSA (Kenai Softball Association) with set up for their 56 team Firecracker Tournament.
- Park staff prepared fields for the Little League All Star tournament held the second weekend of July.
- Park staff set up tents and assisted the Kenai Rugby teams July tournament, which featured 16 different teams and one team traveling from Montana to participate.
- The Director, Assistant Director and the Chamber Commerce are working with the Industry Days event coordinators on planning this event in August.
- The Director and Assistant Director took over operations of the PU fishery. This included all dock operations, shack operations, hiring, and training. We received a lot of encouragement and assistance from supporting departments in our first year of running the PU fishery.
- The first week of July consisted of the Park crew putting up all the PU fishery signage throughout the City of Kenai and all the fishery locations. The park crew also delivered all supplies to locations, delivered 4 wheelers, side by sides, and the water tank to their specific locations.
- The Building Maintenance crew and park staff finished up the Multipurpose Facility project by the third week of July. The consisted of refinishing all the steel girders and supporting I-beams in the building to mitigate the rusting issues.
- Park staff cleaned MPF facility in preparation of making Ice the last week of July so hockey tryouts can take place starting the first week of August.
- Circulation motor #1 and #2 experienced problems during the start up of the ice rink, The Director, Park staff, and staff from Redline sports worked many late nights to get both motors back up and running so ice would be ready by Aug. 1<sup>st</sup>.
- Park staff removed 77 stumps throughout the Parks, Cemetery, and City. We hope to be able rent a stump grinder again in August to continue removing stumps. This will be an ongoing process for the foreseeable future.

- Park staff worked with the street department on tree removal at the dog park in preparation installing the new fence that better reflects the current boundaries of the dog park.
- The Director is working with Wal-Mart community outreach for volunteers to help park staff install a story walk at Daubenspec Family Park. This project is slated to start the second week of August.
- Park staff repainted both shelters at Daubenspec Family Park and removed an old horse pit.
- **The Kenai Recreation Center July visitation**
  - Gym Check In: 455
  - Reserved Gym Hours: 5
  - Weight/Cardio Room Check In: 431
  - Showers/Sauna: 188
  - Racquetball: 44
  - Wallyball: 10
  - Other: 32
  - Student: 289
  - Kenai City Employee: 21
- **July Slash Site Numbers.**
  - 329 total visits
  - Total of 24.43 acres treated





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Max Best, Interim Planning Director  
**DATE:** August 10, 2022  
**SUBJECT:** **Planning and Zoning July 2022 Report**

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### Planning and Zoning Commission Agenda Items and Resolutions

- On July 13, 2022 the Planning and Zoning Commission was canceled.
  
- On July 27, 2022 the Planning and Zoning Commission approved the following meeting agenda items:
  - **Resolution PZ2022-16** – Preliminary Subdivision Plat of King Cove Subdivision.
  
  - **Resolution PZ2022-20** – Application for a Transfer of Conditional Use Permit PZ15-24, for Assisted Living Facility in a Suburban Residential Zone, for J.A.C. Enterprises, Inc. to Aspen Creek Kenai LLC, located at 701 N. Forest Drive, and described as Tact 36A Killen Estates 2014 Replat.
  
  - **Resolution PZ2022-19** – Application for a Transfer of Conditional Use Permit PZ12-22, for Assisted Living Facility in a Suburban Residential Zone, for J.A.C. Enterprises, Inc. to Aspen Creek Kenai LLC, located at 701 N. Forest Drive, and described as Tact 36A Killen Estates 2014 Replat.

### Building Permit and Site Plan Reviews

Two Landscape/Site Plan applications reviewed and approved.

### Code Enforcement

Several site visits and one compliance letter were completed.

### City Council Agenda Items

- On July 6, 2022, Kenai City Council approved the following agenda items:
  - Ordinance No. 3295-2022 – Amending the Official Zoning Map by Rezoning Certain Parcels Southeast of Beaver Loop Road along Basin View Way, Kim N Ang Court, Cub Court, Ames Road, and Dolchok Lane from Rural Residential to Rural Residential-1.
  - Resolution No. 2022-56 – Approving Amendments to the Standard Lease Form for the Lease of Airport Reserve Lands Between the City of Kenai and State of Alaska, Department of Transportation & Public Facilities, Division of Facility Services-10 On Lot 4A, FBO Subdivision No. 11.
  - Action/Approval – Special Use Permit to Kenai Chamber of Commerce and Visitor Center to use and operate of the Moosemeat John Cabin.
  - Postponed Ordinance No. 3298-2022 – Enacting Kenai Municipal Code Chapter 14.30 - Floodplain Management, within Title 14 - Planning and Zoning, to Regulate Land Use within the Flood Plain and Authorizing the City to Participate in the National Flood Insurance Program.







## MEMORANDUM

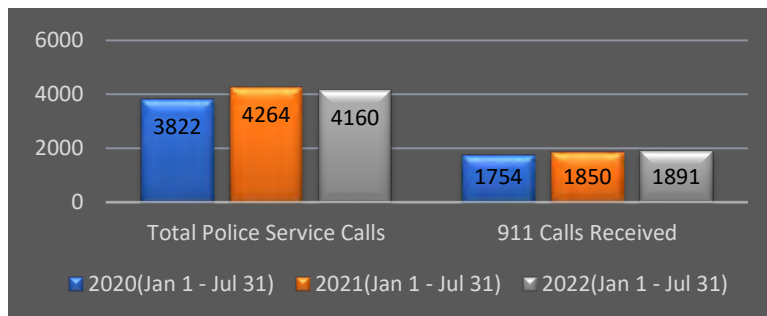
**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** David Ross, Police Chief  
**DATE:** August 5, 2022  
**SUBJECT:** **Police & Communications Department Activity – July 2022**

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Police handled 748 calls for service in July, which was approximately a 14% reduction from July of 2021. Dispatch received 351 9-1-1 calls. Officers made 44 arrests. Traffic enforcement resulted in 265 traffic contacts and 52 traffic citations. There were 5 DUI arrests. Officers investigated 6 motor vehicle collisions in July. There were two collisions involving a moose and no collisions involving drugs or alcohol.

One new KPD officer continued in field training through the month of July. Two officers completed a four-day interviewing class in Anchorage, that was started in June. Three Dispatchers, that are trainers, completed online training updates for Certified Training Officers. One new dispatcher completed his CPR Certification.

The Police Department’s two newest officers (Dustin Real and Ryan Jones) were sworn in by Mayor Gabriel on July 8<sup>th</sup>. Our newest Sergeant (Ryan Coleman) also had his badge pinning on that same day. The Police Department was heavily involved in the 4<sup>th</sup> of July parade, that went smoothly again this year. The Police Department also devotes a great deal of resources, including 5 seasonal hires, to the personal use fishery which also went well again this year in regards to public safety.





# KENAI

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

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** August 2022  
**SUBJECT:** **Mid-Month Report; Public Works / Capital Projects**

- Kenai Municipal Airport Sand Storage Facility – Orion Construction is currently under contract in the amount of \$2,289,000. The project has experienced extreme supply chain issues. March 8<sup>th</sup> had meeting with City Staff, FAA, and HDL Engineering to discuss alternatives. Held Meeting May 12, 2022 with Orion Construction and City personnel to discuss ongoing project issues. June 7<sup>th</sup> received confirmation from Orion that Steel Building is now on order through Superstructures, wall and roof panel submittals *are in process as of August 9, 2022. Received word that steel is preparing for shipment to Alaska and may arrive around first of September. This project is now moving again, however with winter approaching it will be delayed until spring 2023 to start the foundation to avoid the building being exposed to winter conditions without the ability to enclose and provide heat. Some utility work will take place this fall, rerouting of HEA electrical lines, as well as installation of water and sewer connections, and then the project will temporarily shut down.*
- Kenai Municipal Airport Airfield Drainage – Project consists of the replacement of approximately 500 lf of failing storm water pipelines located in the safety area off the northern end of the runway. 10/13/21 Contract Documents were executed with BMGC LLC in the amount of \$360,225. Airport staff has requested this project hold off until spring for operational concerns. Update: With the addition of Kenai Aviation to the airport the availability of runway closure times has been further reduced. Staff is working to reduce the length of the available runway for a limited period of time, three weeks range, to allow the contractor to work with minimal limitations within the project area. This will slightly delay the start of the project to allow for the required notifications to take place. A monitoring well was installed to verify water table elevation in the project area on June 6<sup>th</sup>. Conditions continue to be monitored, work anticipated to start likely October 2022, working a revised Construction Safety Phasing Plan (CSPP) in coordination with the FAA and expecting the runway to be shortened for a period of time to allow the work to be completed. *Update: The revised CSPP has been approved by*



*the FAA and this work is anticipated to be completed during October 2022 with the runway being shortened for a period of time to accommodate the Contractor.*

- Kenai Municipal Airport Snow Removal Equipment (SRE) – Update: This equipment is on order and dependent upon supply chain logistics will likely arrive in spring 2022. Update: Delivery of unit has experienced slight delays with mounting the blower head to the tractor. *Equipment shipping has not occurred yet however we are anticipating it to start heading to Alaska any day now with an arrival date within four weeks. Photo below is our unit and was taken in June 2022.*



- Kenai Municipal Airport Runway Rehabilitation Project – This project known as Task 4 within HDL Engineering Consultants LLC term service agreement with the City shall provide an initial assessment of the current condition of the airport runway. This will include geotech work, coring numerous locations of the runway. This work will provide the necessary information to coordinate with the FAA to seek grant funding for an overall runway rehabilitation project which will ultimately include the runway, taxiways, drainage, lighting, markings, etc. Once the conditions report is received, which fiscal year the project will likely need to take place will be determinable. This initial assessment and corresponding design work to an anticipated 35% level of completion has been contracted at a total cost of \$250,000 and is expected to be completed by the end of the calendar year. Update: On August 4<sup>th</sup> HDL Engineering and staff successfully completed geotech borings of the runway after hours. On October 13<sup>th</sup> HDL Engineering, City staff and the FAA discussed the findings of the geotech report. On December 6, 2021 the City received the draft Engineer's Design Report (EDR) along with the



draft Geotechnical Report. Staff is reviewing the documents in house in preparation for formal discussion with the FAA in February. Project remains on schedule and within budget at this time. Contract Amendment is pending to add additional services to take the project from the current Preliminary Design to completed bid ready construction documents. Ordinance 3278-2022 was approved on April 20<sup>th</sup> to secure HDLs services through Bid Phase with a contract amendment of \$781,833 executed on May 6, 2022, bringing the total cost of design to \$1,031,833.

- Waste Water Treatment Plant Replacement Sludge Press – Resolution 2020-95 approved at the December 16, 2020 Council meeting authorized HDL Engineering to begin the Design Phase of the WWTP Replacement Sludge Press. Contract Documents were executed on January 6, 2021 with a Notice to Proceed issued on January 11, 2021. A Request for Proposals from press manufactures was released on April 27, 2021 with proposals due on May 25<sup>th</sup>, 2021. Resolution 2021-42 to award an equipment purchase agreement to Andritz Corp in the amount of \$285,000 was approved by Council at the June 16, 2021 meeting. The screw press is on order and is expected to arrive in Kenai in July. Construction Documents are now complete and a formal Invitation to Bid was released on June 7<sup>th</sup>, 2022. *Bids were originally due on June 28<sup>th</sup> but the deadline was extended to July 22<sup>nd</sup> due to a lack of bidders interested in the project. On July 22<sup>nd</sup> two bids were received, with Blazy Construction being the lowest responsive responsible bidder at a cost of \$1,437,913. Legislation is pending Council approval at the August 17<sup>th</sup> meeting.*



- Kenai Wellhouse Relocation – Contract was executed with Polar North Construction on August 4, 2021 in the amount of \$243,172.25. Update: Polar North is nearly complete with the project. The building is now residing in the new permanent location adjacent to the trailer at the water treatment plant. *The well has now been capped, new building site has been graded. Removal of the old fencing at the old site, along with some previously stored materials is pending to complete the overall project. The department extends our appreciation to Polar North for their efforts in completion of the project.*
- Lift Station Renovations – Resolution 2021-58 awarded HDL Engineering agreement in the amount of \$59,560 to provide bid ready construction documents for three lift stations. HDL has completed on site evaluations and are nearing completion of three sites to receive upgrades. These locations included the stations at mile posts 13 and 14, which are near the soccer fields and Spur / Redoubt Ave respectively, as well as a station on Lawton Drive. These locations are intended to receive new pumps and pump control panels as part of this project. Update: After determination of which lift stations would receive renovations to start, a design meeting was held on 12/3/21 to discuss pump and control panel design. Basis of





design memo received on January 6, 2022. Update: Design documents are at 65% and continue toward 95% completion. *Expecting bid ready construction documents in August 2022.*

- Multi-purpose Facility – The Building Maintenance Department went through the Ice Rink and pressure washed all of the algae that has been growing on the steel beams. Nelson Engineering was also able to come out and assess the structure and condition of the rusting. Formal report was received on October 6, 2020. Staff began repair work on the ice rink starting May 2<sup>nd</sup>, An aerial lift is being used to apply 100 gallons of Ospho rust reformer and 200 gallons of POR15 rust preventive finish coating to the steel elements within the ceiling. Staff continues working on ventilation improvements with planned upgrades to exhaust fans pending, to assist with humidity control. *Update: All planned coatings have been completed including the larger main support beams and fire sprinkler risers. Work will continue on mechanical system upgrades, rink was given back to Parks & Rec July 21<sup>st</sup> to start the process of placing ice by August 1<sup>st</sup>.*
- USACE Bluff Erosion –Council approved Resolution 2021-35 at the June 2, 2021 meeting awarding an agreement to HDR along with issuance of a purchase order in the amount of \$791,832.68. Design services are expected to run approximately twelve months to provide bid ready plans and specifications. July 6, 2021 the formal agreement between the City of Kenai and HDR was executed. On August 11, 2021 the City Manager and Public Works Director met and walked the project site with representatives from the Army Corp of Engineers including the Regional Commander in charge of the project. Project kickoff meeting with Engineers was conducted on August 19<sup>th</sup> at 3:00pm. On August 29<sup>th</sup> the Data Collection Plan was received. Detailed work plan has been received by HDR, Data Collection of existing site condition is now complete. On October 4, 2021 a project meeting was held providing updates on data collection progress. On January 2, 2022 the City received 35% Design Documents from HDR, staff was able to review those documents with HDR uploading them to the Corps website on January 25<sup>th</sup>. Comments were received by the Corps over several days with a formal response to questions provided back to the Corps on February 9<sup>th</sup>. On February 10<sup>th</sup> a meeting was conducted with the Corps, HDR and the City to discuss review comments. On March 3<sup>rd</sup> federal funding in the amount of \$650,000 was received by the USACE to be used toward the design effort of the project. This allows Corps staff to bill time to the project in support of our efforts. On March 10<sup>th</sup> the City submitted a letter for Request for Work in Kind, to cover the expenses the City has incurred through HDR Engineers Inc. in the amount of \$248,676.73, which covers progress from July through November 2021. On March 25<sup>th</sup> meeting with USACE reps where full team of Corp reps are being introduced to the project in anticipation of providing full project review support. 65% Docs are on track for receipt by May 11<sup>th</sup> from HDR Engineering. 65% Design Docs were received ahead of schedule on April 28<sup>th</sup>. Staff and USACE counterparts are actively reviewing the documents. The documents have been uploaded to the City website under the Public Works page and are available for review by the public. Below is one example of proposed wall section. *Update: Value Engineering Workshop was conducted with USACE on June 21-24 at JBER. This completed the requirement of completion of a VE Study for the project. Final 65% documents with the items addressed at the VE Study workshop will be incorporated in a plan set on July 29, 2022. The*



*next step will be moving into Advanced Technical Review (ATR) with the Corp as documents continue toward 95% design. The project is tracking toward an April 3, 2023 Invitation to Bid release for Construction with an anticipated Construction Contract award anticipated in May/June 2023.*

- Cemetery Expansion – This project is located at the corner of First Ave and Float Plane Rd and will provide for additional burial space as the existing adjacent cemetery has reached capacity. The Public Works Department using in house personnel has already cleared, leveled and graded the site, and placed and compacted a gravel sub-base for the parking area. Update: the Cemetery site has been fine graded and grass seed and fertilizer placed. Staff has successfully surveyed in 64 adult plot sites and 12 infant plot sites. These sites are available through the Clerk's office. Additional sites will be available in the summer 2022 after installation of HEA power and irrigation well have been installed. HEA is developing design documents for City approval to bring in a 100amp electrical service to the property from off of Second St. *Update: Procurement documents for Fencing and Asphalt is in progress.*
- Recreation Center Improvements – The Public Works Department released an RFP on November 18, 2021 with proposals due on December 10, 2021 to provide professional AE services for the Kenai Rec Center. This project will provide a code assessment of the facility, architectural drawings for a complete roof replacement of the facility, and mechanical / electrical drawings for the replacement of aging HVAC equipment. Update: Resolution 2022-06 was approved at the 1/19/22 council meeting to award a design agreement to K+A Design Studios in the amount of \$92,085. Design agreement has now been executed and project meetings are set to begin in mid-February. Resolution 2022-09 within the February 16<sup>th</sup> packet is combining funding from several smaller projects into this one larger one. *Update: On March 21<sup>st</sup> the design team provided the code assessment for the facility identifying several issues which are under review by Public Works Staff. Update: Design is running behind schedule and bid documents have not yet been received as of August 9, 2022.*
- Kenai Fire Department Flooring Replacement – This project will be replace aging flooring materials within the station. Based on the age of the facility and previous encounters with asbestos, a Proposal Quote Request was released on 12/1/21 with proposals due on 12/10/21 to sample and test for asbestos containing materials within the proposed work area. Contract was awarded on 12/20/21 with a Notice to Proceed granted on 1/11/21 with report due back to City on 2/14/22. The results of the testing will determine our next course of action. If asbestos is discovered steps to conduct abatement will need to be completed prior to replacement of flooring materials. The testing costs are \$4,112 at this time. May 18<sup>th</sup> council meeting has an Ordinance requesting an additional \$20,000 in supplemental funding to complete abatement and allow the project to proceed. *Update: Supplemental funding approved and request for quotes is in progress to complete the asbestos abatement previously identified.*
- Visitor Center Roof Replacement – Request for Proposal Documents are pending to obtain professional services to provide bid ready construction documents for the planned roof replacement at the Visitors Center. RFP release is anticipated for late January 2022 to provide for shingle replacements during the summer months 2022. Update: A Proposal Quote Request was released on January 25<sup>th</sup> with proposals due on February 15<sup>th</sup> to provide Bid Ready Construction documents for this project. Council can expect to see legislation in March awarding the design agreement. Update: K+A Architecture was the successful proposer and 95% design documents were provided for staff review on May 31, 2022. *Invitation to Bid for*



*construction was released on 6/21/22 with bids due on 7/19/22. Two bids were received and were both well in excess of budgeted amounts. Project is unable to be awarded at this time and will be adjusted slightly with the intent of rebidding 1<sup>st</sup> quarter 2023.*

- DOT Kenai Spur Highway to Sports Lake Rd – In speaking with representatives from DOT on June 10, 2021, it is my understanding this project will likely be released for construction bids in late fall 2021 for an anticipated construction start of Spring/Summer 2022. This project is intended to continue the widening of the roadway similar to the previous project that extended to approximately Swires Rd. *Nothing new to report at this time.*
- DOT Bridge Access Road Bike Path – Council passed Resolution 2021-53 on August 4, 2021 authorizing the City Manager execute a memorandum of agreement with DOT for design, construction, and maintenance of the Kenai Bridge Access Road Pathway project. In speaking with representatives from DOT the state has not provided funding as yet for this project to move forward. To date the City has appropriated \$294,947 in support of this project which is intended to provide a 1.2 mile path connecting the paths between the Spur Highway and Beaver Loop. Total cost of project per DOT estimates equals \$3,266,301. Per communications with the DOT, design funding is in place and they are waiting on final signatures for the Reimbursable Services Agreement (RSA) with DNR. Once the RSA is approved they will be able to begin design work. Process is expected to be completed by the end of January. Update: Formal kickoff meeting took place on March 30<sup>th</sup> with the City Manager and Public Works Director in attendance. From appearances this design process will be a slow one, we are not anticipating seeing construction on the path this calendar year. Will continue to update as more information becomes available. Update: A site meeting will be taking place between the City, DNR, & DOT on 6/9/22 to review the project. HDL Engineering appears to be conducting surveying services in support of the project, crews were in the area on 6/7/22. *Nothing new to report at this time.*
- Kenai Dog Park – Public Works Director has been coordinating with representatives from the Dog Park Committee. A formal meeting has been scheduled for April 19<sup>th</sup> to discuss path forward. Committee also has a planned presentation scheduled for the Council meeting on April 20<sup>th</sup>. Additional land was granted for the park, and staff is working with volunteers to get the additional area staked and cleared. Currently \$63,000 of funding is available for the project. Update: Surveying services through McLane's Consulting have been contracted, communications with Dog Park representatives, volunteers, and Parks & Recs is ongoing. *Update: the new fence line has now been cleared of trees and stumps. New fence line has been staked, public works streets department has been working on project with an excavator scheduled for delivery August 1<sup>st</sup> to excavate out the pavilion pad, install pathway and culvert. Volunteers are anticipated to construct the framing of the pavilion with the City pouring the concrete pad. Fireweed fencing is expected on 2<sup>nd</sup> week of August to reinstall fence in permanent location.*
- Roadway Improvements – Nelson Engineering was the successful proposer to provide bid ready construction documents for improvements to Wildwood Dr, Willow Ave, First St. as well as multiple smaller misc. repairs. Update: Contract documents have been executed, geotech soil borings have been completed, site survey work has begun. *Wildwood Drive 65% design docs were received on July 14, 2022 for review. Projects will not be ready for bid release this season and will be released for bids first quarter 2023.*



- Little League Restrooms – Public Works Staff has started on the Scope of Work for the planned new restroom facilities at the ball fields on South Spruce St. In coordination with the Parks & Rec Director, design services will be secured to finalize bid ready construction documents. Current anticipated release for Construction Bids is late summer. A Request for Quotes for design services was released on May 5<sup>th</sup> to provide bid ready documents to construct three new restrooms adjacent to the existing snack shack. Update: No proposals were received by the City for this release, comments from firms were everyone is too busy with work for this small of a project. We will modify our delivery requirements so work may be completed into the fall / winter with a spring 2023 construction start expectation. *Project is now back on street awaiting bids with an extended delivery date into next spring. Multiple firms have downloaded the documents.*







# KENAI

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

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Astrea Piersee, Acting Senior Center Director

**DATE:** August 10, 2022

**SUBJECT:** **July 2022 Monthly Report**

The Kenai Senior Center program was a whirlwind of activities during the month of July with highlights to include, the July 4<sup>th</sup> of July Pie Booth - 99 pies were made this year along with biscuits and gravy. All food items sold out very quickly. The Country Store also experienced success in their fundraising efforts during this event. The outing to the Norman Lowell Gallery and the no-host dinner were well attended as individuals become more comfortable in congregate settings. The Kitchen continues to harvest produce from the Centers greenhouse.

Transportation fees for the Centers transportation program increased as of July first. To combat the rising costs of fuel the routes are being reevaluated and new funding is being sought. The program admitted two new Medicaid Waiver transportation clients this month through education and collaboration. This funding will help supplement grant dollars making them go further.

	2022	2021
Home Delivered Meals	1535	1948
Individuals	95	96
Dining Room (Congregate) Meals	676	485
Individuals	115	78
Transportation (1-way rides)	210	0
Individuals	19	0
Grocery Shopping Assistance	10/30	0
SIGN-INS VIA MySeniorCenter©		
Writers Group	27	23
Caregiver Support Group	2	9
Growing Stronger Exercise	223	245
Tai Chi Class	48	52
TOPS Weight Loss Class	41	21
Bluegrass & Music Sessions	30	88
Card Games	131	145
Wii Bowling	39	10
Arts & Crafts	46	20
Total Event Sign-ins *	1696	1511
Individuals *	184	167
Vintage Pointe Manor Vacancies	0	0

\* (not including home meals clients)



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Terry Eubank, Finance Director

**DATE:** August 3, 2022

**SUBJECT:** June 2022 Quarterly Investment Report

### City of Kenai Investment Portfolio

At June 30, 2022 the City had investments with a market value of \$30,305,609. That is down from \$30,744,051 at March 31, 2022. The City’s portfolio is yielding 1.65% that is up from 0.89% at March 31, 2022. The Federal Reserve increased the Federal Funds Rate in May, 0.50%, to combat inflation, the largest single rate hike since May of 2000. In June the Federal Reserve again increased the Federal Funds Rate, this time by 0.75%, the largest rate hike since 1994. The current Federal Funds Rate ended June at 1.75% and was subsequently increased in July by another 0.75% increase. Future rate hikes are expected with the majority of Federal Reserve Committee members predicting the rate to be between 3.75 – 4.25% by the end of 2023. A rise in interest rates has an inverse effect on the portfolio’s value. Fair market value adjustments to the portfolio through June 30, 2022 are a negative \$820,915. As of June 30, 2021, the portfolios fair market value adjustment was a positive \$129,071. As rates continue to rise further negative fair market value adjustments are expected but higher yield on the portfolio will also occur.

### City’s Investment Portfolio

US Agency Securities	\$19,065,249
AML Investment Pool	1,557,082
Wells Fargo Money Market	3,199,295
FDIC Insured Certificates of Deposit	5,116,835
Bank Balance	<u>1,367,148</u>
Total	<u>\$ 30,305,609</u>

### Permanent Fund Investments

The second quarter 2022 saw volatility and losses in the equity markets. Losses as a result of rising interest rates and declines in the equity markets resulted in second quarter total losses of 9.75%. Since inception the portfolio has returned 7.15%. As of June 30, 2022, the portfolio value was \$30,296,809, comprised of \$25,857,846 (85.35%) Airport Land Sale Permanent Fund, \$3,209,669 (10.59%) General Land Sale Permanent Fund monies, \$1,058,692 (3.50%) Kenai Senior Connection monies, and \$170,602 (0.56%) Kenai Community Foundation holdings.

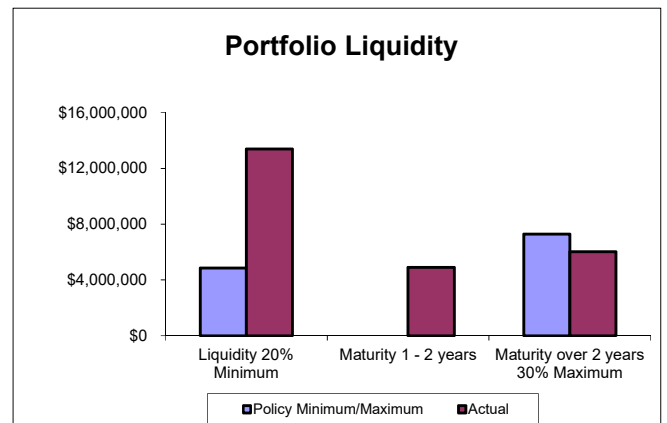
The Airport Land Sale Permanent Fund and General Land Sale Permanent Fund FY22 transfers to airport and general fund operations, \$1,025,736 and \$157,043 respectively, were made on June 1, 2022.



**CITY OF KENAI**  
**INVESTMENT PORTFOLIO SUMMARY**  
**June 30, 2022**

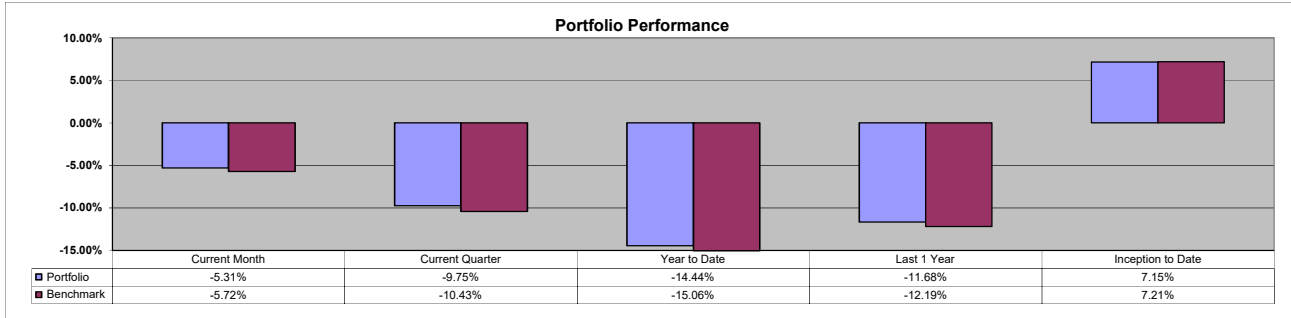
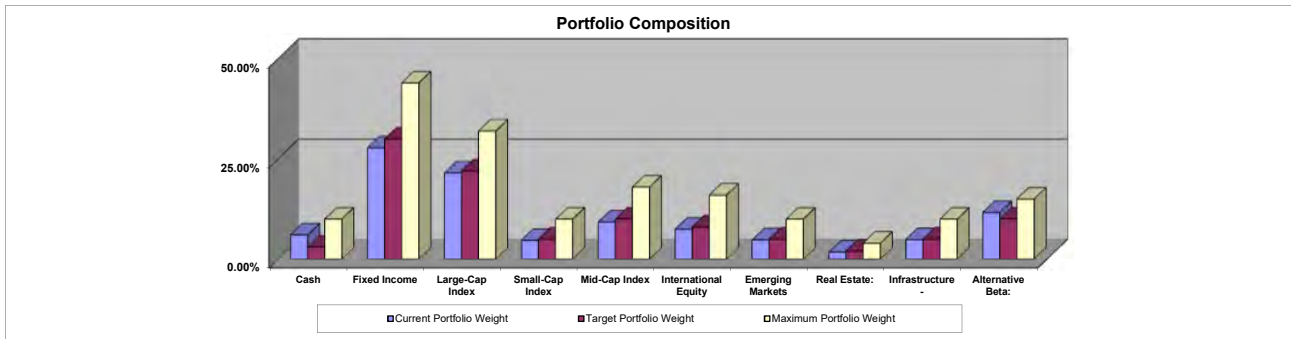
	<b>June 30, 2022 Fair Market Value</b>	<b>Current Yield</b>
<b>Cash &amp; Cash Equivalents</b>		
Wells Fargo Checking	\$ 1,367,148	0.01%
Wells Fargo Secured Money Market	3,199,296	1.35%
FDIC Insured Certificates of Deposit	5,116,835	2.27%
Alaska Municipal League Investment Pool	<u>1,557,082</u>	<u>1.35%</u>
Total Cash & Cash Equivalents	11,240,361	1.61%
<b>Government Securities</b>		
Maturities Less than 1 Year	9,002,169	1.01%
Maturities 1 to 2 Years	2,068,144	1.05%
Maturities Greater than 2 Years	<u>7,994,936</u>	<u>2.60%</u>
Total Government Securities	<u>19,065,249</u>	<u>1.68%</u>
Total Portfolio	<u>\$ 30,305,610</u>	<u>1.65%</u>

Investment Portfolio - Purchase Price	\$ 30,176,539
Investment Portfolio - Fair Value 6/30/22	<u>30,305,610</u>
Fair Value Adjustment - 06/30/21	129,071
Fair Value Adjustment thru - 6/30/2022	<u>(818,028)</u>
Cummulative Change in Fair Value	<u>\$ (688,957)</u>

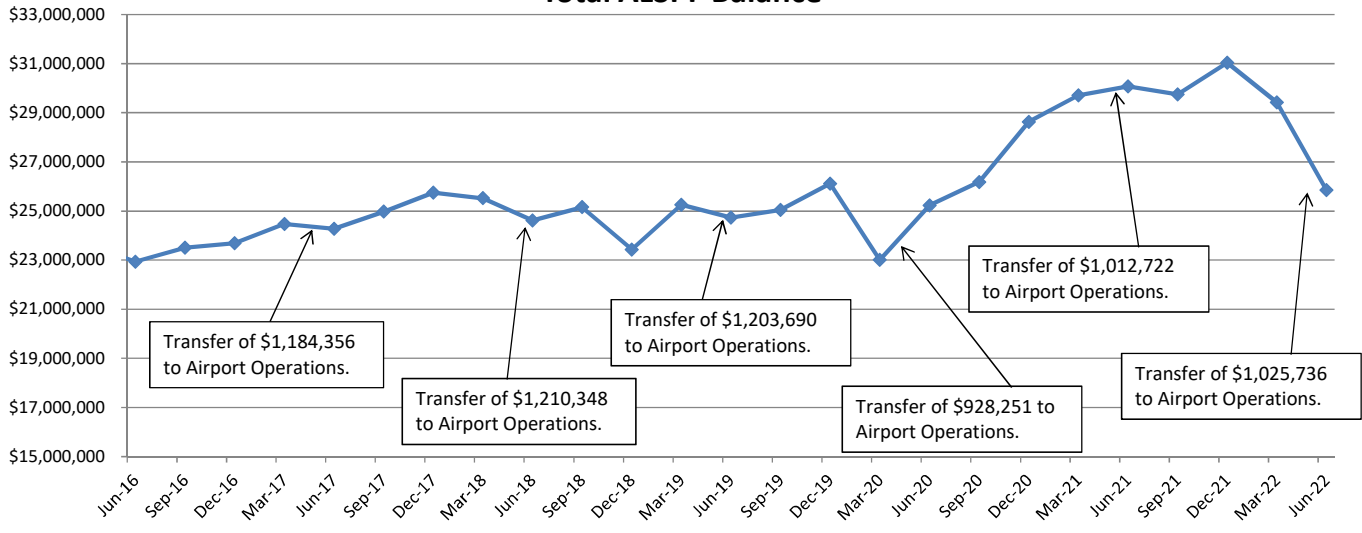




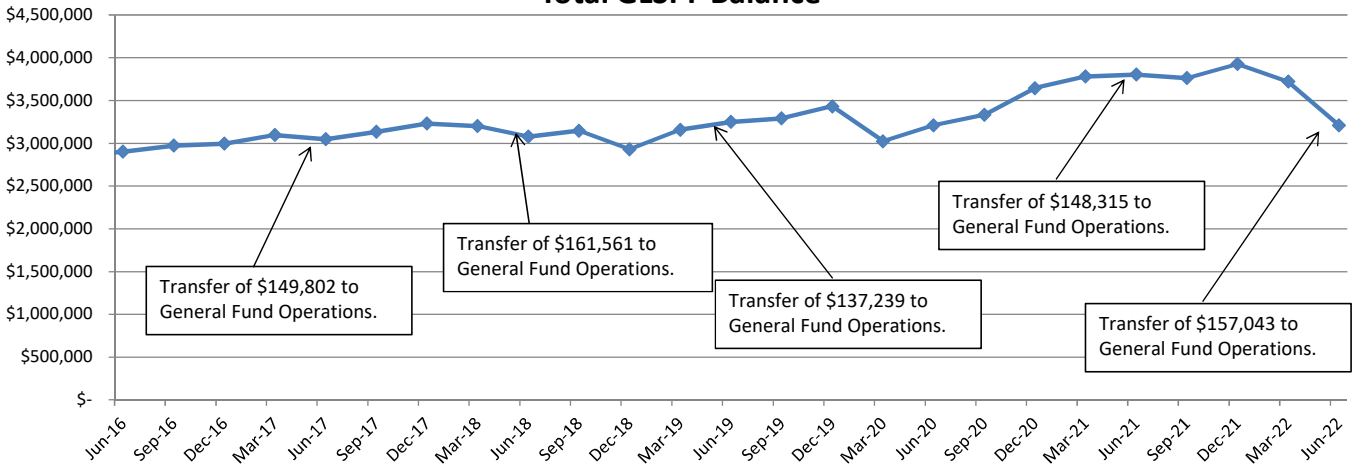
	Fair Market Value					Current or	Current	Target	Portfolio
	30-Jun-21	30-Sep-21	31-Dec-21	31-Mar-22	30-Jun-22	Average	Portfolio	Weight	Maximum
						Yield	Weight	Weight	
<b>Cash</b>									
Cash & Cash Equivalents	2,190,624	2,369,402	2,516,906	1,275,967	1,833,543	0.10%	6.05%	3.00%	10.00%
<b>Fixed Income</b>									
Investment Grade Government & Corporate Securities									
Government Securities	5,766,625	6,276,866	6,632,925	5,127,117	5,101,086	3.39%	16.84%		
Corporate Securities Investment Grade	3,331,243	3,300,253	3,214,776	2,391,717	2,108,368	4.61%	6.96%		
Total Investment Grade Government & Corporate Securities	9,097,868	9,577,119	9,847,701	7,518,834	7,209,454	3.75%	23.80%	26.00%	36.00%
High Yield Domestic -									
SPDR Portfolio High Yield Bonds	-	-	-	-	26,694		0.09%		
Vanguard Hi Yield Corporate Fund Admiral Shares	-	-	-	1,354,863	1,190,658		3.93%		
Total High Yield Domestic	-	-	-	1,354,863	1,217,352		4.02%	4.00%	8.00%
Total Fixed Income	9,097,868	9,577,119	9,847,701	8,873,697	8,426,806	3.75%	27.82%	30.00%	44.00%
<b>Equities:</b>									
Domestic Equities:									
Large-Cap Index	7,847,291	7,883,679	8,472,518	7,839,086	6,522,469		21.53%	22.00%	32.00%
Small-Cap Index	2,210,115	2,103,327	2,205,806	1,984,668	1,422,929		4.70%	5.00%	10.00%
Mid-Cap Index	4,369,012	4,143,616	4,437,562	3,500,227	2,812,265		9.28%	10.00%	18.00%
Total Domestic Equities	14,426,418	14,130,622	15,115,886	13,323,981	10,757,663		35.51%	37.00%	60.00%
International Equities:									
International Equity	4,389,491	4,175,003	4,203,100	3,149,195	2,256,300		7.45%	8.00%	16.00%
Emerging Markets	2,923,176	2,766,724	2,705,552	1,464,576	1,460,565		4.82%	5.00%	10.00%
Total International Equities	7,312,667	6,941,727	6,908,652	4,613,771	3,716,865		12.27%	13.00%	26.00%
Real Estate:									
JP Morgan Beta Builders MSCI Reit	773,540	677,098	781,973	705,645	543,668		1.79%		
Pacer Benchmark Industrial Real Estate	-	-	-	-	-		0.00%		
Total Real Estate	773,540	677,098	781,973	705,645	543,668		1.79%	2.00%	4.00%
Infrastructure -									
Flexshares Stoxx Global Broad Infrastructure	1,465,887	1,194,194	1,229,024	1,933,906	1,485,180		4.90%	5.00%	10.00%
Total Equities	23,978,512	22,943,641	24,035,535	20,577,303	16,503,376		54.47%	57.00%	100.00%
<b>Alternative Beta:</b>									
Blackrock Systematic Multi-Strategy	-	-	-	2,925,750	2,935,070		9.69%		
IQ Hedge Multi-Strategy Tracker	-	-	-	855,039	598,014		1.97%		
Total Alternative Beta	-	-	-	3,780,789	3,533,084		11.66%	10.00%	15.00%
Total Portfolio	35,267,004	34,890,162	36,400,142	34,507,756	30,296,809	-14.44%	100.00%	100.00%	169.00%
Total ALSPF Balance	30,068,105	29,746,816	31,034,201	29,420,781	25,857,846				
Total GLSPF Balance	3,803,858	3,763,212	3,926,077	3,721,966	3,209,669				
Total Kenai Community Foundation	193,233	191,168	199,442	189,074	170,602				
Total Kenai Senior Connection	1,201,808	1,188,966	1,240,422	1,175,935	1,058,692				



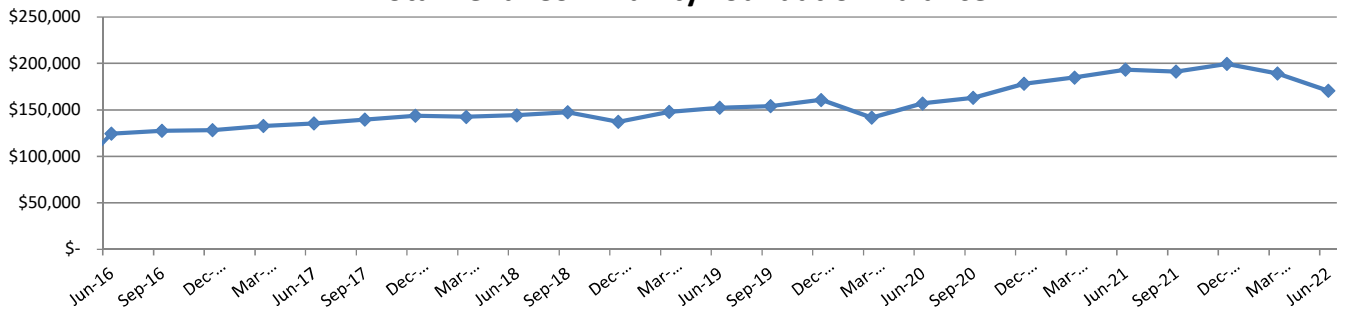
### Total ALSPF Balance



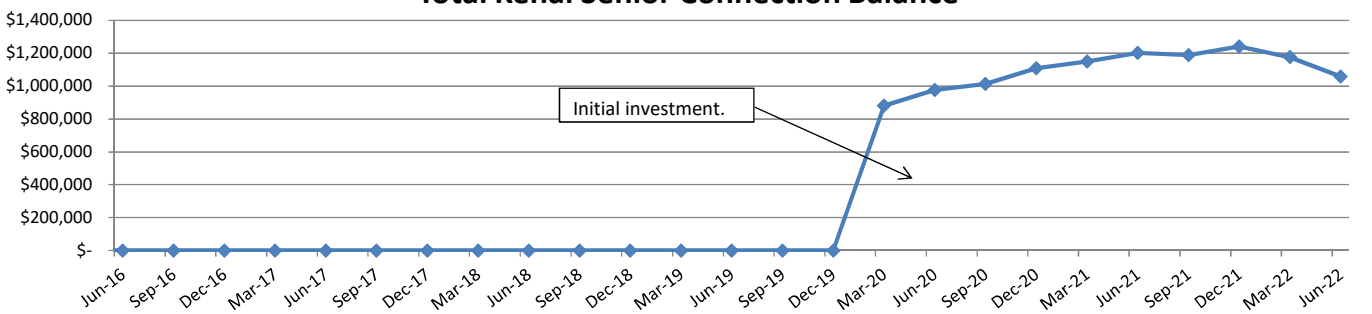
### Total GLSPF Balance



### Total Kenai Community Foundation Balance



### Total Kenai Senior Connection Balance



# CITY OF KENAI PERMANENT FUNDS

## Account Statement - Period Ending June 30, 2022



### ACCOUNT ACTIVITY

Portfolio Value on 05-31-22	32,887,630
Contributions	0
Withdrawals	-887,457
Change in Market Value	-1,844,844
Interest	16,927
Dividends	128,453

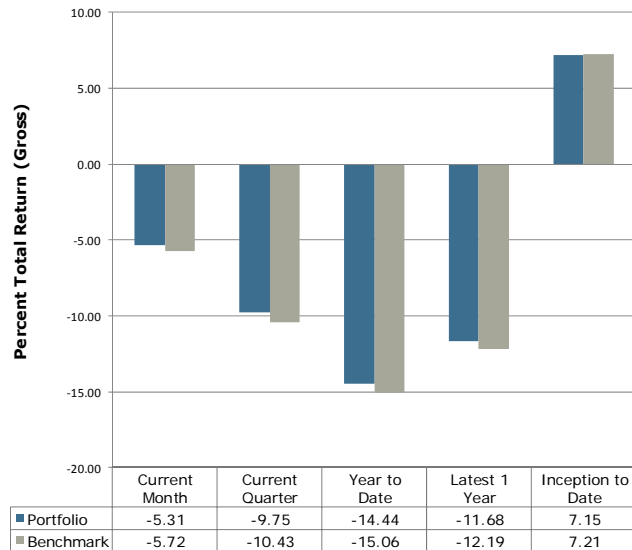
Portfolio Value on 06-30-22 30,300,709

### MANAGEMENT TEAM

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

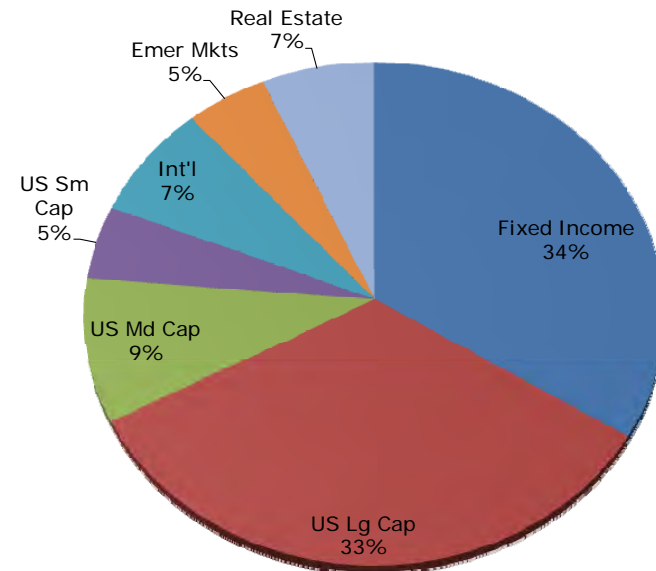
### INVESTMENT PERFORMANCE

**Current Account Benchmark:  
Equity Blend**



Performance is Annualized for Periods Greater than One Year

### PORTFOLIO COMPOSITION





Alaska Permanent Capital Management Co.  
**PORTFOLIO SUMMARY AND TARGET**  
**CITY OF KENAI PERMANENT FUNDS**  
*June 30, 2022*

Asset Class & Target	Market Value	% Assets	Range
<b>FIXED INCOME (33%)</b>			
US Fixed Income (26.0%)	7,209,282	23.8	6% to 36%
High Yield Fixed Income (4.0%)	1,217,351	4.0	0% to 8%
Cash (3.0%)	1,861,001	6.1	0% to 10%
<b>Subtotal:</b>	<b>10,287,634</b>	<b>34.0</b>	
<b>EQUITY (50%)</b>			
US Large Cap (22.0%)	6,499,083	21.4	12% to 32%
US Mid Cap (10.0%)	2,812,265	9.3	0% to 18%
US Small Cap (5.0%)	1,422,929	4.7	0% to 10%
Developed International Equity (8.0%)	2,256,300	7.4	4% to 16%
Emerging Markets (5.0%)	1,460,565	4.8	0% to 10%
<b>Subtotal:</b>	<b>14,451,143</b>	<b>47.7</b>	
<b>ALTERNATIVE INVESTMENTS (17%)</b>			
Real Estate (2.0%)	543,668	1.8	0% to 4%
Alternative Beta (10.0%)	3,533,085	11.7	0% to 15%
Infrastructure (5.0%)	1,485,180	4.9	0% to 10%
<b>Subtotal:</b>	<b>5,561,932</b>	<b>18.4</b>	
<b>TOTAL PORTFOLIO</b>	<b>30,300,709</b>	<b>100</b>	

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
*June 30, 2022*

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
<b>AGENCIES</b>									
125,000	FEDERAL HOME LOAN BANK 0.600% Due 08-27-25	99.90	124,875	92.12	115,151	0.38	750	258	3.24
125,000	FHLB 1.625% Due 03-12-27 Accrued Interest	104.27	130,335	93.55	116,935	0.39	2,031	615	3.11
					873	0.00			
			255,210		232,960	0.77		873	
<b>ALTERNATIVE BETA</b>									
290,889	BLCKRCK SYST MULTI-STR-INST	10.29	2,994,257	10.09	2,935,070	9.69	NA		
20,844	IQ HEDGE MULTI-STRAT TRACKER	30.61	638,027	28.69	598,014	1.97	NA		
			3,632,283		3,533,085	11.66			
<b>CORPORATE BONDS</b>									
100,000	BANK OF NEW YORK MELLON 2.200% Due 08-16-23	97.83	97,833	98.94	98,945	0.33	2,200	825	3.16
100,000	JPMORGAN CHASE & CO 3.875% Due 02-01-24	105.18	105,181	100.62	100,619	0.33	3,875	1,615	3.47
100,000	MORGAN STANLEY IND FINANCIAL SRV 3.875% Due 04-29-24	103.71	103,711	100.13	100,127	0.33	3,875	667	3.80
100,000	WELLS FARGO & COMPANY 3.300% Due 09-09-24	99.88	99,882	98.66	98,658	0.33	3,300	1,027	3.94
100,000	REYNOLDS AMERICAN INC 4.450% Due 06-12-25	108.47	108,467	99.40	99,398	0.33	4,450	235	4.67
100,000	CITIGROUP INC 3.700% Due 01-12-26	101.65	101,647	97.99	97,989	0.32	3,700	1,737	4.32
100,000	KROGER CO 2.650% Due 10-15-26	99.82	99,820	93.54	93,544	0.31	2,650	559	4.31
50,000	GENERAL DYNAMICS CORP 3.500% Due 04-01-27	106.12	53,060	98.15	49,076	0.16	1,750	437	3.93
35,000	DARDEN RESTAURANTS INC 3.850% Due 05-01-27	110.59	38,706	96.17	33,658	0.11	1,347	225	4.75
60,000	BORGWARNER INC 2.650% Due 07-01-27	107.34	64,403	90.84	54,503	0.18	1,590	795	4.73
100,000	ENBRIDGE INC 3.700% Due 07-15-27	101.13	101,135	95.77	95,769	0.32	3,700	1,706	4.65
70,000	ANHEUSER-BUSCH INBEV WORLDWIDE 4.000% Due 04-13-28	114.31	80,016	98.72	69,102	0.23	2,800	607	4.25
70,000	ESSEX PORTFOLIO LP 4.000% Due 03-01-29	111.75	78,224	95.46	66,822	0.22	2,800	933	4.80
100,000	INTEL CORP 3.900% Due 03-25-30	113.48	113,484	97.96	97,962	0.32	3,900	1,040	4.21
50,000	KOHL'S CORPORATION 3.375% Due 05-01-31	99.80	49,901	86.73	43,363	0.14	1,687	281	5.27

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
*June 30, 2022*

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
60,000	KIMCO REALTY CORP 3.200% Due 04-01-32	99.17	59,501	87.37	52,423	0.17	1,920	672	4.84
70,000	CENOVUS ENERGY INC 5.250% Due 06-15-37	119.59	83,716	97.51	68,259	0.23	3,675	163	5.50
100,000	HOME DEPOT INC 4.875% Due 02-15-44	115.63	115,627	101.49	101,486	0.33	4,875	1,842	4.76
50,000	PHILLIPS 66 4.875% Due 11-15-44	126.49	63,243	96.99	48,493	0.16	2,437	311	5.10
100,000	CARDINAL HEALTH 4.900% Due 09-15-45	111.47	111,470	90.60	90,603	0.30	4,900	1,443	5.63
100,000	BANK OF AMERICA CORP 4.443% Due 01-20-48	106.31	106,308	91.41	91,414	0.30	4,443	1,987	5.04
100,000	Sysco Corporation 4.450% Due 03-15-48	120.54	120,536	87.78	87,782	0.29	4,450	1,310	5.33
70,000	NATIONAL RETAIL PROP INC 4.800% Due 10-15-48	126.03	88,222	92.20	64,543	0.21	3,360	709	5.36
50,000	TELUS CORP 4.300% Due 06-15-49	121.52	60,762	89.19	44,597	0.15	2,150	96	5.04
110,000	MAGELLAN MIDSTREAM PARTN 3.950% Due 03-01-50	109.07	119,976	78.87	86,759	0.29	4,345	1,448	5.43
110,000	KANSAS CITY SOUTHERN 3.500% Due 05-01-50	108.00	118,801	78.01	85,810	0.28	3,850	642	4.97
75,000	NUTRIEN LTD 3.950% Due 05-13-50	99.74	74,803	85.43	64,075	0.21	2,962	395	4.92
	Accrued Interest				23,708	0.08			
			2,418,436		2,109,488	6.96		23,708	
<b>DOMESTIC MID CAP EQUITY FUNDS/ETF</b>									
12,431	ISHARES CORE S&P MIDCAP 400 ETF	117.93	1,465,950	226.23	2,812,265	9.28	NA		
<b>EMERGING MARKET FUNDS/ETF</b>									
29,771	ISHARES ETF CORE MSCI EMERGING MKTS	53.58	1,595,188	49.06	1,460,565	4.82	NA		
<b>FNMA &amp; FHLMC</b>									
5,475	FHLMC POOL G14203 4.000% Due 04-01-26	104.56	5,725	101.20	5,541	0.02	219	18	2.89
57,711	FG POOL C91270 4.500% Due 10-01-29	105.67	60,985	101.32	58,473	0.19	2,597	216	3.21
61,807	FG POOL J30401 3.000% Due 01-01-30	101.30	62,608	99.58	61,546	0.20	1,854	155	3.25
66,879	FG POOL G16255 2.500% Due 07-01-32	99.70	66,680	98.17	65,656	0.22	1,672	139	3.21
88,665	FR SB8503 Mtge 2.000% Due 08-01-35	102.81	91,158	93.51	82,912	0.27	1,773	30	3.41

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
*June 30, 2022*

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
66,525	FNCL POOL 995373 4.500% Due 02-01-39	106.72	70,995	103.20	68,654	0.23	2,994	249	3.74
93,143	FR RB5095 MTGE 2.000% Due 01-01-41	103.84	96,716	89.40	83,266	0.27	1,863	31	3.78
169,038	FN POOL AJ1405 4.000% Due 09-01-41	104.48	176,618	100.90	170,557	0.56	6,762	563	3.76
94,950	FN MA4475 Mtge 2.500% Due 11-01-41	103.58	98,348	92.03	87,386	0.29	2,374	40	3.89
100,670	FN POOL AT2324 3.000% Due 01-01-43	100.20	100,875	95.59	96,231	0.32	3,020	50	3.81
155,752	FG POOL V80057 3.000% Due 05-01-43	100.23	156,117	95.63	148,946	0.49	4,673	389	3.81
99,041	FN POOL AL3180 3.000% Due 05-01-43	100.20	99,242	95.53	94,612	0.31	2,971	248	3.81
87,001	FG POOL G08722 3.500% Due 09-01-46	102.09	88,815	98.24	85,469	0.28	3,045	254	3.88
35,618	FN AS8483 3.000% Due 12-01-46	102.95	36,670	95.05	33,854	0.11	1,069	89	3.84
64,894	FN POOL BD2453 3.000% Due 01-01-47	99.89	64,823	94.64	61,418	0.20	1,947	162	3.84
49,363	FN POOL MA2930 4.000% Due 03-01-47	103.56	51,121	100.48	49,599	0.16	1,975	165	3.97
49,704	FG G61893 3.000% Due 07-01-47	101.14	50,271	94.73	47,085	0.16	1,491	124	3.84
23,750	FN MA3276 3.500% Due 02-01-48	105.75	25,116	97.76	23,219	0.08	831	69	3.88
43,946	FN MA3305 3.500% Due 03-01-48	103.02	45,272	97.73	42,949	0.14	1,538	128	3.88
13,237	FN POOL MA3638 4.000% Due 04-01-49	103.09	13,646	100.04	13,242	0.04	529	44	4.05
41,279	FR RA1343 3.000% Due 09-01-49	104.69	43,214	93.68	38,672	0.13	1,238	103	3.90
23,830	FN MA3834 3.000% Due 11-01-49	101.90	24,283	93.33	22,241	0.07	715	60	3.90
25,596	FN MA3871 3.000% Due 12-01-49	101.91	26,084	93.21	23,858	0.08	768	64	3.90
32,107	FR QA5517 3.000% Due 12-01-49	102.31	32,849	93.40	29,987	0.10	963	80	3.90
27,270	FN MA3960 3.000% Due 03-01-50	102.31	27,901	93.27	25,434	0.08	818	68	3.93
54,029	FANNIE MAE POOL 2.500% Due 05-01-50	104.98	56,722	90.70	49,004	0.16	1,351	113	3.84
80,979	FN CA7738 MTGE 2.500% Due 11-01-50	105.64	85,547	90.11	72,969	0.24	2,024	169	3.84
220,296	FN BR1668 Mtge 2.000% Due 03-01-51	99.54	219,272	87.20	192,096	0.63	4,406	73	3.71

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
*June 30, 2022*

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
259,741	FR QC4235 Mtge 2.500% Due 07-01-51	102.31	265,748	90.07	233,946	0.77	6,494	108	3.82
72,031	FANNIE MAE POOL CB1783 2.500% Due 10-01-51	92.12	66,358	90.10	64,903	0.21	1,801	150	3.82
39,250	FANNIE MAE POOL FS0822 2.000% Due 03-01-52	88.61	34,780	86.90	34,107	0.11	785	65	3.71
	Accrued Interest				4,218	0.01			
			2,344,559		2,172,050	7.17		4,218	
<b>HIGH YIELD FIXED INCOME</b>									
1,189	SPDR PORTFOLIO HIGH YIELD BO	25.19	29,946	22.45	26,693	0.09			
233,921	VANGUARD HI YLD CORP-ADM	5.60	1,309,958	5.09	1,190,658	3.93	0		
			1,339,904		1,217,351	4.02			
<b>INTERNATIONAL EQUITY FUNDS/ETF</b>									
2,314	ISHARES EDGE MSCI MIN VOL EAFE ETF	72.75	168,355	63.31	146,499	0.48	NA		
26,356	ISHARES ETF CORE MSCI EAFE	66.46	1,751,560	58.85	1,551,051	5.12	NA		
18,065	ISHARES MSCI INTERNATIONAL QUALITY	37.34	674,460	30.93	558,750	1.84	NA		
			2,594,375		2,256,300	7.45			
<b>DOMESTIC LARGE CAP EQUITY FUNDS/ETF</b>									
5,407	INVESCO S&P 500 LOW VOLATILITY	65.70	355,247	62.00	335,234	1.11	NA		
14,831	SPDR S&P 500 ETF	214.61	3,182,872	377.25	5,594,995	18.46	NA		
8,926	VANECK MORNINGSTAR WIDE MOAT	75.71	675,750	63.73	568,854	1.88	NA		
			4,213,869		6,499,083	21.45			
<b>REAL ESTATE &amp; INFRASTRUCTURE</b>									
28,738	FLEXSHAR STX GLOBAL BROAD INF ETF	52.34	1,504,037	51.68	1,485,180	4.90	NA		
6,190	JPMORGAN BETABUILDERS MSCI US REIT ETF	81.50	504,466	87.83	543,668	1.79	NA		
			2,008,503		2,028,848	6.70			
<b>DOMESTIC SMALL CAP EQUITY FUNDS/ETF</b>									
15,398	ISHARES S&P SMALLCAP 600 INDEX ETF	56.16	864,705	92.41	1,422,929	4.70	NA		
<b>U.S. TREASURY</b>									
30,000	US TREASURY NOTES 0.125% Due 07-31-22	100.02	30,006	99.92	29,975	0.10	37	16	1.09
75,000	US TREASURY NOTES 0.125% Due 04-30-23	98.18	73,638	97.75	73,312	0.24	94	16	2.87
20,000	US TREASURY NOTES 0.125% Due 07-15-23	100.00	19,999	97.12	19,424	0.06	25	12	2.95
100,000	US TREASURY NOTES 0.125% Due 09-15-23	99.48	99,484	96.64	96,645	0.32	125	37	2.97

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
*June 30, 2022*

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
90,000	US TREASURY NOTE 0.125% Due 10-15-23	99.75	89,779	96.41	86,765	0.29	112	24	2.98
100,000	US TREASURY NOTES 1.625% Due 10-31-23	99.41	99,406	98.27	98,270	0.32	1,625	274	2.96
115,000	US TREASURY NOTES 0.250% Due 11-15-23	96.76	111,276	96.37	110,822	0.37	287	37	2.97
95,000	US TREASURY NOTE 0.875% Due 01-31-24	98.65	93,716	96.77	91,928	0.30	831	347	2.98
100,000	US TREASURY NOTES 0.375% Due 04-15-24	99.53	99,527	95.46	95,461	0.32	375	79	2.99
100,000	US TREASURY NOTES 0.250% Due 05-15-24	99.86	99,855	95.04	95,043	0.31	250	32	2.99
170,000	US TREASURY NOTES 1.500% Due 11-30-24	102.28	173,871	96.46	163,990	0.54	2,550	216	3.03
75,000	US TREASURY NOTES 2.750% Due 06-30-25	99.71	74,780	99.22	74,417	0.25	2,062	6	3.02
120,000	US TREASURY NOTES 0.250% Due 07-31-25	96.66	115,993	91.82	110,179	0.36	300	125	3.05
115,000	US TREASURY NOTE 3.000% Due 09-30-25	100.99	116,137	99.86	114,834	0.38	3,450	867	3.05
100,000	US TREASURY NOTES 0.375% Due 11-30-25	95.80	95,797	91.34	91,336	0.30	375	32	3.06
75,000	US TREASURY NOTES 1.625% Due 05-15-26	95.63	71,726	94.77	71,077	0.23	1,219	156	3.07
50,000	US TREASURY NOTES 0.375% Due 07-31-27	95.49	47,747	87.42	43,709	0.14	187	78	3.07
100,000	US TREASURY NOTES 1.125% Due 02-29-28	96.60	96,598	89.91	89,914	0.30	1,125	376	3.08
100,000	US TREASURY NOTES 1.250% Due 03-31-28	99.59	99,590	90.34	90,344	0.30	1,250	316	3.10
70,000	US TREASURY NOTES 1.250% Due 04-30-28	97.83	68,482	90.20	63,139	0.21	875	147	3.10
100,000	US TREASURY NOTES 3.125% Due 11-15-28	102.38	102,380	100.21	100,207	0.33	3,125	399	3.09
20,000	US TREASURY NOTES 2.625% Due 02-15-29	101.74	20,348	97.36	19,473	0.06	525	197	3.07
105,000	US TREASURY NOTES 1.750% Due 11-15-29	93.71	98,401	91.76	96,350	0.32	1,837	235	3.00
10,000	US TREASURY NOTES 0.625% Due 05-15-30	100.79	10,079	83.38	8,338	0.03	62	8	3.01
20,000	US TREASURY NOTE 0.625% Due 08-15-30	99.73	19,945	82.91	16,581	0.05	125	47	3.01
125,000	US TREASURY NOTES 0.875% Due 11-15-30	97.64	122,046	84.43	105,542	0.35	1,094	140	2.99
140,000	US TREASURY NOTE 1.125% Due 02-15-31	99.32	139,042	85.93	120,302	0.40	1,575	592	2.99

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
*June 30, 2022*

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
125,000	US TREASURY NOTES 1.625% Due 05-15-31	100.89	126,113	89.35	111,690	0.37	2,031	259	3.00
35,000	US TREASURY NOTES 1.875% Due 02-15-32	90.94	31,829	90.59	31,708	0.10	656	247	3.01
85,000	US TREASURY NOTES 3.875% Due 08-15-40	127.11	108,045	107.82	91,644	0.30	3,294	1,237	3.30
75,000	US TREASURY NOTES 1.750% Due 08-15-41	96.42	72,316	76.07	57,049	0.19	1,312	493	3.47
25,000	US TREASURY NOTES 2.750% Due 08-15-42	110.86	27,716	89.72	22,431	0.07	687	258	3.46
25,000	US TREASURY NOTES 3.125% Due 02-15-43	97.13	24,283	95.01	23,753	0.08	781	294	3.47
45,000	US TREASURY NOTES 2.875% Due 05-15-49	102.98	46,342	93.24	41,957	0.14	1,294	165	3.25
15,000	US TREASURY NOTES 1.250% Due 05-15-50	100.74	15,111	63.62	9,544	0.03	187	24	3.24
75,000	US TREASURY NOTES 1.625% Due 11-15-50	96.64	72,478	70.33	52,749	0.17	1,219	156	3.23
50,000	US TREASURY NOTES 2.000% Due 08-15-51	100.88	50,439	77.28	38,642	0.13	1,000	376	3.21
15,000	US TREASURY NOTE 1.875% Due 11-15-51	95.26	14,289	75.03	11,255	0.04	281	36	3.19
20,000	US TREASURY NOTE 2.250% Due 02-15-52	83.97	16,795	82.30	16,459	0.05	450	169	3.18
	Accrued Interest				8,521	0.03			
			2,895,406		2,694,783	8.89		8,521	
<b>CASH AND CASH EQUIVILENTS</b>									
	DIVIDEND ACCRUAL		28,732		28,732	0.09			
	WF ADV GOVT MM FD-INSTL #1751		1,832,269		1,832,269	6.05			
			1,861,001		1,861,001	6.14			
<b>TOTAL PORTFOLIO</b>			<b>27,489,391</b>		<b>30,300,709</b>	<b>100</b>	<b>195,027</b>	<b>37,320</b>	

Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

Trade Date	Settle Date	Security	Quantity	Trade Amount
<b>PURCHASES</b>				
DOMESTIC LARGE CAP EQUITY FUNDS/ETF				
06-01-22	06-03-22	INVESCO S&P 500 LOW VOLATILITY	3,013.0000	193,898.00
FNMA & FHLMC				
06-02-22	06-06-22	FANNIE MAE POOL CB1783 2.500% Due 10-01-51	72,030.73	66,358.31
06-02-22	06-13-22	FANNIE MAE POOL FS0822 2.000% Due 03-01-52	39,250.46	34,779.59
				101,137.90
				<b>295,035.90</b>
<b>DEPOSITS AND EXPENSES</b>				
MANAGEMENT FEES				
06-30-22	06-30-22	MANAGEMENT FEES		4,191.73
				<b>4,191.73</b>
<b>DIVIDEND</b>				
DOMESTIC LARGE CAP EQUITY FUNDS/ETF				
06-17-22	07-29-22	SPDR S&P 500 ETF		23,386.57
06-30-22	06-30-22	INVESCO S&P 500 LOW VOLATILITY		610.02
				23,996.59
DOMESTIC MID CAP EQUITY FUNDS/ETF				
06-15-22	06-15-22	ISHARES CORE S&P MIDCAP 400 ETF		9,814.49
DOMESTIC SMALL CAP EQUITY FUNDS/ETF				
06-15-22	06-15-22	ISHARES S&P SMALLCAP 600 INDEX ETF		4,647.33



Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

Trade Date	Settle Date	Security	Quantity	Trade Amount
<b>EMERGING MARKET FUNDS/ETF</b>				
06-15-22	06-15-22	ISHARES ETF CORE MSCI EMERGING MKTS		17,993.86
<b>HIGH YIELD FIXED INCOME</b>				
06-01-22	06-07-22	SPDR PORTFOLIO HIGH YIELD BO		138.08
06-30-22	07-01-22	VANGUARD HI YLD CORP-ADM		5,345.22
				5,483.30
<b>INTERNATIONAL EQUITY FUNDS/ETF</b>				
06-15-22	06-15-22	ISHARES EDGE MSCI MIN VOL EAFE ETF		2,566.83
06-15-22	06-15-22	ISHARES ETF CORE MSCI EAFE		35,104.51
06-15-22	06-15-22	ISHARES MSCI INTERNATIONAL QUALITY		12,876.52
				50,547.86
<b>REAL ESTATE &amp; INFRASTRUCTURE</b>				
06-24-22	06-24-22	FLEXSHAR STX GLOBAL BROAD INF ETF		13,270.06
06-24-22	06-24-22	JPMORGAN BETABUILDERS MSCI US REIT ETF		2,699.46
				15,969.52
				<b>128,452.95</b>
<b>INTEREST</b>				
<b>CASH AND CASH EQUIVILENTS</b>				
06-01-22	06-01-22	WF ADV GOVT MM FD-INSTL #1751		764.22

Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

Trade Date	Settle Date	Security	Quantity	Trade Amount
<b>CORPORATE BONDS</b>				
06-13-22	06-13-22	REYNOLDS AMERICAN INC 4.450% Due 06-12-25		2,225.00
06-15-22	06-15-22	CENOVUS ENERGY INC 5.250% Due 06-15-37		1,837.50
06-15-22	06-15-22	TELUS CORP 4.300% Due 06-15-49		1,075.00
				5,137.50
<b>FNMA &amp; FHLMC</b>				
06-15-22	06-15-22	FHLMC POOL G14203 4.000% Due 04-01-26		18.90
06-15-22	06-15-22	FG POOL G16255 2.500% Due 07-01-32		143.08
06-15-22	06-15-22	FG POOL G08722 3.500% Due 09-01-46		258.55
06-15-22	06-15-22	FG POOL C91270 4.500% Due 10-01-29		231.41
06-15-22	06-15-22	FG POOL J30401 3.000% Due 01-01-30		156.91
06-15-22	06-15-22	FG POOL V80057 3.000% Due 05-01-43		392.59
06-15-22	06-15-22	FG G61893 3.000% Due 07-01-47		125.84
06-27-22	06-27-22	FR SB8503 Mtge 2.000% Due 08-01-35		149.87
06-27-22	06-27-22	FR QA5517 3.000% Due 12-01-49		83.21
06-27-22	06-27-22	FR QC4235 Mtge 2.500% Due 07-01-51		542.09
06-27-22	06-27-22	FR RA1343 3.000% Due 09-01-49		105.49
06-27-22	06-27-22	FR RB5095 MTGE 2.000% Due 01-01-41		156.72

Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

<b>Trade Date</b>	<b>Settle Date</b>	<b>Security</b>	<b>Quantity</b>	<b>Trade Amount</b>
06-27-22	06-27-22	FN POOL AJ1405 4.000% Due 09-01-41		578.38
06-27-22	06-27-22	FN POOL AT2324 3.000% Due 01-01-43		255.29
06-27-22	06-27-22	FN AS8483 3.000% Due 12-01-46		90.10
06-27-22	06-27-22	FN POOL AL3180 3.000% Due 05-01-43		253.60
06-27-22	06-27-22	FN POOL BD2453 3.000% Due 01-01-47		164.33
06-27-22	06-27-22	FANNIE MAE POOL 2.500% Due 05-01-50		112.85
06-27-22	06-27-22	FN BR1668 Mtge 2.000% Due 03-01-51		369.80
06-27-22	06-27-22	FN CA7738 MTGE 2.500% Due 11-01-50		172.88
06-27-22	06-27-22	FNCL POOL 995373 4.500% Due 02-01-39		253.08
06-27-22	06-27-22	FN POOL MA2930 4.000% Due 03-01-47		169.50
06-27-22	06-27-22	FN MA3305 3.500% Due 03-01-48		130.94
06-27-22	06-27-22	FN MA3276 3.500% Due 02-01-48		70.37
06-27-22	06-27-22	FN MA4475 Mtge 2.500% Due 11-01-41		199.69
06-27-22	06-27-22	FN POOL MA3638 4.000% Due 04-01-49		45.45
06-27-22	06-27-22	FN MA3834 3.000% Due 11-01-49		60.54
06-27-22	06-27-22	FN MA3871 3.000% Due 12-01-49		65.01
06-27-22	06-27-22	FN MA3960 3.000% Due 03-01-50		69.26
				<hr/> 5,425.73

Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

Trade Date	Settle Date	Security	Quantity	Trade Amount
U.S. TREASURY				
06-30-22	06-30-22	US TREASURY NOTES 2.750% Due 06-30-25		1,031.25
				<b>12,358.70</b>

**PRINCIPAL PAYDOWNS**

FNMA & FHLMC

06-15-22	06-15-22	FHLMC POOL G14203 4.000% Due 04-01-26	195.48	195.48
06-15-22	06-15-22	FG POOL G16255 2.500% Due 07-01-32	1,801.70	1,801.70
06-15-22	06-15-22	FG POOL G08722 3.500% Due 09-01-46	1,646.02	1,646.02
06-15-22	06-15-22	FG POOL C91270 4.500% Due 10-01-29	3,997.02	3,997.02
06-15-22	06-15-22	FG POOL J30401 3.000% Due 01-01-30	958.11	958.11
06-15-22	06-15-22	FG POOL V80057 3.000% Due 05-01-43	1,285.03	1,285.03
06-15-22	06-15-22	FG G61893 3.000% Due 07-01-47	629.74	629.74
06-25-22	06-27-22	FR SB8503 Mtge 2.000% Due 08-01-35	1,255.25	1,255.25
06-25-22	06-27-22	FR QA5517 3.000% Due 12-01-49	1,175.47	1,175.47
06-25-22	06-27-22	FR QC4235 Mtge 2.500% Due 07-01-51	461.08	461.08
06-25-22	06-27-22	FR RA1343 3.000% Due 09-01-49	917.07	917.07
06-25-22	06-27-22	FR RB5095 MTGE 2.000% Due 01-01-41	886.42	886.42
06-25-22	06-27-22	FN POOL AJ1405 4.000% Due 09-01-41	4,476.96	4,476.96
06-25-22	06-27-22	FN POOL AT2324 3.000% Due 01-01-43	1,446.42	1,446.42

Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

Trade Date	Settle Date	Security	Quantity	Trade Amount
06-25-22	06-27-22	FN AS8483 3.000% Due 12-01-46	421.27	421.27
06-25-22	06-27-22	FN POOL AL3180 3.000% Due 05-01-43	2,397.61	2,397.61
06-25-22	06-27-22	FN POOL BD2453 3.000% Due 01-01-47	838.82	838.82
06-25-22	06-27-22	FANNIE MAE POOL 2.500% Due 05-01-50	137.63	137.63
06-25-22	06-27-22	FN BR1668 Mtge 2.000% Due 03-01-51	1,581.18	1,581.18
06-25-22	06-27-22	FN CA7738 MTGE 2.500% Due 11-01-50	2,002.70	2,002.70
06-25-22	06-27-22	FNCL POOL 995373 4.500% Due 02-01-39	964.12	964.12
06-25-22	06-27-22	FN POOL MA2930 4.000% Due 03-01-47	1,487.22	1,487.22
06-25-22	06-27-22	FN MA3305 3.500% Due 03-01-48	947.34	947.34
06-25-22	06-27-22	FN MA3276 3.500% Due 02-01-48	374.76	374.76
06-25-22	06-27-22	FN MA4475 Mtge 2.500% Due 11-01-41	898.65	898.65
06-25-22	06-27-22	FN POOL MA3638 4.000% Due 04-01-49	398.45	398.45
06-25-22	06-27-22	FN MA3834 3.000% Due 11-01-49	386.60	386.60
06-25-22	06-27-22	FN MA3871 3.000% Due 12-01-49	408.49	408.49
06-25-22	06-27-22	FN MA3960 3.000% Due 03-01-50	433.63	433.63
				34,810.24
				<b>34,810.24</b>

Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

Trade Date	Settle Date	Security	Quantity	Trade Amount
<b>PURCHASED ACCRUED INTEREST</b>				
FNMA & FHLMC				
06-02-22	06-06-22	FANNIE MAE POOL CB1783 2.500% Due 10-01-51		25.01
06-02-22	06-13-22	FANNIE MAE POOL FS0822 2.000% Due 03-01-52		26.17
				51.18
				<b>51.18</b>
<b>SALES, MATURITIES, AND CALLS</b>				
ALTERNATIVE BETA				
06-01-22	06-03-22	IQ HEDGE MULTI-STRAT TRACKER	6,585.0000	194,542.79
06-02-22	06-06-22	IQ HEDGE MULTI-STRAT TRACKER	547.0000	16,275.62
06-03-22	06-06-22	BLCKRCK SYST MULTI-STR-INST	7,624.6600	78,152.77
				288,971.18
DOMESTIC LARGE CAP EQUITY FUNDS/ETF				
06-02-22	06-06-22	INVESCO S&P 500 LOW VOLATILITY	152.0000	9,764.10
06-02-22	06-06-22	SPDR S&P 500 ETF	431.0000	178,981.62
06-02-22	06-06-22	VANECK MORNINGSTAR WIDE MOAT	264.0000	18,417.28
				207,163.00
DOMESTIC MID CAP EQUITY FUNDS/ETF				
06-02-22	06-06-22	ISHARES CORE S&P MIDCAP 400 ETF	365.0000	92,721.48
DOMESTIC SMALL CAP EQUITY FUNDS/ETF				
06-02-22	06-06-22	ISHARES S&P SMALLCAP 600 INDEX ETF	454.0000	46,674.22

Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

Trade Date	Settle Date	Security	Quantity	Trade Amount
EMERGING MARKET FUNDS/ETF				
06-02-22	06-06-22	ISHARES ETF CORE MSCI EMERGING MKTS	824.0000	43,711.38
HIGH YIELD FIXED INCOME				
06-03-22	06-06-22	VANGUARD HI YLD CORP-ADM	6,302.8180	34,224.30
INTERNATIONAL EQUITY FUNDS/ETF				
06-02-22	06-06-22	ISHARES EDGE MSCI MIN VOL EAFE ETF	64.0000	4,345.12
06-02-22	06-06-22	ISHARES ETF CORE MSCI EAFE	732.0000	48,594.47
06-02-22	06-06-22	ISHARES MSCI INTERNATIONAL QUALITY	503.0000	17,370.21
				70,309.80
REAL ESTATE & INFRASTRUCTURE				
06-01-22	06-03-22	FLEXSHAR STX GLOBAL BROAD INF ETF	3,493.0000	193,451.87
06-02-22	06-06-22	FLEXSHAR STX GLOBAL BROAD INF ETF	791.0000	44,250.69
06-02-22	06-06-22	JPMORGAN BETABUILDERS MSCI US REIT ETF	188.0000	17,880.11
				255,582.67
U.S. TREASURY				
06-02-22	06-03-22	US TREASURY NOTES 0.125% Due 07-31-22	20,000	19,971.09
				<b>1,059,329.12</b>

Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

<b>Trade Date</b>	<b>Settle Date</b>	<b>Security</b>	<b>Quantity</b>	<b>Trade Amount</b>
<b>SOLD ACCRUED INTEREST</b>				
U.S. TREASURY				
06-02-22	06-03-22	US TREASURY NOTES 0.125% Due 07-31-22		8.49
				<b>8.49</b>
<b>WITHDRAW</b>				
CASH AND CASH EQUIVILENTS				
06-01-22	06-01-22	WF ADV GOVT MM FD-INSTL #1751		887,029.00
06-01-22	06-01-22	DIVIDEND ACCRUAL		5,337.81
06-07-22	06-07-22	DIVIDEND ACCRUAL		138.08
06-21-22	06-21-22	WF ADV GOVT MM FD-INSTL #1751		428.08
				892,932.97
				<b>892,932.97</b>



Alaska Permanent Capital Management Co.  
**REALIZED GAINS AND LOSSES**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 Through 06-30-22*

<b>Date</b>	<b>Quantity</b>	<b>Security</b>	<b>Avg. Cost Basis</b>	<b>Proceeds</b>	<b>Gain Or Loss</b>
06-01-22	6,585.0000	IQ HEDGE MULTI-STRAT TRACKER	201,564.24	194,542.79	-7,021.45
06-01-22	3,493.0000	FLEXSHAR STX GLOBAL BROAD INF ETF	182,810.27	193,451.87	10,641.60
06-02-22	365.0000	ISHARES CORE S&P MIDCAP 400 ETF	43,043.35	92,721.48	49,678.13
06-02-22	152.0000	INVESCO S&P 500 LOW VOLATILITY	9,986.60	9,764.10	-222.50
06-02-22	431.0000	SPDR S&P 500 ETF	92,496.66	178,981.62	86,484.96
06-02-22	64.0000	ISHARES EDGE MSCI MIN VOL EAFE ETF	4,656.31	4,345.12	-311.19
06-02-22	732.0000	ISHARES ETF CORE MSCI EAFE	48,647.06	48,594.47	-52.59
06-02-22	503.0000	ISHARES MSCI INTERNATIONAL QUALITY	18,779.61	17,370.21	-1,409.40
06-02-22	791.0000	FLEXSHAR STX GLOBAL BROAD INF ETF	41,397.92	44,250.69	2,852.77
06-02-22	188.0000	JPMORGAN BETABUILDERS MSCI US REIT ETF	15,321.43	17,880.11	2,558.68
06-02-22	454.0000	ISHARES S&P SMALLCAP 600 INDEX ETF	25,495.26	46,674.22	21,178.96
06-02-22	547.0000	IQ HEDGE MULTI-STRAT TRACKER	16,743.45	16,275.62	-467.83
06-02-22	264.0000	VANECK MORNINGSTAR WIDE MOAT	19,986.33	18,417.28	-1,569.05
06-02-22	824.0000	ISHARES ETF CORE MSCI EMERGING MKTS	44,151.53	43,711.38	-440.15
06-02-22	20,000	US TREASURY NOTES 0.125% Due 07-31-22	20,003.91	19,971.09	-32.82
06-03-22	7,624.6600	BLCKRCK SYST MULTI-STR-INST	78,484.19	78,152.77	-331.42
06-03-22	6,302.8180	VANGUARD HI YLD CORP-ADM	35,295.78	34,224.30	-1,071.48

Alaska Permanent Capital Management Co.  
**REALIZED GAINS AND LOSSES**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 Through 06-30-22*

<u>Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Avg. Cost Basis</u>	<u>Proceeds</u>	<u>Gain Or Loss</u>
06-15-22	195.48	FHLMC POOL G14203 4.000% Due 04-01-26	204.40	195.48	-8.92
06-15-22	1,801.70	FG POOL G16255 2.500% Due 07-01-32	1,796.35	1,801.70	5.35
06-15-22	1,646.02	FG POOL G08722 3.500% Due 09-01-46	1,680.35	1,646.02	-34.33
06-15-22	3,997.02	FG POOL C91270 4.500% Due 10-01-29	4,223.73	3,997.02	-226.71
06-15-22	958.11	FG POOL J30401 3.000% Due 01-01-30	970.54	958.11	-12.43
06-15-22	1,285.03	FG POOL V80057 3.000% Due 05-01-43	1,288.04	1,285.03	-3.01
06-15-22	629.74	FG G61893 3.000% Due 07-01-47	636.92	629.74	-7.18
06-25-22	1,255.25	FR SB8503 Mtge 2.000% Due 08-01-35	1,290.55	1,255.25	-35.30
06-25-22	1,175.47	FR QA5517 3.000% Due 12-01-49	1,202.65	1,175.47	-27.18
06-25-22	461.08	FR QC4235 Mtge 2.500% Due 07-01-51	471.74	461.08	-10.66
06-25-22	917.07	FR RA1343 3.000% Due 09-01-49	960.06	917.07	-42.99
06-25-22	886.42	FR RB5095 MTGE 2.000% Due 01-01-41	920.42	886.42	-34.00
06-25-22	4,476.96	FN POOL AJ1405 4.000% Due 09-01-41	4,677.72	4,476.96	-200.76
06-25-22	1,446.42	FN POOL AT2324 3.000% Due 01-01-43	1,449.36	1,446.42	-2.94
06-25-22	421.27	FN AS8483 3.000% Due 12-01-46	433.71	421.27	-12.44
06-25-22	2,397.61	FN POOL AL3180 3.000% Due 05-01-43	2,402.48	2,397.61	-4.87
06-25-22	838.82	FN POOL BD2453 3.000% Due 01-01-47	837.90	838.82	0.92
06-25-22	137.63	FANNIE MAE POOL 2.500% Due 05-01-50	144.49	137.63	-6.86

Alaska Permanent Capital Management Co.  
**REALIZED GAINS AND LOSSES**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 Through 06-30-22*

<u>Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Avg. Cost Basis</u>	<u>Proceeds</u>	<u>Gain Or Loss</u>
06-25-22	1,581.18	FN BR1668 Mtge 2.000% Due 03-01-51	1,573.83	1,581.18	7.35
06-25-22	2,002.70	FN CA7738 MTGE 2.500% Due 11-01-50	2,115.66	2,002.70	-112.96
06-25-22	964.12	FNCL POOL 995373 4.500% Due 02-01-39	1,028.90	964.12	-64.78
06-25-22	1,487.22	FN POOL MA2930 4.000% Due 03-01-47	1,540.20	1,487.22	-52.98
06-25-22	947.34	FN MA3305 3.500% Due 03-01-48	975.91	947.34	-28.57
06-25-22	374.76	FN MA3276 3.500% Due 02-01-48	396.31	374.76	-21.55
06-25-22	898.65	FN MA4475 Mtge 2.500% Due 11-01-41	930.80	898.65	-32.15
06-25-22	398.45	FN POOL MA3638 4.000% Due 04-01-49	410.78	398.45	-12.33
06-25-22	386.60	FN MA3834 3.000% Due 11-01-49	393.94	386.60	-7.34
06-25-22	408.49	FN MA3871 3.000% Due 12-01-49	416.28	408.49	-7.79
06-25-22	433.63	FN MA3960 3.000% Due 03-01-50	443.66	433.63	-10.03
TOTAL GAINS					173,408.71
TOTAL LOSSES					-13,950.95
			<b>934,681.60</b>	<b>1,094,139.36</b>	<b>159,457.76</b>

Alaska Permanent Capital Management Co.  
**CASH LEDGER**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

<b>Trade Date</b>	<b>Settle Date</b>	<b>Tran Code</b>	<b>Activity</b>	<b>Security</b>	<b>Amount</b>
<b>WF ADV GOVT MM FD-INSTL #1751</b>					
06-01-22			Beginning Balance		1,803,247.69
06-01-22	06-03-22	wd	Purchase	INVESCO S&P 500 LOW VOLATILITY	-193,898.00
06-01-22	06-03-22	dp	Sale	IQ HEDGE MULTI-STRAT TRACKER	194,542.79
06-01-22	06-03-22	dp	Sale	FLEXSHAR STX GLOBAL BROAD INF ETF	193,451.87
06-01-22	06-01-22	wd	Withdrawal	from Portfolio	-887,029.00
06-01-22	06-01-22	dp	Interest	WF ADV GOVT MM FD-INSTL #1751	764.22
06-01-22	06-01-22	dp	Transfer from	DIVIDEND ACCRUAL	5,337.81
06-02-22	06-06-22	dp	Sale	ISHARES CORE S&P MIDCAP 400 ETF	92,721.48
06-02-22	06-06-22	dp	Sale	INVESCO S&P 500 LOW VOLATILITY	9,764.10
06-02-22	06-06-22	dp	Sale	SPDR S&P 500 ETF	178,981.62
06-02-22	06-06-22	dp	Sale	ISHARES EDGE MSCI MIN VOL EAFE ETF	4,345.12
06-02-22	06-06-22	dp	Sale	ISHARES ETF CORE MSCI EAFE	48,594.47
06-02-22	06-06-22	dp	Sale	ISHARES MSCI INTERNATIONAL QUALITY	17,370.21
06-02-22	06-06-22	dp	Sale	FLEXSHAR STX GLOBAL BROAD INF ETF	44,250.69
06-02-22	06-06-22	dp	Sale	JPMORGAN BETABUILDERS MSCI US REIT ETF	17,880.11
06-02-22	06-06-22	dp	Sale	ISHARES S&P SMALLCAP 600 INDEX ETF	46,674.22
06-02-22	06-06-22	dp	Sale	IQ HEDGE MULTI-STRAT TRACKER	16,275.62

Alaska Permanent Capital Management Co.  
**CASH LEDGER**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

<b>Trade Date</b>	<b>Settle Date</b>	<b>Tran Code</b>	<b>Activity</b>	<b>Security</b>	<b>Amount</b>
06-02-22	06-06-22	dp	Sale	VANECK MORNINGSTAR WIDE MOAT	18,417.28
06-02-22	06-06-22	dp	Sale	ISHARES ETF CORE MSCI EMERGING MKTS	43,711.38
06-02-22	06-03-22	dp	Sale	US TREASURY NOTES 0.125% Due 07-31-22	19,971.09
06-02-22	06-03-22	dp	Accrued Interest	US TREASURY NOTES 0.125% Due 07-31-22	8.49
06-02-22	06-06-22	wd	Purchase	FANNIE MAE POOL CB1783 2.500% Due 10-01-51	-66,358.31
06-02-22	06-06-22	wd	Accrued Interest	FANNIE MAE POOL CB1783 2.500% Due 10-01-51	-25.01
06-02-22	06-13-22	wd	Purchase	FANNIE MAE POOL FS0822 2.000% Due 03-01-52	-34,779.59
06-02-22	06-13-22	wd	Accrued Interest	FANNIE MAE POOL FS0822 2.000% Due 03-01-52	-26.17
06-03-22	06-06-22	dp	Sale	BLCKRCK SYST MULTI-STR-INST	78,152.77
06-03-22	06-06-22	dp	Sale	VANGUARD HI YLD CORP-ADM	34,224.30
06-07-22	06-07-22	dp	Transfer from	DIVIDEND ACCRUAL	138.08
06-13-22	06-13-22	dp	Interest	REYNOLDS AMERICAN INC 4.450% Due 06-12-25	2,225.00
06-15-22	06-15-22	dp	Interest	CENOVUS ENERGY INC 5.250% Due 06-15-37	1,837.50
06-15-22	06-15-22	dp	Interest	TELUS CORP 4.300% Due 06-15-49	1,075.00
06-15-22	06-15-22	dp	Dividend	ISHARES EDGE MSCI MIN VOL EAFE ETF	2,566.83
06-15-22	06-15-22	dp	Dividend	ISHARES ETF CORE MSCI EAFE	35,104.51
06-15-22	06-15-22	dp	Dividend	ISHARES ETF CORE MSCI EMERGING MKTS	17,993.86

Alaska Permanent Capital Management Co.  
**CASH LEDGER**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

<b>Trade Date</b>	<b>Settle Date</b>	<b>Tran Code</b>	<b>Activity</b>	<b>Security</b>	<b>Amount</b>
06-15-22	06-15-22	dp	Dividend	ISHARES CORE S&P MIDCAP 400 ETF	9,814.49
06-15-22	06-15-22	dp	Dividend	ISHARES S&P SMALLCAP 600 INDEX ETF	4,647.33
06-15-22	06-15-22	dp	Dividend	ISHARES MSCI INTERNATIONAL QUALITY	12,876.52
06-15-22	06-15-22	dp	Interest	FHLMC POOL G14203 4.000% Due 04-01-26	18.90
06-15-22	06-15-22	dp	Paydown	FHLMC POOL G14203 4.000% Due 04-01-26	195.48
06-15-22	06-15-22	dp	Paydown	FG POOL G16255 2.500% Due 07-01-32	1,801.70
06-15-22	06-15-22	dp	Interest	FG POOL G16255 2.500% Due 07-01-32	143.08
06-15-22	06-15-22	dp	Interest	FG POOL G08722 3.500% Due 09-01-46	258.55
06-15-22	06-15-22	dp	Paydown	FG POOL G08722 3.500% Due 09-01-46	1,646.02
06-15-22	06-15-22	dp	Paydown	FG POOL C91270 4.500% Due 10-01-29	3,997.02
06-15-22	06-15-22	dp	Interest	FG POOL C91270 4.500% Due 10-01-29	231.41
06-15-22	06-15-22	dp	Interest	FG POOL J30401 3.000% Due 01-01-30	156.91
06-15-22	06-15-22	dp	Paydown	FG POOL J30401 3.000% Due 01-01-30	958.11
06-15-22	06-15-22	dp	Paydown	FG POOL V80057 3.000% Due 05-01-43	1,285.03
06-15-22	06-15-22	dp	Interest	FG POOL V80057 3.000% Due 05-01-43	392.59

Alaska Permanent Capital Management Co.  
**CASH LEDGER**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

<b>Trade Date</b>	<b>Settle Date</b>	<b>Tran Code</b>	<b>Activity</b>	<b>Security</b>	<b>Amount</b>
06-15-22	06-15-22	dp	Interest	FG G61893 3.000% Due 07-01-47	125.84
06-15-22	06-15-22	dp	Paydown	FG G61893 3.000% Due 07-01-47	629.74
06-21-22	06-21-22	wd	Withdrawal	from Portfolio	-428.08
06-24-22	06-24-22	dp	Dividend	FLEXSHAR STX GLOBAL BROAD INF ETF	13,270.06
06-24-22	06-24-22	dp	Dividend	JPMORGAN BETABUILDERS MSCI US REIT ETF	2,699.46
06-25-22	06-27-22	dp	Paydown	FR SB8503 Mtge 2.000% Due 08-01-35	1,255.25
06-25-22	06-27-22	dp	Paydown	FR QA5517 3.000% Due 12-01-49	1,175.47
06-25-22	06-27-22	dp	Paydown	FR QC4235 Mtge 2.500% Due 07-01-51	461.08
06-25-22	06-27-22	dp	Paydown	FR RA1343 3.000% Due 09-01-49	917.07
06-25-22	06-27-22	dp	Paydown	FR RB5095 MTGE 2.000% Due 01-01-41	886.42
06-25-22	06-27-22	dp	Paydown	FN POOL AJ1405 4.000% Due 09-01-41	4,476.96
06-25-22	06-27-22	dp	Paydown	FN POOL AT2324 3.000% Due 01-01-43	1,446.42
06-25-22	06-27-22	dp	Paydown	FN AS8483 3.000% Due 12-01-46	421.27
06-25-22	06-27-22	dp	Paydown	FN POOL AL3180 3.000% Due 05-01-43	2,397.61
06-25-22	06-27-22	dp	Paydown	FN POOL BD2453 3.000% Due 01-01-47	838.82
06-25-22	06-27-22	dp	Paydown	FANNIE MAE POOL 2.500% Due 05-01-50	137.63

Alaska Permanent Capital Management Co.  
**CASH LEDGER**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

<b>Trade Date</b>	<b>Settle Date</b>	<b>Tran Code</b>	<b>Activity</b>	<b>Security</b>	<b>Amount</b>
06-25-22	06-27-22	dp	Paydown	FN BR1668 Mtge 2.000% Due 03-01-51	1,581.18
06-25-22	06-27-22	dp	Paydown	FN CA7738 MTGE 2.500% Due 11-01-50	2,002.70
06-25-22	06-27-22	dp	Paydown	FNCL POOL 995373 4.500% Due 02-01-39	964.12
06-25-22	06-27-22	dp	Paydown	FN POOL MA2930 4.000% Due 03-01-47	1,487.22
06-25-22	06-27-22	dp	Paydown	FN MA3305 3.500% Due 03-01-48	947.34
06-25-22	06-27-22	dp	Paydown	FN MA3276 3.500% Due 02-01-48	374.76
06-25-22	06-27-22	dp	Paydown	FN MA4475 Mtge 2.500% Due 11-01-41	898.65
06-25-22	06-27-22	dp	Paydown	FN POOL MA3638 4.000% Due 04-01-49	398.45
06-25-22	06-27-22	dp	Paydown	FN MA3834 3.000% Due 11-01-49	386.60
06-25-22	06-27-22	dp	Paydown	FN MA3871 3.000% Due 12-01-49	408.49
06-25-22	06-27-22	dp	Paydown	FN MA3960 3.000% Due 03-01-50	433.63
06-27-22	06-27-22	dp	Interest	FR SB8503 Mtge 2.000% Due 08-01-35	149.87
06-27-22	06-27-22	dp	Interest	FR QA5517 3.000% Due 12-01-49	83.21
06-27-22	06-27-22	dp	Interest	FR QC4235 Mtge 2.500% Due 07-01-51	542.09
06-27-22	06-27-22	dp	Interest	FR RA1343 3.000% Due 09-01-49	105.49



Alaska Permanent Capital Management Co.  
**CASH LEDGER**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

<b>Trade Date</b>	<b>Settle Date</b>	<b>Tran Code</b>	<b>Activity</b>	<b>Security</b>	<b>Amount</b>
06-27-22	06-27-22	dp	Interest	FR RB5095 MTGE 2.000% Due 01-01-41	156.72
06-27-22	06-27-22	dp	Interest	FN POOL AJ1405 4.000% Due 09-01-41	578.38
06-27-22	06-27-22	dp	Interest	FN POOL AT2324 3.000% Due 01-01-43	255.29
06-27-22	06-27-22	dp	Interest	FN AS8483 3.000% Due 12-01-46	90.10
06-27-22	06-27-22	dp	Interest	FN POOL AL3180 3.000% Due 05-01-43	253.60
06-27-22	06-27-22	dp	Interest	FN POOL BD2453 3.000% Due 01-01-47	164.33
06-27-22	06-27-22	dp	Interest	FANNIE MAE POOL 2.500% Due 05-01-50	112.85
06-27-22	06-27-22	dp	Interest	FN BR1668 Mtge 2.000% Due 03-01-51	369.80
06-27-22	06-27-22	dp	Interest	FN CA7738 MTGE 2.500% Due 11-01-50	172.88
06-27-22	06-27-22	dp	Interest	FNCL POOL 995373 4.500% Due 02-01-39	253.08
06-27-22	06-27-22	dp	Interest	FN POOL MA2930 4.000% Due 03-01-47	169.50
06-27-22	06-27-22	dp	Interest	FN MA3305 3.500% Due 03-01-48	130.94
06-27-22	06-27-22	dp	Interest	FN MA3276 3.500% Due 02-01-48	70.37
06-27-22	06-27-22	dp	Interest	FN MA4475 Mtge 2.500% Due 11-01-41	199.69
06-27-22	06-27-22	dp	Interest	FN POOL MA3638 4.000% Due 04-01-49	45.45

Alaska Permanent Capital Management Co.  
**CASH LEDGER**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 06-01-22 To 06-30-22*

<b>Trade Date</b>	<b>Settle Date</b>	<b>Tran Code</b>	<b>Activity</b>	<b>Security</b>	<b>Amount</b>
06-27-22	06-27-22	dp	Interest	FN MA3834 3.000% Due 11-01-49	60.54
06-27-22	06-27-22	dp	Interest	FN MA3871 3.000% Due 12-01-49	65.01
06-27-22	06-27-22	dp	Interest	FN MA3960 3.000% Due 03-01-50	69.26
06-30-22	06-30-22	dp	Dividend	INVESCO S&P 500 LOW VOLATILITY	610.02
06-30-22	06-30-22	dp	Interest	US TREASURY NOTES 2.750% Due 06-30-25	1,031.25
<b>06-30-22</b>			<b>Ending Balance</b>		<b>1,832,269.05</b>
<b>DIVIDEND ACCRUAL</b>					
06-01-22			Beginning Balance		5,337.81
06-01-22	06-07-22	dp	Dividend	SPDR PORTFOLIO HIGH YIELD BO	138.08
06-01-22	06-01-22	wd	Transfer to	WF ADV GOVT MM FD-INSTL #1751	-5,337.81
06-07-22	06-07-22	wd	Transfer to	WF ADV GOVT MM FD-INSTL #1751	-138.08
06-17-22	07-29-22	dp	Dividend	SPDR S&P 500 ETF	23,386.57
06-30-22	07-01-22	dp	Dividend	VANGUARD HI YLD CORP-ADM	5,345.22
<b>06-30-22</b>			<b>Ending Balance</b>		<b>28,731.79</b>

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
 June 30, 2022

Cusip9	Original Face	Quantity	Security	Security Symbol	Unit Cost	Total Cost	Price	Market Value	Accrued Interest	Annual Income	Yield To Mat
<b>AGENCIES</b>											
3130AJ4B2	125,000.0000	125,000.0000	FHLB 1.625% Due 03-12-27	3130AJ4B2	104.2680000	130,335.00	93.54800	116,935.00	615.02	2,031.25	3.11
3130AJZ36	125,000.0000	125,000.0000	FEDERAL HOME LOAN BANK 0.600% Due 08-27-25	3130AJZ36	99.9000000	124,875.00	92.12100	115,151.25	258.33	750.00	3.24
Accrued I								873.35			
						255,210.00		232,959.60	873.35	2,781.25	3.18
<b>ALTERNATIVE BETA</b>											
09260C307	290,889.0190	290,889.0190	BLCKRCK SYST MULTI-STR-INST	BIMBX	10.2934681	2,994,256.84	10.09000	2,935,070.20		0.00	
45409B107	20,844.0000	20,844.0000	IQ HEDGE MULTI-STRAT TRACKER	QAI	30.6096039	638,026.58	28.69000	598,014.36		0.00	
						3,632,283.42		3,533,084.56		0.00	
<b>CORPORATE BONDS</b>											
035240AL4	70,000.0000	70,000.0000	ANHEUSER-BUSCH INBEV WORLDWIDE 4.000% Due 04-13-28	035240AL4	114.3090000	80,016.30	98.71700	69,101.90	606.67	2,800.00	4.25
06051GGG8	100,000.0000	100,000.0000	BANK OF AMERICA CORP 4.443% Due 01-20-48	06051GGG8	106.3080000	106,308.00	91.41400	91,414.00	1,987.01	4,443.00	5.04
06406FAD5	100,000.0000	100,000.0000	BANK OF NEW YORK MELLON 2.200% Due 08-16-23	06406FAD5	97.8330000	97,833.00	98.94500	98,945.00	825.00	2,200.00	3.16
099724AL0	60,000.0000	60,000.0000	BORGWARNER INC 2.650% Due 07-01-27	099724AL0	107.3380000	64,402.80	90.83900	54,503.40	795.00	1,590.00	4.73
14149YBD9	100,000.0000	100,000.0000	CARDINAL HEALTH 4.900% Due 09-15-45	14149YBD9	111.4700000	111,470.00	90.60300	90,603.00	1,442.78	4,900.00	5.63
15135UAP4	70,000.0000	70,000.0000	CENOVUS ENERGY INC 5.250% Due 06-15-37	15135UAP4	119.5940000	83,715.80	97.51300	68,259.10	163.33	3,675.00	5.50
172967KG5	100,000.0000	100,000.0000	CITIGROUP INC 3.700% Due 01-12-26	172967KG5	101.6470000	101,647.00	97.98900	97,989.00	1,736.94	3,700.00	4.32
237194AL9	35,000.0000	35,000.0000	DARDEN RESTAURANTS INC 3.850% Due 05-01-27	237194AL9	110.5880000	38,705.80	96.16600	33,658.10	224.58	1,347.50	4.75
29250NAR6	100,000.0000	100,000.0000	ENBRIDGE INC 3.700% Due 07-15-27	29250NAR6	101.1350000	101,135.00	95.76900	95,769.00	1,706.11	3,700.00	4.65
29717PAT4	70,000.0000	70,000.0000	ESSEX PORTFOLIO LP 4.000% Due 03-01-29	29717PAT4	111.7490000	78,224.30	95.46000	66,822.00	933.33	2,800.00	4.80
369550BL1	50,000.0000	50,000.0000	GENERAL DYNAMICS CORP 3.500% Due 04-01-27	369550BL1	106.1200000	53,060.00	98.15200	49,076.00	437.50	1,750.00	3.93
437076BD3	100,000.0000	100,000.0000	HOME DEPOT INC 4.875% Due 02-15-44	437076BD3	115.6270000	115,627.00	101.48600	101,486.00	1,841.67	4,875.00	4.76
458140BR0	100,000.0000	100,000.0000	INTEL CORP 3.900% Due 03-25-30	458140BR0	113.4840000	113,484.00	97.96200	97,962.00	1,040.00	3,900.00	4.21
46625HJT8	100,000.0000	100,000.0000	JPMORGAN CHASE & CO 3.875% Due 02-01-24	46625HJT8	105.1810000	105,181.00	100.61900	100,619.00	1,614.58	3,875.00	3.47
485170BE3	110,000.0000	110,000.0000	KANSAS CITY SOUTHERN 3.500% Due 05-01-50	485170BE3	108.0010000	118,801.10	78.00900	85,809.90	641.67	3,850.00	4.97
49446RAZ2	60,000.0000	60,000.0000	KIMCO REALTY CORP 3.200% Due 04-01-32	49446RAZ2	99.1690000	59,501.40	87.37100	52,422.60	672.00	1,920.00	4.84
500255AX2	50,000.0000	50,000.0000	KOHL'S CORPORATION 3.375% Due 05-01-31	500255AX2	99.8020000	49,901.00	86.72600	43,363.00	281.25	1,687.50	5.27
501044DE8	100,000.0000	100,000.0000	KROGER CO 2.650% Due 10-15-26	501044DE8	99.8200000	99,820.00	93.54400	93,544.00	559.44	2,650.00	4.31
559080AP1	110,000.0000	110,000.0000	MAGELLAN MIDSTREAM PARTN 3.950% Due 03-01-50	559080AP1	109.0690000	119,975.90	78.87200	86,759.20	1,448.33	4,345.00	5.43

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
 June 30, 2022

Cusip9	Original Face	Quantity	Security	Security Symbol	Unit Cost	Total Cost	Price	Market Value	Accrued Interest	Annual Income	Yield To Mat
61746BDQ6	100,000.0000	100,000.0000	MORGAN STANLEY IND FINANCIAL SRV 3.875% Due 04-29-24	61746BDQ6	103.7110000	103,711.00	100.12700	100,127.00	667.36	3,875.00	3.80
637417AM8	70,000.0000	70,000.0000	NATIONAL RETAIL PROP INC 4.800% Due 10-15-48	637417AM8	126.0320000	88,222.40	92.20500	64,543.50	709.33	3,360.00	5.36
67077MAX6	75,000.0000	75,000.0000	NUTRIEN LTD 3.950% Due 05-13-50	67077MAX6	99.7380000	74,803.50	85.43400	64,075.50	395.00	2,962.50	4.92
718546AL8	50,000.0000	50,000.0000	PHILLIPS 66 4.875% Due 11-15-44	718546AL8	126.4860000	63,243.00	96.98600	48,493.00	311.46	2,437.50	5.10
761713BG0	100,000.0000	100,000.0000	REYNOLDS AMERICAN INC 4.450% Due 06-12-25	761713BG0	108.4670000	108,467.00	99.39800	99,398.00	234.86	4,450.00	4.67
871829BH9	100,000.0000	100,000.0000	Sysco Corporation 4.450% Due 03-15-48	871829BH9	120.5360000	120,536.00	87.78200	87,782.00	1,310.28	4,450.00	5.33
87971MBK8	50,000.0000	50,000.0000	TELUS CORP 4.300% Due 06-15-49	87971MBK8	121.5242000	60,762.10	89.19500	44,597.50	95.56	2,150.00	5.04
94974BGA2	100,000.0000	100,000.0000	WELLS FARGO & COMPANY 3.300% Due 09-09-24	94974BGA2	99.8820000	99,882.00	98.65800	98,658.00	1,026.67	3,300.00	3.94
Accrued I								23,707.72			
						2,418,436.40		2,109,488.42	23,707.72	86,993.00	4.61
<b>DOMESTIC MID CAP EQUITY FUNDS/ETF</b>											
464287507	12,431.0000	12,431.0000	ISHARES CORE S&P MIDCAP 400 ETF	IJH	117.9269834	1,465,950.33	226.23000	2,812,265.13		0.00	
<b>EMERGING MARKET FUNDS/ETF</b>											
46434G103	29,771.0000	29,771.0000	ISHARES ETF CORE MSCI EMERGING MKTS	IEMG	53.5819522	1,595,188.30	49.06000	1,460,565.26		0.00	
<b>FNMA &amp; FHLMC</b>											
3128MC3L7	256,397.0000	5,474.8300	FHLMC POOL G14203 4.000% Due 04-01-26	3128MC3L7	104.5625013	5,724.62	101.20300	5,540.69	18.25	218.99	2.89
3128MFE46	190,000.0000	66,879.0100	FG POOL G16255 2.500% Due 07-01-32	3128MFE46	99.7031229	66,680.46	98.17200	65,656.46	139.33	1,671.98	3.21
3128MJYU8	477,000.0000	87,000.5600	FG POOL G08722 3.500% Due 09-01-46	3128MJYU8	102.0859375	88,815.34	98.24000	85,469.35	253.75	3,045.02	3.88
3128P7MT7	2,000,000.0000	57,711.2200	FG POOL C91270 4.500% Due 10-01-29	3128P7MT7	105.6718768	60,984.53	101.32000	58,473.01	216.42	2,597.00	3.21
31307LNS3	301,000.0000	61,806.9200	FG POOL J30401 3.000% Due 01-01-30	31307LNS3	101.2968751	62,608.48	99.57800	61,546.09	154.52	1,854.21	3.25
3132D6NU0	125,000.0000	88,664.6250	FR SB8503 Mtge 2.000% Due 08-01-35	3132D6NU0	102.8125036	91,158.32	93.51200	82,912.06	29.55	1,773.29	3.41
3132L5B28	450,000.0000	155,751.9300	FG POOL V80057 3.000% Due 05-01-43	3132L5B28	100.2343760	156,116.98	95.63000	148,945.57	389.38	4,672.56	3.81
31335CC69	150,000.0000	49,704.4300	FG G61893 3.000% Due 07-01-47	31335CC69	101.1406257	50,271.37	94.73000	47,085.01	124.26	1,491.13	3.84
3133A0DW1	100,000.0000	32,106.5900	FR QA5517 3.000% Due 12-01-49	3133A0DW1	102.3124969	32,849.05	93.39700	29,986.59	80.27	963.20	3.90
3133ANV43	300,000.0000	259,741.2040	FR QC4235 Mtge 2.500% Due 07-01-51	3133ANV43	102.3125005	265,747.72	90.06900	233,946.31	108.23	6,493.53	3.82
3133KGP44	100,000.0000	41,278.8700	FR RA1343 3.000% Due 09-01-49	3133KGP44	104.6875014	43,213.82	93.68400	38,671.70	103.20	1,238.37	3.90
3133KYUU1	115,000.0000	93,143.2200	FR RB5095 MTGE 2.000% Due 01-01-41	3133KYUU1	103.8359391	96,716.14	89.39600	83,266.31	31.05	1,862.86	3.78
3138ASR38	1,500,000.0000	169,037.8100	FN POOL AJ1405 4.000% Due 09-01-41	3138ASR38	104.4843747	176,618.10	100.89900	170,557.46	563.46	6,761.51	3.76

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
 June 30, 2022

Cusip9	Original Face	Quantity	Security	Security Symbol	Unit Cost	Total Cost	Price	Market Value	Accrued Interest	Annual Income	Yield To Mat
3138EKRA5	374,582.0000	100,670.0900	FN POOL AT2324 3.000% Due 01-01-43	3138EKRA5	100.2031256	100,874.58	95.59000	96,230.54	50.34	3,020.10	3.81
3138WJM96	125,000.0000	35,618.1100	FN AS8483 3.000% Due 12-01-46	3138WJM96	102.9531257	36,669.96	95.04600	33,853.59	89.05	1,068.54	3.84
3138WPSN5	335,507.0000	99,041.2500	FN POOL AL3180 3.000% Due 05-01-43	3138WPSN5	100.2031251	99,242.43	95.52800	94,612.13	247.60	2,971.24	3.81
3140F9WP6	139,000.0000	64,893.8300	FN POOL BD2453 3.000% Due 01-01-47	3140F9WP6	99.8906252	64,822.85	94.64400	61,418.12	162.23	1,946.81	3.84
3140KESQ2	100,000.0000	54,028.6500	FANNIE MAE POOL 2.500% Due 05-01-50	3140KESQ2	104.9843782	56,721.64	90.70000	49,003.99	112.56	1,350.72	3.84
3140KY2A1	250,000.0000	220,296.5000	FN BR1668 Mtge 2.000% Due 03-01-51	3140KY2A1	99.5351561	219,272.47	87.19900	192,096.35	73.43	4,405.93	3.71
3140QFS42	115,000.0000	80,978.9700	FN CA7738 MTGE 2.500% Due 11-01-50	3140QFS42	105.6406228	85,546.69	90.10800	72,968.53	168.71	2,024.47	3.84
3140QL6V3	75,000.0000	72,030.7300	FANNIE MAE POOL CB1783 2.500% Due 10-01-51	3140QL6V3	92.1250000	66,358.31	90.10500	64,903.29	150.06	1,800.77	3.82
3140XF4G3	40,000.0000	39,250.4600	FANNIE MAE POOL FS0822 2.000% Due 03-01-52	3140XF4G3	88.6093819	34,779.59	86.89600	34,107.08	65.42	785.01	3.71
31416BXA1	4,000,000.0000	66,525.1200	FNCL POOL 995373 4.500% Due 02-01-39	31416BXA1	106.7187814	70,994.80	103.20000	68,653.92	249.47	2,993.63	3.74
31418CHG2	148,000.0000	49,362.7100	FN POOL MA2930 4.000% Due 03-01-47	31418CHG2	103.5624999	51,121.26	100.47800	49,598.66	164.54	1,974.51	3.97
31418CU77	225,000.0000	43,946.2800	FN MA3305 3.500% Due 03-01-48	31418CU77	103.0156271	45,271.54	97.73000	42,948.70	128.18	1,538.12	3.88
31418CUA0	125,000.0000	23,750.4300	FN MA3276 3.500% Due 02-01-48	31418CUA0	105.7500009	25,116.08	97.76200	23,218.90	69.27	831.27	3.88
31418D6M9	100,000.0000	94,950.1600	FN MA4475 Mtge 2.500% Due 11-01-41	31418D6M9	103.5781300	98,347.60	92.03400	87,386.43	39.56	2,373.75	3.89
31418DBG6	101,000.0000	13,236.8800	FN POOL MA3638 4.000% Due 04-01-49	31418DBG6	103.0937556	13,646.40	100.04200	13,242.44	44.12	529.48	4.05
31418DHL9	100,000.0000	23,830.5000	FN MA3834 3.000% Due 11-01-49	31418DHL9	101.8984379	24,282.91	93.32900	22,240.77	59.58	714.91	3.90
31418DJR4	100,000.0000	25,596.1900	FN MA3871 3.000% Due 12-01-49	31418DJR4	101.9062543	26,084.12	93.21100	23,858.46	63.99	767.89	3.90
31418DMJ8	100,000.0000	27,270.3900	FN MA3960 3.000% Due 03-01-50	31418DMJ8	102.3125021	27,901.02	93.26600	25,434.00	68.18	818.11	3.93
Accrued I								4,217.94			
						2,344,559.14		2,172,050.44	4,217.94	66,558.92	3.75
<b>HIGH YIELD FIXED INCOME</b>											
78468R606	1,189.0000	1,189.0000	SPDR PORTFOLIO HIGH YIELD BO	SPHY	25.1859966	29,946.15	22.45000	26,693.05		0.00	
922031760	233,921.0590	233,921.0590	VANGUARD HI YLD CORP-ADM	VWEAX	5.6000000	1,309,957.93	5.09000	1,190,658.19		0.00	
						1,339,904.08		1,217,351.24		0.00	
<b>INTERNATIONAL EQUITY FUNDS/ETF</b>											
46429B689	2,314.0000	2,314.0000	ISHARES EDGE MSCI MIN VOL EAFE ETF	EFAV	72.7548024	168,354.61	63.31000	146,499.34		0.00	
46432F842	26,356.0000	26,356.0000	ISHARES ETF CORE MSCI EAFE	IEFA	66.4577359	1,751,560.09	58.85000	1,551,050.60		0.00	
46434V456	18,065.0000	18,065.0000	ISHARES MSCI INTERNATIONAL QUALITY	IQLT	37.3352003	674,460.39	30.93000	558,750.45		0.00	
						2,594,375.09		2,256,300.39		0.00	
<b>DOMESTIC LARGE CAP EQUITY FUNDS/ETF</b>											
46138E354	5,407.0000	5,407.0000	INVESCO S&P 500 LOW VOLATILITY	SPLV	65.7013168	355,247.02	62.00000	335,234.00		0.00	
78462F103	14,831.0000	14,831.0000	SPDR S&P 500 ETF	SPY	214.6094282	3,182,872.43	377.25000	5,594,994.75		0.00	

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
 June 30, 2022

Cusip9	Original Face	Quantity	Security	Security Symbol	Unit Cost	Total Cost	Price	Market Value	Accrued Interest	Annual Income	Yield To Mat
92189F643	8,926.0000	8,926.0000	VANECK MORNINGSTAR WIDE MOAT	MOAT	75.7057998	675,749.97	63.73000	568,853.98		0.00	
						4,213,869.42		6,499,082.73		0.00	
<b>REAL ESTATE &amp; INFRASTRUCTURE</b>											
33939L795	28,738.0000	28,738.0000	FLEXSHAR STX GLOBAL BROAD INF ETF	NFRA	52.3361792	1,504,037.12	51.68000	1,485,179.84		0.00	
46641Q738	6,190.0000	6,190.0000	JPMORGAN BETABUILDERS MSCI US REIT ETF	BBRE	81.4969709	504,466.25	87.83000	543,667.70		0.00	
						2,008,503.37		2,028,847.54		0.00	
<b>DOMESTIC SMALL CAP EQUITY FUNDS/ETF</b>											
464287804	15,398.0000	15,398.0000	ISHARES S&P SMALLCAP 600 INDEX ETF	IJR	56.1569547	864,704.79	92.41000	1,422,929.18		0.00	
<b>U.S. TREASURY</b>											
912810QK7	85,000.0000	85,000.0000	US TREASURY NOTES 3.875% Due 08-15-40	912810QK7	127.1118054	108,045.03	107.81600	91,643.60	1,237.43	3,293.75	3.30
912810QX9	25,000.0000	25,000.0000	US TREASURY NOTES 2.750% Due 08-15-42	912810QX9	110.8632800	27,715.82	89.72300	22,430.75	258.29	687.50	3.46
912810QZ4	25,000.0000	25,000.0000	US TREASURY NOTES 3.125% Due 02-15-43	912810QZ4	97.1328000	24,283.20	95.01200	23,753.00	293.51	781.25	3.47
912810SH2	45,000.0000	45,000.0000	US TREASURY NOTES 2.875% Due 05-15-49	912810SH2	102.9814450	46,341.65	93.23800	41,957.10	165.23	1,293.75	3.25
912810SN9	15,000.0000	15,000.0000	US TREASURY NOTES 1.250% Due 05-15-50	912810SN9	100.7382667	15,110.74	63.62500	9,543.75	23.95	187.50	3.24
912810SS8	75,000.0000	75,000.0000	US TREASURY NOTES 1.625% Due 11-15-50	912810SS8	96.6375652	72,478.17	70.33200	52,749.00	155.66	1,218.75	3.23
912810SZ2	50,000.0000	50,000.0000	US TREASURY NOTES 2.000% Due 08-15-51	912810SZ2	100.8789000	50,439.45	77.28500	38,642.50	375.69	1,000.00	3.21
912810TA6	75,000.0000	75,000.0000	US TREASURY NOTES 1.750% Due 08-15-41	912810TA6	96.4218800	72,316.41	76.06600	57,049.50	493.09	1,312.50	3.47
912810TB4	15,000.0000	15,000.0000	US TREASURY NOTE 1.875% Due 11-15-51	912810TB4	95.2578000	14,288.67	75.03100	11,254.65	35.92	281.25	3.19
912810TD0	20,000.0000	20,000.0000	US TREASURY NOTE 2.250% Due 02-15-52	912810TD0	83.9726500	16,794.53	82.29700	16,459.40	169.06	450.00	3.18
9128285C0	115,000.0000	115,000.0000	US TREASURY NOTE 3.000% Due 09-30-25	9128285C0	100.9882783	116,136.52	99.85600	114,834.40	867.21	3,450.00	3.05
9128285M8	100,000.0000	100,000.0000	US TREASURY NOTES 3.125% Due 11-15-28	9128285M8	102.3802100	102,380.21	100.20700	100,207.00	399.12	3,125.00	3.09
9128286B1	20,000.0000	20,000.0000	US TREASURY NOTES 2.625% Due 02-15-29	9128286B1	101.7412706	20,348.25	97.36300	19,472.60	197.24	525.00	3.07
912828R36	75,000.0000	75,000.0000	US TREASURY NOTES 1.625% Due 05-15-26	912828R36	95.6347089	71,726.03	94.77000	71,077.50	155.66	1,218.75	3.07
912828T91	100,000.0000	100,000.0000	US TREASURY NOTES 1.625% Due 10-31-23	912828T91	99.4062533	99,406.25	98.27000	98,270.00	273.78	1,625.00	2.96
912828XZ8	75,000.0000	75,000.0000	US TREASURY NOTES 2.750% Due 06-30-25	912828XZ8	99.7070333	74,780.27	99.22300	74,417.25	5.60	2,062.50	3.02
912828YS3	105,000.0000	105,000.0000	US TREASURY NOTES 1.750% Due 11-15-29	912828YS3	93.7148476	98,400.59	91.76200	96,350.10	234.68	1,837.50	3.00
912828YV6	170,000.0000	170,000.0000	US TREASURY NOTES 1.500% Due 11-30-24	912828YV6	102.2773412	173,871.48	96.46500	163,990.50	215.98	2,550.00	3.03
912828ZQ6	10,000.0000	10,000.0000	US TREASURY NOTES 0.625% Due 05-15-30	912828ZQ6	100.7930000	10,079.30	83.38300	8,338.30	7.98	62.50	3.01
912828ZY9	20,000.0000	20,000.0000	US TREASURY NOTES 0.125% Due 07-15-23	912828ZY9	99.9961000	19,999.22	97.12100	19,424.20	11.53	25.00	2.95

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
 June 30, 2022

Cusip9	Original Face	Quantity	Security	Security Symbol	Unit Cost	Total Cost	Price	Market Value	Accrued Interest	Annual Income	Yield To Mat
91282CAB7	120,000.0000	120,000.0000	US TREASURY NOTES 0.250% Due 07-31-25	91282CAB7	96.6608083	115,992.97	91.81600	110,179.20	125.14	300.00	3.05
91282CAC5	30,000.0000	30,000.0000	US TREASURY NOTES 0.125% Due 07-31-22	91282CAC5	100.0195400	30,005.86	99.91700	29,975.10	15.64	37.50	1.09
91282CAD3	50,000.0000	50,000.0000	US TREASURY NOTES 0.375% Due 07-31-27	91282CAD3	95.4938500	47,746.92	87.41800	43,709.00	78.21	187.50	3.07
91282CAE1	20,000.0000	20,000.0000	US TREASURY NOTE 0.625% Due 08-15-30	91282CAE1	99.7265615	19,945.31	82.90600	16,581.20	46.96	125.00	3.01
91282CAK7	100,000.0000	100,000.0000	US TREASURY NOTES 0.125% Due 09-15-23	91282CAK7	99.4843778	99,484.38	96.64500	96,645.00	36.68	125.00	2.97
91282CAP6	90,000.0000	90,000.0000	US TREASURY NOTE 0.125% Due 10-15-23	91282CAP6	99.7539053	89,778.51	96.40600	86,765.40	23.67	112.50	2.98
91282CAV3	125,000.0000	125,000.0000	US TREASURY NOTES 0.875% Due 11-15-30	91282CAV3	97.6367200	122,045.90	84.43400	105,542.50	139.69	1,093.75	2.99
91282CAW1	115,000.0000	115,000.0000	US TREASURY NOTES 0.250% Due 11-15-23	91282CAW1	96.7617217	111,275.98	96.36700	110,822.05	36.72	287.50	2.97
91282CAZ4	100,000.0000	100,000.0000	US TREASURY NOTES 0.375% Due 11-30-25	91282CAZ4	95.7968765	95,796.88	91.33600	91,336.00	31.76	375.00	3.06
91282CBL4	140,000.0000	140,000.0000	US TREASURY NOTE 1.125% Due 02-15-31	91282CBL4	99.3158616	139,042.21	85.93000	120,302.00	591.71	1,575.00	2.99
91282CBP5	100,000.0000	100,000.0000	US TREASURY NOTES 1.125% Due 02-29-28	91282CBP5	96.5976600	96,597.66	89.91400	89,914.00	376.02	1,125.00	3.08
91282CBS9	100,000.0000	100,000.0000	US TREASURY NOTES 1.250% Due 03-31-28	91282CBS9	99.5898400	99,589.84	90.34400	90,344.00	315.90	1,250.00	3.10
91282CBV2	100,000.0000	100,000.0000	US TREASURY NOTES 0.375% Due 04-15-24	91282CBV2	99.5273450	99,527.34	95.46100	95,461.00	78.89	375.00	2.99
91282CBX8	75,000.0000	75,000.0000	US TREASURY NOTES 0.125% Due 04-30-23	91282CBX8	98.1835933	73,637.69	97.75000	73,312.50	15.79	93.75	2.87
91282CBZ3	70,000.0000	70,000.0000	US TREASURY NOTES 1.250% Due 04-30-28	91282CBZ3	97.8320286	68,482.42	90.19900	63,139.30	147.42	875.00	3.10
91282CCB5	125,000.0000	125,000.0000	US TREASURY NOTES 1.625% Due 05-15-31	91282CCB5	100.8906240	126,113.28	89.35200	111,690.00	259.43	2,031.25	3.00
91282CCC3	100,000.0000	100,000.0000	US TREASURY NOTES 0.250% Due 05-15-24	91282CCC3	99.8554667	99,855.47	95.04300	95,043.00	31.93	250.00	2.99
91282CDV0	95,000.0000	95,000.0000	US TREASURY NOTE 0.875% Due 01-31-24	91282CDV0	98.6484421	93,716.02	96.76600	91,927.70	346.74	831.25	2.98
91282CDY4	35,000.0000	35,000.0000	US TREASURY NOTES 1.875% Due 02-15-32	91282CDY4	90.9414000	31,829.49	90.59400	31,707.90	246.55	656.25	3.01
Accrued I								8,521.47			
						2,895,405.95		2,694,783.42	8,521.47	38,693.75	3.03
<b>CASH AND CASH EQUIVILENTS</b>											
			DIVIDEND ACCRUAL	divacc		28,731.79		28,731.79		0.00	
VP4560000			WF ADV GOVT MM FD-INSTL #1751	WFAGM		1,832,269.05		1,832,269.05		0.00	
						1,861,000.84		1,861,000.84		0.00	
<b>TOTAL PORTFOLIO</b>						<b>27,489,391.13</b>		<b>30,300,708.75</b>	<b>37,320.48</b>	<b>195,026.92</b>	<b>0.88</b>

**PURCHASE ORDERS BETWEEN \$2,500.00 AND \$15,000.00 FOR COUNCIL REVIEW**  
**COUNCIL MEETING OF: AUGUST 17, 2022**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPT.</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
KENAI HISTORICAL SOCIETY	HISTORIC CABIN DOCENT	LEGISLATIVE	GRANTS TO AGENCIES	4,000.00
HDL ENGINEERING	KENAI AIRPORT ENGINEERING SERVICES	AIRPORT	PROFESSIONAL SERVICES	13,000.00
ALL SECURITY EQUIPMENT	INDUSTRIAL SLIDE GATE	AIRPORT	OPERATING SUPPLIES	3,377.83
KENAI PENINSULA BOROUGH	TYLER TECHNOLOGY STATION ALERTING	FIRE	PROFESSIONAL SERVICES	4,209.59
AMAZON	ENVIRONMENTAL MONITORING EQUIP.	NON-DEPARTMENTAL	SMALL TOOLS	2,685.06
SUPERIOR ELECTRIC MOTOR SERVICE	CIRCULATION MOTOR REPAIR	RECREATION	REPAIR & MAINTENANCE	3,285.25
AMERICAN BUREAU OF CRANE INSP.	CRANE INSPECTIONS	SHOP	REPAIR & MAINTENANCE	2,927.00
FOSTER CONSTRUCTION	TOPSOIL	LIBRARY/MUNICIPAL PARK	CONSTRUCTION	5,000.00
CROWLEY	FLOAT PLANE FUEL	AIRPORT	OPERATING SUPPLIES	7,270.00