



Kenai City Council - Regular Meeting

May 15, 2024 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Agenda

A. CALL TO ORDER

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

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

B. SCHEDULED ADMINISTRATIVE REPORTS

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

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

E. PUBLIC HEARINGS

1. **Ordinance No. 3412-2024** - Accepting and Appropriating Grant Funds from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)
2. **Ordinance No. 3413-2024** - Increasing Estimated Revenues and Appropriations in the General Fund - Police Department and Accepting a Grant from the US Department of Transportation Passed through the State of Alaska Department of Transportation and Public Facilities for Traffic Enforcement Overtime Expenditures. (Administration)
3. **Ordinance No. 3414-2024** - Repealing Kenai Municipal Code Sections 13.10.010(a)(2) - Miscellaneous Offenses, 13.10.020 - Loitering and Sleeping on the Streets, Schools, and 13.10.030 - Curfew, to Remove Certain City Prohibitions Regarding Begging, Loitering and Sleeping, and Curfews in the City that are Not Enforceable as Specifically Written in Code. (Administration)
4. **Ordinance No. 3415-2024** - Authorizing a Donation of Surplus Sand from the Kenai Municipal Airport to the Triumvirate Theatre for the Construction of a New Theatre. (Administration)
5. **Ordinance No. 3416-2024** - Repealing, Reenacting and Renaming Kenai Municipal Code Chapter 1.90 - Standard Procedures for Boards, Commissions and Committees, Enacting Chapter 1.95 - Standing Advisory Commissions, Repealing Chapters 11.10 - Harbor Commission, Chapter 19.05 Parks and Recreation Commission, Chapter 21.20 Airport Commission, Enacting Section 14.05.050 - Planning And Zoning Commission - Qualifications and Membership, and Approving Amendments to The Council on Aging Commission's By-Laws

to Organize Streamline, and Improve the Efficiency of the City's Standing Commissions. (City Clerk)

- **Ordinance No. 3416-2024 Substitute** - Repealing, Reenacting and Renaming Kenai Municipal Code Chapter 1.90 - Standard Procedures for Boards, Commissions and Committees, Enacting Chapter 1.95 - Standing Advisory Commissions, Repealing Chapters 11.10 - Harbor Commission, Chapter 19.05 Parks and Recreation Commission, Chapter 21.20 Airport Commission, Enacting Section 14.05.050 - Planning and Zoning Commission - Qualifications and Membership, and Approving Amendments to the Council on Aging Commission's By-Laws to Organize Streamline, and Improve the Efficiency of the City's Standing Commissions. (City Clerk)

- 6. Ordinance No. 3417-2024** - Increasing Estimated Revenues and Appropriations by \$12,600 in the General Fund for the Purchase of Approximately 7.8 Acres of Real Property Described as Tract B, Kenai Bluff Stabilization Subdivision from David W. Salter to be Retained by the City for a Public Purpose and Determining that the Public Interest will not be Served by an Appraisal. (Administration)
- 7. Resolution No. 2024-16** - Authorizing a Budget Transfer within the Water and Sewer Capital Project Fund for Lift Station Renovation Projects. (Administration)
- 8. Resolution No. 2024-17** - Renaming Cook Inlet View Drive to Cook Inlet Drive. (Administration)
- 9. Resolution No. 2024-18** - Accepting an Airport Improvement Program Grant from the Federal Aviation Administration for an Eco-Cart. (Administration)

F. MINUTES

- 1.** *Regular Meeting of May 1, 2024. (City Clerk)

G. UNFINISHED BUSINESS

H. NEW BUSINESS

- 1.** *Action/Approval - Bills to be Ratified. (Administration)
- 2.** *Action/Approval - Purchase Orders and Purchase Order Amendments Requiring Council Approval in Accordance with KMC 7.15.020. (Administration)
- 3.** *Action/Approval - Second Extension to the Agreement with Redline Sports for Management Services at the Kenai Multi-Purpose Facility. (Administration)
- 4.** *Ordinance No. 3418-2024 - Adopting the Annual Budget, Salary Schedule and Employee Classification Plan for the Fiscal Year Commencing July 1, 2024 and Ending June 30, 2025 and Committing \$4,499,039 of General Fund, Fund Balance for Future Capital Improvements. (Administration)
- 5.** *Ordinance No. 3419-2024 - Amending Sections of Kenai Municipal Code Title 23 - Personnel Regulations, Sections 23.05.070 - Definitions, 23.25.070 - Acting Positions, 23.30.030 - Probationary Period for Employees in the Classified Service, 23.30.110 - Travel Expense, 23.40.040 - Terminal Leave, 23.55.020 - Compensation Structure by Grade for Employees in the Classified Service, 23.55.030 - Qualification Pay, and 23.55.080 - Longevity Pay for Employees in the Classified Service, to Ensure Appropriate Compensation and Benefits to City Employees Comparable to Other Places of Public Employment Improving Recruitment and Retention of Qualified Employees. (Administration)

- [6.](#) ***Ordinance No. 3420-2024** - Increasing Estimated Revenues and Appropriations in the General Fund and Municipal Roadway Improvements Capital Fund and Awarding a Construction Agreement and Corresponding Purchase Order for the 2024 Lilac Lane Roadway Improvement Project. (Administration)
- [7.](#) **Action/Approval** - Council on Aging 2024 Work Plan. (City Clerk)
- [8.](#) **Action/Approval** - Parks and Recreation Commission 2024 Work Plan. (City Clerk)

I. 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

J. REPORT OF THE MAYOR

K. ADMINISTRATION REPORTS

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

L. ADDITIONAL PUBLIC COMMENTS

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

M. EXECUTIVE SESSION

N. PENDING ITEMS

O. ADJOURNMENT

P. INFORMATION ITEMS

- [1.](#) Bishops Attic Donation Letter

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

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

<https://us02web.zoom.us/meeting/register/tZYldu6qrD4iE9MPswnxWF153CpQTJzjWLEo>



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3412-2024**

AN ORDINANCE ACCEPTING AND APPROPRIATING GRANT FUNDS FROM THE ALASKA HIGH INTENSITY DRUG TRAFFICKING AREA FOR DRUG INVESTIGATION OVERTIME EXPENDITURES.

WHEREAS, the Kenai Police Department assists the regional drug task force on initiatives with funding availability through the Alaska High Intensity Drug Traffic Area (AK HIDTA), 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 July of 2023 through the end of March, 2024 was \$17,096.61; and,

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

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

Section 1. That the City Manager is authorized to accept these funds from the AK HIDTA in the amount of \$17,096.61 and to expend those funds to fulfill the purpose and intent of this ordinance

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

General Fund:

Increase Estimated Revenues – Federal Grants – Police	<u>\$17,096.61</u>
Increase Appropriations – Police – Overtime	<u>\$17,096.61</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 15TH DAY OF MAY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:  _____

Introduced:	May 1, 2024
Enacted:	May 15, 2024
Effective:	May 15, 2024



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: David Ross – Police Chief

DATE: April 8, 2024

SUBJECT: **Ordinance No. 3412-2024 - An Ordinance Accepting and Appropriating Grant Funds from The Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures**

The Kenai Police Department participates in the regional drug task force. Between July of 2023 and March of 2024 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 \$17,096.61 in overtime expenditures.

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



**CITY OF KENAI
ORDINANCE NO. 3413-2024**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND – POLICE DEPARTMENT AND ACCEPTING A GRANT FROM THE US DEPARTMENT OF TRANSPORTATION PASSED THROUGH THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES FOR TRAFFIC ENFORCEMENT OVERTIME EXPENDITURES.

WHEREAS, the Kenai Police Department joins with other law enforcement agencies statewide to support Alaska Highway Safety Office (AHSO) traffic safety programs to reduce fatalities and injuries on roadways; and,

WHEREAS, AHSO traffic-related overtime funds require no local match and allow the department to provide specific traffic safety patrols; and,

WHEREAS, the grant funds received for from AHSO for overtime in fiscal year 2024 were \$373.46; and,

WHEREAS, overtime for these additional traffic safety patrols was not budgeted and the Department is requesting appropriation into the overtime budget equal to the amount of the AHSO grant funding received.

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

Section 1. That the City Manager is authorized to accept these grant funds in the amount of \$373.46 and to expend those funds pursuant to all grant terms and conditions and to fulfill the purpose and intent of this ordinance.

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

General Fund:

Increase Estimated Revenues –
Federal Grants – Police \$373.46

Increase Appropriations –
Police – Overtime \$373.46

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 15TH DAY OF MAY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:  _____

Introduced:	May 1, 2024
Enacted:	May 15, 2024
Effective:	May 15, 2024



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: David Ross, Police Chief

DATE: April 10, 2024

SUBJECT: **Ordinance No. 3413-2024 - An Ordinance Increasing Estimated Revenues and Appropriations in The General Fund – Police Department and Accepting a Grant from The Us Department of Transportation Passed Through the State of Alaska Department of Transportation and Public Facilities for Traffic Enforcement Overtime Expenditures.**

The Kenai Police Department continues to participate in traffic enforcement overtime patrols, reimbursed to the City of Kenai through a grant by the Alaska Highway Safety Office (AHSO).

Actual grant funds received from AHSO so far in FY24 is \$373.46.

I am respectfully requesting consideration of the ordinance accepting and appropriating the grant funds.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3414-2024**

AN ORDINANCE REPEALING KENAI MUNICIPAL CODE SECTIONS 13.10.010(A)(2) - MISCELLANEOUS OFFENSES, 13.10.020 - LOITERING AND SLEEPING ON THE STREETS, SCHOOLS, AND 13.10.030 - CURFEW, TO REMOVE CERTAIN CITY PROHIBITIONS REGARDING BEGGING, LOITERING AND SLEEPING, AND CURFEWS IN THE CITY THAT ARE NOT ENFORCEABLE AS SPECIFICALLY WRITTEN IN CODE.

WHEREAS, the City has broad prohibitions against begging, loitering and sleeping, and curfews that are no longer enforced by the City and do not entirely comply with modern law; and,

WHEREAS, it is in the best interest of the City to repeal these code sections that are not enforced; and,

WHEREAS, repealing these sections of City Code will not impair the City Police Department's ability to protect public safety; and,

WHEREAS, if the need exists, the City may enact future more narrowly tailored prohibitions against certain conduct.

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

Section 1. Repeal of Sub-Section 13.10.010(a)(2) of Kenai Municipal Code: That Kenai Municipal Code, Sub-Section 13.10.010(a)(2) Miscellaneous Offenses, is hereby repealed as follows:

13.10.010 Miscellaneous Offenses.

(a) It shall be unlawful for any person to:

(1) Solicit or seek the aid of a person for the purpose of committing or assisting to commit any unlawful act[.];

[(2) BEG IN ANY STREET, ALLEY, PLACE OF BUSINESS, OR OTHER PUBLIC PLACE.]

Section 2. Repeal of Section 13.10.020 of Kenai Municipal Code: That Kenai Municipal Code, Section 13.10.020-Loitering and Sleeping on the Streets, School, is hereby repealed in its entirety as follows:

[13.10.020 LOITERING AND SLEEPING ON THE STREETS, SCHOOLS.

(A) IT IS UNLAWFUL FOR ANY PERSON, WITHOUT LAWFUL REASON, BETWEEN THE HOURS OF 12:00 MIDNIGHT AND SUNRISE, TO LOITER OR WANDER AIMLESSLY WITHIN THE CITY ON THE STREETS, IN OTHER PUBLIC PLACES OR ON PROPERTY OF ANOTHER; OR AT ANY TIME TO SLEEP ON ANY STREET, IN ANY OTHER PUBLIC PLACE OR ON ANY PROPERTY OF ANOTHER WITHOUT THE EXPRESSED OR TACIT CONSENT OF THE OWNER OR PERSON IN CHARGE OF SUCH PLACE.

(B) IT IS UNLAWFUL FOR A PERSON TO LOITER ON OR ABOUT THE PREMISES OF A PUBLIC OR PRIVATE SCHOOL, PUBLIC BUILDING, PROPERTY OF A PUBLIC CARRIER, OR DOCKS AND WHARVES.]

Section 3. Repeal of Section 13.10.030 of Kenai Municipal Code: That Kenai Municipal Code, Section 13.10.030-Curfew, is hereby repealed in its entirety as follows:

[13.10.030 CURFEW.

(A) NO PERSON UNDER SIXTEEN (16) YEARS OF AGE SHALL BE UPON OR IN A STREET, ALLEY, PUBLIC BUILDING, PLACE OF AMUSEMENT AND ENTERTAINMENT, VACANT LOT, OR OTHER UNSUPERVISED PLACE, BETWEEN THE HOURS OF 10:00 P.M. DURING SCHOOL TERM OR 11:00 P.M. AT OTHER TIMES, AND 5:00 A.M. OF ANY DAY, UNLESS SUCH PERSON SHALL BE ACCOMPANIED BY AND IN THE CHARGE OF HIS PARENT OR OTHER COMPETENT AND ADULT PERSON, OR BE UPON AN EMERGENCY ERRAND OR LEGITIMATE BUSINESS DIRECTED BY HIS PARENT, GUARDIAN, OR OTHER ADULT PERSON HAVING THE CARE AND CUSTODY OF THE MINOR.

(B) NO PARENT, GUARDIAN, OR OTHER PERSON HAVING THE CUSTODY AND CONTROL OF CHILDREN UNDER THE AGE OF SIXTEEN (16) YEARS SHALL ALLOW SUCH CHILD TO GO OR BE UPON OR IN ANY STREET, OR OTHER PLACES AS LISTED IN THIS SECTION, BETWEEN THE HOURS OF 10:00 P.M. DURING THE SCHOOL TERM OR 11:00 P.M. AT OTHER TIMES, AND 5:00 A.M. OF ANY DAY, UNLESS SUCH CHILD SHALL BE ACCOMPANIED BY HIS PARENT OR OTHER COMPETENT AND ADULT PERSON OR IS UPON AN EMERGENCY ERRAND OR LEGITIMATE BUSINESS DIRECTED BY HIS PARENT, GUARDIAN, OR OTHER ADULT PERSON HAVING THE CARE AND CUSTODY OF THE MINOR. IN ANY PROSECUTION FOR THE VIOLATION OF ANY PROVISION OF THIS SECTION, THE PRESENCE OF ANY PERSON UNDER SIXTEEN (16) YEARS OF AGE, NOT ATTENDED AS HEREIN REQUIRED, UPON ANY OF THE PUBLIC STREETS OR OTHER PLACES AS LISTED IN THIS SECTION SHALL BE DEEMED PRIMA FACIE EVIDENCE OF THE GUILT OF SUCH PARENT AND OF THE VIOLATION OF THE PROVISIONS HEREOF.]

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 enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 15TH DAY OF MAY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced: May 1, 2024
Enacted: May 15, 2024
Effective: June 14, 2024



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: David Ross – Police Chief

DATE: April 8, 2024

SUBJECT: **Ordinance No. 3414-2024 – An Ordinance Repealing Kenai Municipal Code Sections 13.10.010(A)(2) -Miscellaneous Offenses, 13.10.020 - Loitering and Sleeping on The Streets, Schools, and 13.10.030 - Curfew, To Remove Certain City Prohibitions Regarding Begging, Loitering and Sleeping, And Curfews in The City That Are Not Enforceable as Specifically Written in Code.**

This memo supports the removal of the following Sections from Chapter 13-Offenses and Penalties, of the Kenai Municipal Code.

- 1) Remove Section 13.10.010(a)(2). This section deals will “begging.”
- 2) Remove Section 13.10.020. This section deals with “loitering and sleeping.”
- 3) Remove Section 13.10.030. This section deals with “Curfew”

These sections of Code are out of date, not generally enforceable as they are currently written, and in fact, could be enforced in a manner that violates the rights of individuals. The Police Department has not issued citations for any of these offenses in recent history. Case law that impacts the enforcement of these regulations has evolved since these portions of Code were written.

For example, “begging” or asking for help, itself is no longer speech or conduct that can be prohibited on its own. Enforceable laws in this regard focus on specific conduct that threatens public safety or the impairment of rights of others. Likewise, the City code currently prohibits loitering, wandering aimlessly at night and sleeping in public. No definition of loitering is provided. Sleeping in public has been a hot topic in the 9th Circuit Federal Court of Appeals recently, and certain other municipal prohibitions are currently under review by the U.S. Supreme Court, but under current applicable federal decisions our prohibition is not enforceable. The prohibitions under existing City code are overly broad. Likewise, while curfews may be allowed in municipalities under certain conditions, our prohibition does not contain necessary findings and conditions to be enforceable.

While this ordinance would eliminate the specified sections of Code it does not change the Police Department's ability to enforce State Laws and address illegal conduct as it currently does. Rather than undertake a process to rewrite these code sections, it is recommended at this time that they be repealed, and re-enacted at a later time should the need arise.

Thank you for your consideration.





Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3415-2024**

AN ORDINANCE AUTHORIZING A DONATION OF SURPLUS SAND FROM THE KENAI MUNICIPAL AIRPORT TO THE TRIUMVIRATE THEATRE FOR THE CONSTRUCTION OF A NEW THEATRE.

WHEREAS, by Ordinance 3219-2021, the City of Kenai donated approximately two acres of land with an estimated value of \$200,000 to Triumvirate Theatre, a 501(c)3, for the construction of a new theatre in the City after their facility was destroyed by fire on February 20, 2021; and,

WHEREAS, the construction of the new Triumvirate Theatre is estimated to need 5,000 cubic yards of sand; and,

WHEREAS, at Triumvirate's request, the administration had previously agreed to sell surplus sand from the Kenai Municipal Airport for the project at a cost of \$6.50 a yard; and,

WHEREAS, the Airport has determined the sand to be surplus and is no longer using this sand in its operations due to its quality; and,

WHEREAS, the sand is located on the airport in an area easily accessible, not requiring airport resources to move, and its removal is not expected to cause disruptions to airport operations; and,

WHEREAS, the total value of the sand needed is estimated to be \$32,500; and,

WHEREAS, Federal Aviation Administration (FAA) grant assurances require the City to manage assets of the Airport for the betterment and benefit of the Airport; and,

WHEREAS, at the request of Triumvirate Theatre and approval by the City Council at its April 3, 2024 meeting, the administration requested a community purpose exemption from the FAA for the ability to donate sand to the construction project which was approved by the FAA on April 10, 2024; and,

WHEREAS, surplus sand from the Airport has been sold in the past to developers of airport projects and the City's General Fund for City projects and, if approved, the requested donation of sand would be the first such donation to a not-for-profit organization utilizing the FAA's community purpose exemption; and,

WHEREAS, at its meeting on May 9, 2024, the City of Kenai Airport Commission _____ enactment of this Ordinance; and,

WHEREAS, donation of surplus sand in support of the Triumvirate Theatre's efforts to construct a new theatre in Kenai is a benefit to the City by enhancing the quality of life for its resident, the expansion of economic activity and 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 City Manager is authorized to donate up to 5,000 cubic yards of sand to the Triumvirate Theatre from the Kenai Municipal Airport.

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 15TH DAY OF MAY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced:	May 1, 2024
Enacted:	May 15, 2024
Effective:	May 15, 2024



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Derek Ables, Airport Manager

DATE: April 19, 2024

SUBJECT: **Ordinance No. 3415-2024 – An Ordinance Authorizing a Donation of Surplus Sand from The Kenai Municipal Airport to The Triumvirate Theatre for The Construction of a New Theatre.**

By Ordinance 3219-2021, the City of Kenai donated approximately two acres of land with an estimated value of \$200,000 to Triumvirate Theatre, a 501(c)3, for the construction of a new theatre in the City after their facility was destroyed by fire on February 20, 2021. In addition to this land donation, the Triumvirate Theatre has requested the donation of approximately 5,000 cubic yards of surplus sand from the Kenai Municipal Airport for the project.

Federal Aviation Administration grant assurances require the City to manage assets of the airport for the betterment and benefit of the airport. A community purpose exemption is needed to maintain compliance with FAA grant assurances in order to donate the requested sand. At the April 3, 2024 Kenai City Council Meeting, authorization was provided to seek a community purpose exemption from the FAA to donate surplus sand to the project. The Airport's request for a community purpose exemption was approved.

The Airport has determined the sand to be surplus due to its quality and the cost to refine the sand in order to meet FAA specifications for use on the airfield. The sand is also located in an easily accessible area, is within a short haul route to the construction site, and its removal is not expected to cause disruption to Airport operations.

Surplus sand from the Airport is valued at \$6.50 per yard and has been sold in the past in support of development on the Airport and other City projects with compensation paid to the Airport by developers or the City's General Fund. The estimated value of the requested donation is \$32,500. If approved, the requested donation of sand would be the first such donation to a not-for-profit organization utilizing a community purpose exemption.

At the upcoming May 9, 2024 Airport Commission Regular Meeting, the Commission will provide their recommendation on the enactment of this Ordinance.

Dear Council Members:

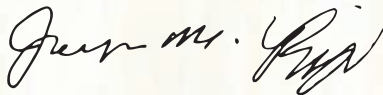
Thank you so much for considering approving the donation of sand from the airport for the construction of the new performing arts center here in Kenai. The construction and operation of this new children's theater will be a tremendous community benefit to the city of Kenai.

We greatly appreciate the city's wiliness and commitment to this project. The donation of land to build this new facility is a great blessing. Unfortunately, it is going to cost a great deal to develop this property because the water table is so high. Originally, the cost of developing the property was over \$800,000, a staggering sum, especially for us. Thanks to our architect and the city's administration, we were able to reduce parking, utilizing street parking to meet the requirement. This greatly reduced the area that had to be developed. However, the estimated cost of developing the lot is still \$408,000. I am looking for anyway to reduce that amount.

In order to pay for the construction of the \$3.5 million dollar building that has already begun, we are going to have to borrow up to \$500,000 from the Rasmuson Foundation's PRI program. Although this loan program has an incredibly favorable rate over a 12-year period, it still is going to necessitate a monthly payment. The less Triumvirate has to borrow from this program, the more sustainable our operations in Kenai will be after the building is completed early next year. I don't want to build a multi-million dollar building in Kenai, just to struggle to keep the doors open and provide theater programs for the kids here and the surrounding area. The lower the mortgage payment on the building, the more we can put into the children and youth of Kenai.

Thank you for considering helping us make our operations in Kenai as sustainable as possible. Every little bit helps and will make a measurable difference in providing the best service to kids here in our community.

Best,



Joe Rizzo
Executive Director



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Derek Ables, Airport Manager
DATE: May 10, 2024
SUBJECT: **Ordinance 3415-2024 Requested Amendment**

This memo requests an amendment to fill in the blank within the Ordinance.

The following amendment is respectfully requested.

Motion

Amend the tenth whereas clause by inserting the recommendation of the commission, to read:

- WHEREAS, at its meeting on May 9, 2024, the City of Kenai Airport Commission recommended enactment of this Ordinance; and,

Thank you for your consideration.



Sponsored by: City Clerk

**CITY OF KENAI
ORDINANCE NO. 3416-2024**

AN ORDINANCE REPEALING, REENACTING AND RENAMING KENAI MUNICIPAL CODE CHAPTER 1.90 - STANDARD PROCEDURES FOR BOARDS, COMMISSIONS AND COMMITTEES, ENACTING CHAPTER 1.95 - STANDING ADVISORY COMMISSIONS, REPEALING CHAPTERS 11.10 - HARBOR COMMISSION, CHAPTER 19.05 PARKS AND RECREATION COMMISSION, CHAPTER 21.20 AIRPORT COMMISSION, ENACTING SECTION 14.05.050 - PLANNING AND ZONING COMMISSION - QUALIFICATIONS AND MEMBERSHIP, AND APPROVING AMENDMENTS TO THE COUNCIL ON AGING COMMISSION'S BY-LAWS TO ORGANIZE STREAMLINE, AND IMPROVE THE EFFICIENCY OF THE CITY'S STANDING COMMISSIONS.

WHEREAS, the City's Standing Advisory Commissions are intended to advise the Council and Administration on specific issues based on their experience, expertise and information presented before the commissions; and,

WHEREAS, each Advisory Commission has a unique purpose adding value to the decision-making process carried out by the Council and Administration; and,

WHEREAS, establishing general standards applicable to all standing Advisory Commissions ensures consistency and efficiency in process; and,

WHEREAS, establishing a clear scope of work for each Advisory Commission provides direction to the commissions and ensures effective use of the volunteer commission members time; and,

WHEREAS, while current information on various commissions is spread throughout the Code, organizing the code to address the advisory commissions primarily in one place, improves public interface and transparency; and,

WHEREAS, a new code section is needed for the Planning and Zoning Commission to carry forward applicable code provisions to the Planning and Zoning Commission, which is unique from other City commissions by virtue of the Commission's non-advisory duties; and,

WHEREAS, the City Manager, City Attorney and City Clerk met with each advisory commission and committee in early 2024 to review and discuss current code provisions applicable to each body; and,

WHEREAS, recommended amendments from each commission or committee were drafted, presented and approved by each body; and,

WHEREAS, after further consideration of those recommendations, the Administration in an effort to streamline and improve efficiencies for Standing Commissions, reevaluated the process and recommend a complete rewrite and renaming of Chapter 1.90; and,

WHEREAS, the Airport Commission at their _____, 2024 regular meeting recommended that the City Council _____ this Ordinance; and,

WHEREAS, the Beautification Committee at their _____, 2024 regular meeting recommended that the City Council _____ this Ordinance; and,

WHEREAS, the Council on Aging at their _____, 2024 regular meeting recommended that the City Council _____ this Ordinance; and,

WHEREAS, the Council on Aging at their February 8, 2024 regular meeting recommended that the City Council approve amendments to the By-Laws of the Council on Aging as attached; and,

WHEREAS, the Harbor Commission at their _____, 2024 regular meeting recommended that the City Council _____ this Ordinance; and,

WHEREAS, the Parks and Recreation Commission at their _____, 2024 regular meeting recommended that the City Council _____ this Ordinance; and,

WHEREAS, the Planning and Zoning Commission at their _____, 2024 regular meeting recommended that the City Council _____ this Ordinance.

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

Section 1. Repeal, Reenact and Rename Chapter 1.90 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 1.90 Standards for Boards, Commissions and Committees is hereby repealed, reenacted and renamed as Chapter 1.90 General Standards for Standing Advisory Commissions, as follows:

[CHAPTER 1.90
STANDARD PROCEDURES FOR BOARDS, COMMISSIONS AND COMMITTEES

SECTIONS:

- 1.90.010 CREATION.
- 1.90.020 DUTIES.
- 1.90.030 QUALIFICATIONS.
- 1.90.040 TERMS.
- 1.90.050 PROCEEDINGS.
- 1.90.060 SPECIFIC REQUIREMENTS OF BOARDS, COMMISSIONS AND COMMITTEES.

1.90.010 CREATION.

ALL BOARDS, COMMISSIONS AND COMMITTEES CREATED BY THE COUNCIL OF THE CITY OF KENAI, SHALL CONSIST OF SEVEN (7) MEMBERS WHO SHALL BE NOMINATED BY THE MAYOR AND CONFIRMED BY THE CITY COUNCIL FROM APPLICATIONS SUBMITTED TO THE CITY CLERK. A CHAIR AND VICE-CHAIR SHALL BE SELECTED ANNUALLY AND SHALL BE ELECTED FROM AND BY THE APPOINTED MEMBERS. AT THE ORGANIZATIONAL MEETING OF COUNCIL, OR AS SOON THEREAFTER AS PRACTICABLE, THE MAYOR, AFTER CONSULTATION WITH COUNCIL, SHALL NOMINATE COUNCIL MEMBERS AS A COUNCIL LIAISON TO ANY BOARD, COMMISSION OR COMMITTEE. AFTER CONFIRMATION BY COUNCIL, THE COUNCIL LIAISON MAY ATTEND ALL MEETINGS OF THE BOARD, COMMISSION OR COMMITTEE. A COUNCIL LIAISON IS NOT A MEMBER OF, AND SHALL HAVE NO VOTING POWER OR ANY OTHER RIGHTS OF MEMBERSHIP ON, THE BOARD, COMMISSION OR COMMITTEE. THE MAYOR AND OTHER COUNCIL MEMBERS MAY ATTEND MEETINGS OF BOARDS, COMMISSIONS OR COMMITTEES WHEN SERVING AS AN ALTERNATE FOR THE COUNCIL LIAISON, OR IN THEIR CAPACITY AS ELECTED OFFICIALS. CITY ADMINISTRATIVE STAFF SHALL ATTEND AND SUPPLY STAFF SUPPORT TO ALL MEETINGS OF BOARDS, COMMISSIONS AND COMMITTEES.

1.90.020 DUTIES.

- (A) MEMBERS OF BOARDS, COMMISSIONS AND COMMITTEES SHALL BE REQUIRED TO ESTABLISH POLICIES RELATING TO THEIR RESPECTIVE ORGANIZATION. THEY SHALL ACT IN AN ADVISORY CAPACITY TO CITY COUNCIL UNLESS OTHERWISE SPECIFIED IN THE CITY CODE.

- (B) IF THE BOARD, COMMISSION OR COMMITTEE HAS INCOME STATED WITHIN THE CITY OF KENAI ANNUAL BUDGET, SAID BOARD, COMMISSION OR COMMITTEE SHALL WORK WITH THE CITY MANAGER TO ESTABLISH EXPENSES PROJECTED FOR THE YEAR FOR APPROVAL BY THE CITY COUNCIL.

1.90.030 QUALIFICATIONS.

- (A) A MEMBER OF A BOARD, COMMISSION OR COMMITTEE MUST BE A RESIDENT OF THE CITY OF KENAI, UNLESS THE BOARD, COMMISSION OR COMMITTEE IS SPECIFICALLY EXEMPTED BY COUNCIL FROM THIS REQUIREMENT. THE MEMBER CANNOT BE AN OFFICER OR EMPLOYEE OF THE CITY OF KENAI. IF ANY MEMBER SHOULD MOVE HIS OR HER RESIDENCE FROM THE CORPORATE LIMITS OF THE CITY OF KENAI (IF APPLICABLE), IS AN OFFICER OR EMPLOYEE OF THE CITY OF KENAI, OR SHALL BE ELECTED OR APPOINTED AS AN OFFICER OR EMPLOYEE OF THE CITY OF KENAI, THE SERVICE OF SUCH MEMBER SHALL TERMINATE IMMEDIATELY. HE OR SHE SHOULD BE AWARE THAT HE OR SHE WILL SERVE WITHOUT SALARY, BUT WILL BE REIMBURSED FOR ALL REASONABLE EXPENSES INCURRED IN CONNECTION WITH THIS SERVICE, ONLY AFTER APPROVAL BY COUNCIL.
- (B) THE BEAUTIFICATION COMMITTEE, AND HARBOR, LIBRARY, AND PARKS AND RECREATION COMMISSIONS MAY AT THE DISCRETION OF THE COUNCIL HAVE UP TO TWO (2) NON-RESIDENT MEMBERS EACH.
- (C) THE PLANNING AND ZONING COMMISSION MAY HAVE UP TO ONE MEMBER THAT IS NOT A RESIDENT OF THE CITY IF THEY HAVE A CONTROLLING OWNERSHIP INTEREST IN A BUSINESS PHYSICALLY LOCATED IN THE CITY. THIS PROVISION SPECIFICALLY DOES NOT CREATE A DESIGNATED SEAT FOR A NON-RESIDENT.

1.90.040 TERMS.

- (A) A MEMBER OF A BOARD, COMMISSION OR COMMITTEE SHALL SERVE FOR A TERM OF THREE (3) YEARS, UNLESS THE BOARD, COMMISSION OR COMMITTEE IS SPECIFICALLY EXEMPTED BY COUNCIL FROM THIS REQUIREMENT. AT RENEWAL DATE, THE MAYOR, WITH CONSENT OF THE COUNCIL, CAN REAPPOINT THE MEMBER OR RECOMMEND A REPLACEMENT.
- (B) THE TERMS OF THE INITIAL BOARD, COMMISSION OR COMMITTEE MEMBER SHALL BE STAGGERED SO THAT THREE (3) MEMBERS WILL BE APPOINTED FOR ONE (1) YEAR; TWO (2) MEMBERS WILL BE APPOINTED FOR TWO (2) YEARS; AND TWO (2) MEMBERS WILL BE APPOINTED FOR THREE (3) YEARS. TERMS SHALL COMMENCE ON JANUARY 1ST OF EACH YEAR.

1.90.050 PROCEEDINGS.

- (A) ALL BOARDS, COMMISSIONS AND COMMITTEES WILL HAVE REGULARLY SCHEDULED MEETINGS WHICH SHALL BE OPEN TO THE PUBLIC. EXCEPTIONS TO THE MEETING REQUIREMENTS SHALL BE ESTABLISHED BY COUNCIL. PERMANENT RECORDS OR MINUTES SHALL BE KEPT OF ALL PROCEEDINGS AND SUCH MINUTES SHALL RECORD THE VOTE OF EACH MEMBER UPON EVERY QUESTION. EVERY DECISION OR FINDING SHALL IMMEDIATELY BE FILED IN THE OFFICE OF THE CITY CLERK AND SHALL BE A PUBLIC RECORD OPEN TO INSPECTION BY ANY PERSON. ALL ACTS OF BOARDS, COMMISSIONS AND COMMITTEES ARE SUBJECT TO THE PARAMOUNT AUTHORITY OF THE CITY COUNCIL.
- (B) IF THE COMMISSION, COMMITTEE OR BOARD MEMBER SHALL BE ABSENT, WITHOUT THE BODY EXCUSING THE ABSENCE FOR GOOD CAUSE, FROM MORE THAN ONE-HALF OF ALL THE MEETINGS OF HIS OR HER COMMITTEE, COMMISSION OR BOARD, REGULAR AND SPECIAL, HELD WITHIN ANY PERIOD OF THREE (3) CONSECUTIVE CALENDAR MONTHS, HE OR SHE SHALL THEREUPON CEASE TO HOLD THE SEAT. A COMMISSION, COMMITTEE OR BOARD MEMBER MAY NOT HAVE MORE THAN THREE (3) EXCUSED ABSENCES DURING A TWELVE (12) MONTH CALENDAR YEAR.
- (C) IN ALL MATTERS OF PARLIAMENTARY PROCEDURE, THE MOST CURRENT EDITION OF ROBERT'S RULES OF ORDER NEWLY REVISED SHALL BE APPLICABLE AND GOVERN ALL MEETINGS, UNLESS AS SPECIFIED IN KMC 1.15.060, MOTIONS; KMC 1.15.100, SPEAKING; AND KMC 1.15.110, VOTING.

- (D) THE RESPONSIBILITY OF INSURING THAT ALL MEMBERS OF BOARDS, COMMISSIONS AND COMMITTEES RECEIVE A COPY OF THE STANDARD PROCEDURES OF BOARDS, COMMISSIONS AND COMMITTEES LIES WITH THE CITY CLERK.

1.90.060 SPECIFIC REQUIREMENTS OF BOARDS, COMMISSIONS AND COMMITTEES.

REQUIREMENTS OF BOARDS, COMMISSIONS AND COMMITTEES AS SET FORTH IN KMC 1.90 ARE GENERAL REQUIREMENTS AND SHALL BE FOLLOWED TO THE EXTENT THAT THEY DO NOT CONFLICT WITH SPECIFIC REQUIREMENTS FOUND IN CODE SECTIONS SPECIFICALLY PERTAINING TO INDIVIDUAL BOARDS, COMMISSIONS AND COMMITTEES.]

Chapter 1.90
General Standards for Standing Advisory Commissions.

Sections:

- 1.90.010 Creation.
- 1.90.020 Members, Appointments and Qualifications.
- 1.90.030 Terms.
- 1.90.040 Attendance.
- 1.90.050 Proceedings.
- 1.90.060 Liaisons.
- 1.90.070 Specific Requirements of Standing Advisory Commissions.

1.90.010 Creation.

- (a) Standing Advisory Commissions of the City may be created or dissolved by an ordinance of the City Council. The following Standing Advisory Commissions have been created by the Council:
 - (1) Airport Commission, as established in KMC 1.95.010;
 - (2) Beautification Commission, as established in KMC 1.95.020;
 - (3) Council on Aging Commission, as established in KMC 1.95.030;
 - (4) Harbor Commission, as established in KMC 1.95.040;
 - (5) Parks and Recreation Commission, as established in KMC 1.95.050;
- (b) Standing Advisory Commissions are created to advise the Council and Administration as requested and codified. Decisions of Standing Advisory Commissions may be considered by the Council and Administration, but standing advisory commissions may not direct Council or Administration.
- (c) This Chapter does not apply to the Planning and Zoning Commission which is not solely advisory to the Council and Administration.

1.90.020 Members, Appointments and Qualifications.

- (a) Unless otherwise specified standing advisory commissions will consist of seven members.
- (b) Commission members will be nominated by the Mayor and confirmed by the Council from applications submitted to the Clerk.
- (c) Members must be residents of the City unless otherwise specified and may not be an officer or employee of the City. If any member who is required to reside in the City, moves their residence outside of City limits, or if any member is elected or appointed as an officer or employee of the City, the term of such member will terminate immediately.

- (d) Members will serve without salary, but may be reimbursed for reasonable expenses incurred in connection with the service, only after approval by the Council.
- (e) After completion of a full or partial term, the Mayor with confirmation of the Council may reappoint the member or recommend a replacement.

1.90.030 Terms.

- (a) Terms of appointment will be for three-years beginning January 1st and ending December 31st, unless the commission is exempted by the Council from this requirement.
- (b) When an appointment is to fill a vacancy created prior to the end of a term, the appointment will be for the remainder of that term.
- (c) When appointments are first made to a newly established commission, the first appointments will be to staggered terms, so that three members will be appointed for one year; two members will be appointed for two years; and two members will be appointed for three years.

1.90.040 Attendance.

If a member is absent, without the body excusing the absence for good cause from more than one-half of all the regular or special meetings held within any period of three consecutive calendar months, the member will thereupon cease to hold the seat. A commission member may not have more than three excused absences during a twelve-month calendar year.

1.90.050 Proceedings.

- (a) Standing Advisory Commissions will have regularly scheduled meetings which will be open to the public. Annual meeting schedules, meeting cancellations or holding special meetings will conform to policy set by the City Council.
- (b) A chair and vice-chair will be elected annually from and by the appointed members.
- (c) The most current edition of Robert's Rules of Order Newly Revised will govern all meetings, unless otherwise specified in KMC 1.15.060 motions; KMC 1.15.100 speaking; and KMC 1.15.110 voting.
- (d) Permanent record or minutes will be kept for regular and special meetings, and such minutes will record the vote of each member upon every question.
- (e) Every decision or finding will be filed in the office of the Clerk and will be a public record open to inspection by any person.
- (f) The Clerk is responsible for ensuring that all members of commissions are provided a copy of this chapter.

1.90.060 Liaison.

- (a) Council Liaison. At the organizational meeting of Council, or as soon thereafter as practicable, the Mayor, after consultation with Council, will nominate Council Members as a council liaison to Standing Advisory Commissions. The following applies to Council Liaisons:
 - (1) After confirmation by Council, the Council Liaison may attend all meetings of the commission.
 - (2) The Council Liaison is a non-voting member and may not participate in the debate of the commission.
 - (3) Any Council Member may attend meetings or work sessions when serving as an alternate for the Council Liaison, or in their capacity as elected officials.

- (4) Other Council Members may attend a meeting or work session of a commission; however, no more than three Council Members may attend any one meeting without additional public notice.
- (b) Staff Liaison. City administrative staff will attend and supply staff support to all meetings of the commissions of the City.

1.90.070 Specific Requirements of Standing Advisory Commissions.

Requirements of this chapter are general requirements and will be followed to the extent that they do not conflict with specific requirements found in code sections specifically pertaining to individual standing commissions.

Section 2. Enactment of Chapter 1.95 of Kenai Municipal Code: That Kenai Municipal Code, Section 1.95 Boards, Commissions and Committees is hereby enacted as follows:

Chapter 1.95
Standing Advisory Commissions.

Sections:

- 1.95.010 Airport Commission.
- 1.95.020 Beautification Committee.
- 1.95.030 Council on Aging Commission.
- 1.95.040 Harbor Commission.
- 1.95.050 Parks and Recreation Commission.

1.95.010 Airport Commission.

- (a) Purpose. The purpose of the Airport Commission is to advise the Council and Administration on issues involving the Airport and lands held for the benefit of the Airport.
- (b) Duties and Powers. The Airport Commission will:
 - (1) Review and provide recommendations on the master plan for the airport development. This may include:
 - (i) Development of type, location and sequence of all airport terminal facilities; and,
 - (ii) Development and use of all airport lands.
 - (2) Act in an advisory capacity to the Council and the Administration on matters affecting the airport.
 - (3) Make recommendations to the City Manager on the airport budget.
 - (4) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year.
 - (5) Provide information and recommendations as requested by the City Council and Administration.
- (c) Qualifications. Members of the Airport Commission will conform to the requirements as established by KMC 1.90, except that members of the Airport Commission need not be a resident of the City of Kenai.
- (d) Membership. The Commission will be comprised of seven members who will be chosen so as to represent broadly the following areas:

- (1) One member, fixed base operator (FBO); and,
- (2) One member, lessee of airport aeronautical lands or terminal facility; and,
- (3) One member, with expertise in Federal Aviation administration functions; and,
- (4) One member, representing the Civil Air Patrol; and,
- (5) Three members, at-large, representing the business and professional community.

1.95.020 Beautification Commission.

- (a) Purpose. The purpose of the Beautification Commission is to advise the Council and Administration on enhancing the appearance of the City.
- (b) Duties and Powers. The Beautification Commission will:
 - (1) Advise Administration on seasonal displays and decorations promoted by the City; and,
 - (2) Advise Administration on selection of annual plantings of flora to be displayed in the City; and,
 - (3) Advise Council and Administration on City beautification issues and/or projects as requested by the Council or Administration; and,
 - (4) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of the recommended capital improvements which, in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year.
- (c) Qualifications and Membership. Members of the Beautification Commission will conform to the requirements of KMC 1.90, except the commission may at the discretion of the Council have up to two non-resident members.

1.95.030 Council on Aging Commission.

- (a) Purpose. The purpose of the Council on Aging Commission is to advise the Council and Administration on issues involving the Kenai Senior Center and senior citizen programs supported by the City.
- (b) Duties and Powers. The Council on Aging Commission will:
 - (1) Review and provide recommendations on any master plans for senior citizen services provided by the City. This may include:
 - (i) City owned facilities providing senior citizen services; and,
 - (ii) Development and use of the Senior Center or other facilities owned or managed by the City for the provision of services for senior citizens, excluding Vintage Pointe-Independent Senior Housing.
 - (2) Act in an advisory capacity to the Council and the Administration on matters affecting the Senior Center and senior citizen services provided by the City; and,
 - (3) Make recommendations to the City Manager on the budget for the City's Senior Center; and,
 - (4) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year; and,

- (5) Provide information and recommendations as requested by the City Council and Administration.
- (c) Qualifications and Membership. Members of the Council on Aging Commission will conform to the requirements as established by KMC 1.90, except that members need only to reside on the Kenai Peninsula and 51% of whom must be 55 years or older. The Commission shall be comprised of not more than nine members who will be chosen based on their interest in challenges and opportunities for local senior citizens.
- (d) Bylaws. The Council on Aging Commission may have its own bylaws approved by the City Council that provide guidance and direction for the Council on Aging Commission to the extent that they do not conflict with the City's Code of Ordinances. If a conflict should arise between the bylaws and City's Code of Ordinances, City Code will control.

1.95.040 Harbor Commission.

- (a) Purpose. The purpose of the Harbor Commission is to advise the Council and Administration on issues involving City harbor facilities and tidal or submerged lands owned by the City.
- (b) Duties and Powers. The Harbor Commission will:
 - (1) Review and provide recommendations on any master plans for the development of harbor or port facilities for the City. This may include:
 - (i) Development of the type, location, and sequence of all public harbor facilities; and,
 - (ii) The relocation, removal, extension, or change of use of existing harbor facilities.
 - (2) Act in an advisory capacity to the Council and Administration regarding matters related to City harbor facilities, tide or submerged lands. Make recommendations to the Council and Administration relative to the care, control, and development of tide and submerged lands; and,
 - (3) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of the recommended capital improvements which, in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for constructed in which year; and,
 - (4) Review all City leases of City-owned tide and submerged lands and make recommendations to the City Council and Administration; and,
 - (5) Provide information and recommendations as requested by the City Council and Administration; and,
 - (6) Advise and provide recommendations to the Administration as requested on the qualifications for a Harbor Master.
- (c) Qualifications and Membership. Members of the Harbor Commission will conform to the requirements of KMC 1.90, except the commission may at the discretion of the Council have up to two non-resident members.

1.95.050 Parks and Recreation Commission.

- (a) Purpose. The purpose of the Parks and Recreation Commission is to advise the Council and Administration on issues involving the City's parks and recreational facilities.
- (b) Duties and Powers. The Parks and Recreation Commission will:
 - (1) Review and provide recommendations on any master plans for the physical development of recreation facilities for the City. Such master plans with accompanying maps, plats, charts,

descriptive, and explanatory matter, may show the Commission's recommendations for the development of the City's recreation facilities including:

- (i) Development of the type, location, and sequence of all public recreation facilities; and,
- (ii) The relocation, removal, extension, or change of use of existing recreation facilities.
- (2) Advise the Council and Administration on concerns and recommendations regarding parks and recreational facilities within the City including recommendations for consideration by the Administration in the development of the Parks and Recreation Department's annual budget; and,
- (3) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year; and,
- (4) Provide information and recommendations as requested by the City Council and Administration; and,
- (5) Advise and provide recommendations to the Administration as requested on the qualifications for a Director of Parks and Recreation.
- (c) Qualifications and Membership. Members of the Parks and Recreation Commission will conform to the requirements of KMC 1.90, except the commission may at the discretion of the Council have up to two non-resident members.

Section 3. Repeal of Chapter 11.10 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 11.10 Harbor Commission is hereby repealed as follows:

[CHAPTER 11.10
HARBOR COMMISSION

11.10.010 DUTIES AND POWERS.

- (A) THE HARBOR COMMISSION SHALL BE REQUIRED TO DO THE FOLLOWING:
 - (1) DEVELOP, ADOPT, ALTER, OR REVISE, SUBJECT TO APPROVAL BY THE CITY COUNCIL, A MASTER PLAN FOR THE PHYSICAL DEVELOPMENT OF HARBOR OR PORT FACILITIES FOR THE CITY. SUCH MASTER PLAN WITH ACCOMPANYING MAPS, PLATS, CHARTS, DESCRIPTIVE, AND EXPLANATORY MATTER, SHALL SHOW THE HARBOR COMMISSION'S RECOMMENDATIONS FOR THE DEVELOPMENT OF THE CITY HARBOR FACILITIES MAY INCLUDE, AMONG OTHER THINGS:
 - (I) DEVELOPMENT OF THE TYPE, LOCATION, AND SEQUENCE OF ALL PUBLIC HARBOR FACILITIES;
 - (II) THE RELOCATION, REMOVAL, EXTENSION, OR CHANGE OF USE OF EXISTING HARBOR FACILITIES;
 - (2) SUBMIT ANNUALLY TO THE CITY MANAGER AND COUNCIL, NOT LESS THAN NINETY (90) DAYS PRIOR TO THE BEGINNING OF THE BUDGET YEAR, A LIST OF THE RECOMMENDED CAPITAL IMPROVEMENTS WHICH, IN THE OPINION OF THE COMMISSION, ARE NECESSARY OR DESIRABLE TO BE CONSTRUCTED DURING THE FORTHCOMING THREE (3) YEAR PERIOD. SUCH LIST SHALL BE ARRANGED IN ORDER OF PREFERENCE, WITH RECOMMENDATIONS AS TO WHICH PROJECTS SHALL BE CONSTRUCTED IN WHICH YEAR.
 - (3) MAKE INVESTIGATIONS REGARDING ANY MATTER RELATED TO CITY HARBOR FACILITIES, TIDE OR SUBMERGED LANDS. MAKE RECOMMENDATIONS TO THE COUNCIL RELATIVE TO THE CARE, CONTROL, AND DEVELOPMENT OF TIDE AND SUBMERGED LANDS.

- (4) REVIEW ALL CITY LEASES OF CITY-OWNED TIDE, SUBMERGED, AND LANDS OR NAVIGABLE WATERS WITHIN THE CITY, AND AS TO THE PLANNED IMPROVEMENTS PROPOSED AND MAKE RECOMMENDATIONS TO THE CITY COUNCIL.
- (5) MAKE AND PREPARE REPORTS AND PLANS FOR APPROVAL BY THE CITY COUNCIL.
- (6) COORDINATE PUBLIC EFFORTS, INDIVIDUAL AND GROUP, TO THE EFFECTUATION OF APPROVED PLANS.
- (7) SHALL ACT IN ADVISORY CAPACITY IN THE SELECTION OF A HARBOR MASTER SHOULD SUCH A POSITION BE CREATED BY THE CITY COUNCIL.]

Section 4. Enactment of Section 14.05.050 of Kenai Municipal Code: That Kenai Municipal Code, Section 14.05.050 - Membership, Qualifications and Proceedings, is hereby enacted as follows:

14.05.050 - Membership Qualifications and Procedures.

- (a) The Planning and Zoning Commission will consist of seven members, who will be nominated by the Mayor and confirmed by the City Council in accordance with KMC 14.05.015, and the following:
 - (1) Members must be a resident of the City of Kenai, except the commission may have up to one member that is not a resident of the City if that member has a controlling ownership interest in a business physically located in the City. This provision specifically does not create a designated seat for a non-resident.
 - (2) Members may not be an officer or employee of the City.
 - (3) If a member who is required to reside in the City, moves their residence outside of City limits, or if a member who is required to have a controlling ownership interest in a business physically located in the City, relinquishes their controlling ownership interest of the business physically located in the City, or if a member is elected or appointed as an officer or employee of the City, the term of such member will terminate immediately.
 - (4) After completion of a partial term, the Mayor with confirmation of the Council may reappoint the member or recommend a replacement in accordance with KMC 14.05.015.
 - (5) If a member is absent, without the body excusing the absence for good cause from more than one-half of all the regular or special meetings held within any period of three consecutive calendar months, the member will thereupon cease to hold the seat. A commission member may not have more than three excused absences during a twelve-month calendar year.
- (b) The Commission will have regularly scheduled meetings which will be open to the public. Procedures and preceding of the commission will include, but are not limited to the following:
 - (1) Annual meeting schedules, meeting cancellations or holding special meetings will conform to policy set by the City Council.
 - (2) A chair and vice-chair will be elected annually from and by the appointed members.
 - (3) The most current edition of Robert's Rules of Order Newly Revised will govern all meetings, unless otherwise specified in KMC 1.15.060 motions; KMC 1.15.100 speaking; and KMC 1.15.110 voting.
 - (4) Permanent record or minutes will be kept for regular and special meetings, and such minutes will record the vote of each member upon every question.
 - (5) Every decision or finding will be filed in the office of the Clerk and will be a public record open to inspection by any person.

- (6) The Clerk is responsible for ensuring that all members of commissions are provided a copy of this section.
- (c) At the organizational meeting of Council, or as soon thereafter as practicable, the Mayor, after consultation with Council, will nominate a Council Members as Council Liaison to the Planning and Zoning Commission. The following applies to the Council Liaisons:
 - (1) After confirmation by Council, the Council Liaison may attend all meetings of the commission.
 - (2) The council liaison is a non-voting member and may not participate in the debate of the commission.
 - (3) Any Council Member may attend meetings or work sessions when serving as an alternate for the council liaison, or in their capacity as elected officials.
 - (4) Other Council Members may attend a meeting or work session of the commission; however, no more than three Council Members may attend any one meeting without additional public notice.
- (d) City administrative staff will attend and supply staff support to all meetings of the commission.

Section 5. Repeal of Chapter 19.05 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 19.05 Parks and Recreation Commission is hereby repealed as follows:

[CHAPTER 19.05
PARKS AND RECREATION COMMISSION

SECTIONS:

- 19.05.010 CREATION.*
- 19.05.020 DUTIES AND POWERS.*
- 19.05.030 TERMS AND APPOINTMENTS TO VACANCIES.*
- 19.05.040 QUALIFICATIONS OF COMMISSION MEMBERS.*
- 19.05.050 PROCEEDINGS OF COMMISSION.*

19.05.010 CREATION. (ORD. 416, REPEALED ORD. 1161)

19.05.020 DUTIES AND POWERS.

THE COMMISSION SHALL BE REQUIRED TO DO THE FOLLOWING:

- (A) DEVELOP, ADOPT, ALTER, OR REVISE SUBJECT TO APPROVAL BY THE CITY COUNCIL, A MASTER PLAN FOR THE PHYSICAL DEVELOPMENT OF RECREATION FACILITIES FOR THE CITY. SUCH MASTER PLAN WITH ACCOMPANYING MAPS, PLATS, CHARTS, DESCRIPTIVE, AND EXPLANATORY MATTER, SHALL SHOW THE COMMISSION’S RECOMMENDATIONS FOR THE DEVELOPMENT OF THE CITY’S RECREATION FACILITY MAY INCLUDE, AMONG OTHER THINGS:
 - (1) DEVELOPMENT OF THE TYPE, LOCATION, AND SEQUENCE OF ALL PUBLIC RECREATION FACILITIES; AND
 - (2) THE RELOCATION, REMOVAL, EXTENSION, OR CHANGE OF USE OF EXISTING RECREATION FACILITIES.
- (B) SUBMIT ANNUALLY TO THE CITY MANAGER AND COUNCIL, NOT LESS THAN NINETY (90) DAYS PRIOR TO THE BEGINNING OF THE BUDGET YEAR, A LIST OF RECOMMENDED CAPITAL IMPROVEMENTS, WHICH IN THE OPINION OF THE COMMISSION, ARE NECESSARY OR DESIRABLE TO BE CONSTRUCTED DURING THE FORTHCOMING THREE (3) YEAR PERIOD. SUCH LIST SHALL BE ARRANGED IN ORDER OF PREFERENCE, WITH RECOMMENDATIONS AS TO WHICH PROJECTS SHALL BE CONSTRUCTED IN WHICH YEAR.
- (C) MAKE INVESTIGATIONS REGARDING ANY MATTER RELATED TO CITY RECREATION.
- (D) MAKE AND PREPARE REPORTS AND PLANS FOR APPROVAL BY THE CITY COUNCIL.

(E) SHALL ACT IN ADVISORY CAPACITY IN THE SELECTION OF A DIRECTOR OF PARKS AND RECREATION.

19.05.030 TERMS AND APPOINTMENTS TO VACANCIES. (ORDS. 416, 430, REPEALED ORD. 1161)

19.05.040 QUALIFICATIONS OF COMMISSION MEMBERS. (ORDS. 416, 619, REPEALED ORD. 1161)

19.05.050 PROCEEDINGS OF COMMISSION. (ORD. 416, REPEALED ORD. 1161)]

Section 6. Repeal of Chapter 21.20 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 21.20 Airport Commission is hereby repealed as follows:

**[21.20
AIRPORT COMMISSION**

SECTIONS:

- 21.20.010 DUTIES AND POWERS.
- 21.20.020 QUALIFICATIONS.
- 21.20.030 MEMBERSHIP.

21.20.010 DUTIES AND POWERS.

THE COMMISSION SHALL:

- (A) DEVELOP, ADOPT, ALTER OR REVISE, SUBJECT TO APPROVAL BY THE CITY COUNCIL, A MASTER PLAN FOR THE AIRPORT DEVELOPMENT. THIS MAY INCLUDE:
 - (1) DEVELOPMENT OF TYPE, LOCATION AND SEQUENCE OF ALL AIRPORT TERMINAL FACILITIES;
 - (2) DEVELOPMENT AND USE OF ALL AIRPORT AERONAUTICAL LANDS.
- (B) OBSERVE, OVERSEE AND GUIDE IN AN ADVISORY CAPACITY, ANY MATTERS RELATING TO USE OF AIRPORT RUNWAYS, AIRPORT TERMINAL, AND AIRPORT AERONAUTICAL LANDS.
- (C) ACT IN AN ADVISORY CAPACITY TO THE COUNCIL AND THE AIRPORT MANAGER.
- (D) MAKE RECOMMENDATIONS TO THE CITY MANAGER ON THE AIRPORT BUDGET.

21.20.020 QUALIFICATIONS.

MEMBERS OF THE AIRPORT COMMISSION WILL CONFORM TO THE REQUIREMENTS OF THE CITY OF KENAI BOARDS, COMMISSIONS, AND COMMITTEES STANDARD PROCEDURES AS ESTABLISHED BY KMC 1.90, EXCEPT THAT MEMBERS OF THE AIRPORT COMMISSION NEED NOT BE RESIDENTS OF THE CITY OF KENAI.

21.20.030 MEMBERSHIP.

THE COMMISSION SHALL COMPRISE OF SEVEN (7) MEMBERS WHO SHALL BE CHOSEN SO AS TO REPRESENT BROADLY THE FOLLOWING AREAS:

- (A) ONE MEMBER, FIXED BASE OPERATOR (FBO).
- (B) ONE MEMBER, LESSEE OF AIRPORT AERONAUTICAL LANDS OR TERMINAL FACILITY.
- (C) ONE MEMBER, WITH EXPERTISE IN FEDERAL AVIATION ADMINISTRATION FUNCTIONS.
- (D) ONE MEMBER, REPRESENTING THE CIVIL AIR PATROL.
- (E) THREE MEMBERS, AT-LARGE, REPRESENTING THE BUSINESS AND PROFESSIONAL COMMUNITY.
- (F) ONE NON-VOTING MEMBER, REPRESENTING AD HOC MEMBER OF THE KENAI CITY COUNCIL.]

Section 7. That the Council on Aging Commission By-Laws as amended and attached as Attachment E are hereby approved.

Section 8. 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 9. 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 15th DAY OF MAY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced: May 1, 2024
Enacted: May 15, 2024
Effective: June 14, 2024



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Shellie Saner, City Clerk

DATE: April 19, 2024

SUBJECT: **Ordinance No. 3416-2024 - An Ordinance Repealing, Reenacting and Renaming Kenai Municipal Code Chapter 1.90 - Standard Procedures for Boards, Commissions and Committees, Enacting Chapter 1.95 - Standing Advisory Commissions, Repealing Chapters 11.10 - Harbor Commission, Chapter 19.05 Parks and Recreation Commission, Chapter 21.20 Airport Commission, Enacting Section 14.05.050 - Planning and Zoning Commission - Qualifications and Membership, and Approving Amendments to The Council on Aging Commission's By-Laws to Organize Streamline, and Improve The Efficiency of The City's Standing Commissions.**

The proposed Ordinance would change the Beautification Committee to a Commission; the Council on Aging to the Council on Aging Commission and codify for the first time both the Beautification Commission and Council on Aging Commission. It will enact a new section of code for the Planning and Zoning commission which incorporates sections of the current 1.90 that are applicable to the Planning and Zoning Commission, and also organize and standardize sections of code for the City of Kenai Advisory Commissions.

It is recommended that the ordinance be introduced, scheduled for public hearing and referred to the Parks & Recreation Commission May 2, 2024 meeting; the Harbor Commission May 6, 2024 meeting; the Planning and Zoning Commission May 8, 2024 meeting; the Council on Aging May 9, 2024 meeting; the Airport Commission May 9, 2024 meeting; and the Beautification Committee May 14, 2024 meeting.

The proposed Ordinance as attached takes current information located in multiple sections of code and relocates them into one location specific to Advisory Commissions. Providing and clarifying general standards will ensure consistency and efficiency in process as well as improve interface with the public and commission member. The following is a section analysis identifying changes as proposed within the ordinance.

Section 1. Proposes to repeal current Chapter 1.90 - Standard Procedures for Boards, Commissions and Committees and replace it with a new Chapter 1.90 - General Standards for Standing Advisory Commissions.

Repealed Chapter 1.90 Standard Procedures for Boards, Commissions and Committees

Section Repealed - 1.90.010 Creation: The existing paragraph is being broken out as three separate section topics in the new proposed code.

- The first sentence of the paragraph related to the makeup of commission and appointment of members was relocated to the new Advisory Commission code as 1.90.020(a - b); and also, in the new P&Z Commission code as 14.05.050(a), it was modified in the P&Z code to refer to KMC 14.05.015, which is specific to the appointment procedures for P&Z Commissioners.
- The second sentence related to commission procedures, selection of a chair and vice chair was relocated to the new Advisory Commission code as 1.90.050(b); and in the new P&Z Commission code as 14.05.050(b)(2).
- The third through sixth sentences were related to the selection and appointment of Council Liaisons to Commissions. The new language was modified to align with the adopted Council Policy 20.020 - Commissions Committees and COA Procedures. The new language is included the new Advisory Commission code as Section 1.90.060(a)(1-3), paragraph (a)(4) is from Policy 20.020; and in the new P&Z Commission code as 14.05.050(c)(1-3), paragraph (c)(4) is from Policy 20.020.
- The seventh sentence regarding administrative staff was relocated to the new Advisory Commission code as 1.90.060(b), and in the new P&Z Commission code as 14.05.050(d).

Section Repealed - 1.90.020 Duties: Both paragraphs of this section were omitted from the proposed new 1.90 code; however, the proposed new Chapter 1.95 - Standing Advisory Commissions has a section for each Standing Advisory Commission, the new sections were drafted to align with the recommendations of the commissions in the meetings held earlier this year and include subsections related to duties. Additional details regarding changes to commission duties will be identified within this memo under the analysis of Section 2.

Additional Notes: The Airport Commission at their March 14, 2024 meeting, the Beautification Committee at their February 13, 2024 meeting, the Council on Aging at their February 8, 2024 meeting, the Harbor Commission at their February 12, 2024 meeting, and the Parks and Recreation Commission at their February 1, 2024 meeting recommended the last sentence of paragraph (a) in 1.90.020 Duties read, "They shall act in an advisory capacity to the City Council and administration unless otherwise specified in City Code"

Duties were removed from 1.90; however, a modified version of duties with the recommendation of the commissions were included in Airport Commission 1.95.010(b)(2); Beautification Commission 1.95.020(b)(3); Council on Aging Commission 1.95.030(b)(2); Harbor Commission 1.95.040(a),(b)(2); and Parks and Recreation Commission 1.95.050(b)(2).

Section Repealed - 1.90.030 Qualifications:

- Paragraph (A), the first three sentences address eligibility requirements pertaining to residency and employees. These requirements were relocated to the new Advisory Commission code as 1.90.020(c), and the new P&Z Commission code as 14.05.050(a)(1-3).
- Paragraph (A), last sentence was related to salary and expenses, it was included in the new Advisory Commission code as 1.90.020(d); and it was omitted from the new P&Z Commission code as P&Z commissioners do receive a stipend.
- Paragraph (B) identifies that the Beautification Committee, Harbor, Library and Parks and Recreation Commission may have up to 2 non-resident members each. This language was included in the proposed new Chapter 1.95 applicable to each commission, except the Library commission which was sunset in 2015, and the Airport Commission and COA as they have different requirements.
- Paragraph (C) allowed the P&Z Commission to have one member that was not a resident if that member had a controlling interest in a business within the City, those provisions were included in the new P&Z Commission code in 14.05.050(a)(1&3).

Section Repealed - 1.90.040 Terms:



- Paragraph (A), the first sentence established three-year terms unless exempted by Council, this language was included in the new Advisory Commission code as 1.90.030(a), and the new language was expanded to codify that regular terms start on January 1 and end on December 31; and,
This language already existing P&Z Commission code 14.05.015(d).
- Paragraph (A), second sentence regarding reappointment was included in the new Advisory Commission code as 1.90.020(e); and also included in the new P&Z Commission code as 14.05.050(a)(4) and the new language refers to the existing KMC 14.05.015 relate to P&Z Commissioner appointments.
- Paragraph (B), this language addresses establishing new commissions with staggered terms, it was included in the new Advisory Commission code as 1.90.030(c). It was not included in the P&Z Commission code; this language would be applicable when forming new commissions and is not needed for an existing commission.

Section Repealed - 1.90.050 Proceedings:

- Paragraph (A), first sentence regarding regular meeting schedules was included in the new Advisory Commission code as 1.90.050(a), the language was modified to reflect Council Policy 20.020. The modified language was also included in the new P&Z Commission code 14.05.050(b)(1).
- Paragraph (A), second and third sentences regarding permanent records, minutes and decisions, were included in the new Advisory Commission code as 1.90.050(d-e); and in the new P&Z Commission code as 14.05.050(b)(4-5).
- Paragraph (A), fourth sentence regarding the paramount authority of the Council was omitted from the Advisory Commission code; however, new language establishing the advisory nature of Commissions was included in the new Advisory Commission code as 1.90.010(b). This language was not included in the P&Z Commission code, although the P&Z Commission are advisory on some subjects they do have decision making authority.
- Paragraph (B), regarding Commissioner attendance, was included in the new Advisory Commission code as 1.90.040, and in the new P&Z Commission code as 14.05.050(a)(5).
- Paragraph (C), regarding parliamentary procedure was included in the new Advisory Commission code as 1.90.050(c), and in the new P&Z Commission code as 14.05.050(b)(3).
- Paragraph (D), ensuring all members are provided a copy of the chapter was included in the new Advisory Commission code as 1.90.050(f), and in the new P&Z Commission code as 14.05.050(b)(6).

Section Repealed - 1.90.060 Specific Requirements of Boards, Commissions and Committees:

- This section was included in the new Advisory Commission code as 1.90.070; and it was omitted from the new P&Z Commission code as the new code is specific to only the P&Z Commission.

New Chapter 1.90 General Standards for Advisory Commissions

Part of the proposed changes include dropping the terms Board or Committee for standing bodies of the City. Uniformly referring to the standing advisory bodies of the City as Commission will create consistency and efficiency.

New Section - 1.90.010 Creation:

- Paragraph's (a)(1-5) are new, and establish that Standing Advisory Commissions are created or dissolved by the Council, and lists the current Standing Advisory Commissions.
- Paragraph (b) was developed based on the last sentence repealed in 1.90.050(a), which addressed to the paramount authority of the Council regarding the actions of Commissions.



The new language addresses the advisory nature of the Commissions to the Council and Administration.

- Paragraph (c) clarifies this chapter does not apply to the P&Z Commission. Any information from the repealed chapter 1.90 that was applicable to the P&Z Commission was incorporated into the new 14.05.050.

Additional Notes: The Airport Commission at their March 14, 2024 meeting, the Beautification Committee at their February 13, 2024 meeting, the Council on Aging at their February 8, 2024 meeting, the Harbor Commission at their February 12, 2024 meeting, and the Parks and Recreation Commission at their February 12, 2024 meeting recommended amending the first sentence of 1.90.010 to read, "All boards, commissions and committees created by the Council of the City of Kenai, unless otherwise specified, will consist of [7] seven members..." The above referenced recommendation was incorporated into the new Advisory Commission code as 1.90.020(a).

New Section - 1.90.020 Member, Appointment and Qualifications:

- Paragraph (a) and (b) were from first sentence of the repealed 1.90.010.
- Paragraph (c) and (d) were from paragraph (a) of the repealed 1.90.030.
- Paragraph (e) was from the second sentence of the repealed 1.90.040(a).

New Section - 1.90.030 Terms:

- Paragraph (a) was from the first sentence of repealed 1.90.040(a) and modified to include the start and end date of a term.
- Paragraph (b) is a new paragraph, the purpose is to codify current practice related to partial terms.
- Paragraph (c) was from the repealed 1.90.040(b).

New Section - 1.90.040 Attendance:

- This section was from the repealed 1.90.050(b).

New Section - 1.90.050 Proceedings:

- Paragraph (a) was from the first sentence of repealed 1.90.050(a), and modified to reflect procedure established within Council Policy 20.020.
- Paragraph (b) was from the second sentence of repealed 1.90.010.
- Paragraph (c) was from repealed 1.90.050(c).
- Paragraph (d) was from the second sentence of repealed 1.90.050(a).
- Paragraph (e) was from the third sentence of repealed 1.90.050(a).
- Paragraph (f) was from repealed 1.90.050(d).

New Section 1.90.060 Liaison:

- Paragraph's (a)(1-3) are from sentences 3-6 of the repealed 1.90.010.
- Paragraph (a)(4) is from Council Policy 20.020.
- Paragraph (b) is from the last sentence of repealed 1.90.010.

New Section 1.90.070:

- This new section is from the repealed 1.90.060.

Section 2. Proposes to enact a completely new Chapter of code, "1.95 - Standing Advisory Commissions", this new chapter will relocate the existing code sections for Advisory bodies to one location and create new code for the Beautification Commission and Council on Aging Commission.

These new code sections were developed based on current existing code and meetings held with each commission earlier this year.

New Chapter 1.90 Standing Advisory Commissions



The sections within this chapter will be applicable to individual Standing Advisory Commissions.

New Section - 1.95.010 Airport Commission: *Note: Section 6 of the ordinance proposes to repeal the existing code section for the Airport Commission, KMC 21.20.*

- The Airport Commission at their March 14, 2024 meeting recommended amendments to their current code which are incorporated into the new proposed 1.95.010, the following identifies any changes made since their recommendation.
 - Paragraph (b)(5) is new language for the Airport Commission and has also been included some of the other Commissions.
 - Paragraph (c) regarding qualifications was added and incorporates the information from sections of the current 1.90 proposed to be repealed.
 - Paragraph (f) from the repealed 21.20.030 Membership was omitted. This currently provides for, “One non-voting member, representing and ad hoc member of the Kenai City Council.” This was left out as it is not a current practice; however, the Airport Commission is assigned a non-voting Council Liaison annually.

New Section - 1.95.020 Beautification Commission: *Note: The Beautification Committee has never been formed by City Council, this new section of code would create a Standing Beautification Commission.*

- The Beautification Committee at their February 13, 2024 meeting recommended enactment of code for the Beautification Commission substantially in the form presented within the Ordinance; however, since that recommendation the following changes have been made.
 - Paragraph (b)(3) was changes to read, “Advise the Council and administration on City beautification issues and/or projects as requested by the Council or administration; and,”
 - Paragraph (c) regarding qualifications was added and incorporates the information from sections of the current 1.90 proposed to be repealed.

New Section - 1.95.030 Council on Aging Commission: *Note: The Council on Aging operates under By-Laws, including provisions for the Council on Aging in code is new.*

- The Council on Aging at their February 8, 2024 meeting recommended enactment of municipal code for the Council on Aging Commission substantially in the form presented within the Ordinance; however, since that recommendation the following changes have been made.
 - Paragraph (b)(5) is new language for the Council on Aging Commission and has also been included some of the other Commissions.
 - Paragraph (c) Qualifications and Membership, the section referencing the requirements of KMC 1.90 has been reworded to align with the language in other Commissions sections of code; however, it does not change the intent.
 - Paragraph (c), the current By-Laws establishes members must be 60 years or older, the Council on Aging has requested that age be lowered to 55 years or older.

New Section - 1.95.040 Harbor Commission: *Note: Section 3 of the ordinance proposes to repeal the existing code section for the Harbor Commission, KMC 11.10.*

- The Harbor Commission at their February 12, 2024 meeting recommended amendments to their current code which are incorporated into the new proposed 1.95.040, the following identifies any changes made since their original recommendation.
 - Paragraphs (b)(2) and (3) changed positions, this was done to align with the outline format of code for other commissions.
 - Paragraph (b)(5) was amended to include “and administration” at the end of the sentence to align with language in code for other commissions.
 - Paragraph (c) regarding qualifications was added and incorporates the information from sections of the current 1.90 proposed to be repealed.



New Section - 1.95.050 Parks and Recreation Commission: Note: Section 5 of the ordinance proposes to repeal the existing code section for the Parks and Recreation Commission, KMC 19.05.

- The Parks and Recreation Commission at their February 1, 2024 meeting recommended amendments to their current code which are incorporated into the new proposed 1.95.050, the following identifies any changes made since their recommendation.
 - Paragraphs (b)(2) and (3) changed positions, this was done to align with the outline format of codes for other commissions.
 - Paragraph (b)(5) was amended to include “and administration” at the end of the sentence to align with language in code for other commissions.
 - Paragraph (c) regarding qualifications was added and incorporates the information from sections of the current 1.90 proposed to be repealed.

Section 3. Proposes to repeal KMC Chapter 11.10 Harbor Commission.

Section 4. Proposes to enact a completely new Section 14.05.050-Membership, Qualifications and Procedures within Chapter 14 Planning and Zoning.

- Paragraph (a) was from the first sentence in repealed 1.90.010.
- Paragraph’s (a)(1-3) were from the repealed 1.90.030(a) and (c).
- Paragraph (a)(4) was from the second sentence of repealed 1.90.040(a).
- Paragraph (a)(5) was from the repealed 1.90.050(b).
- Paragraph (b) is new and provides an outline beginning for procedures of the Commission.
- Paragraph (b)(1) is from the first sentence of repealed 1.90.050(a) and has been modified to align with Council Policy 20.020.
- Paragraph (b)(2) is from the second sentence of repealed 1.90.010.
- Paragraph (b)(3) is from the repealed 1.90.050(c).
- Paragraph (b)(4) is from the second sentence of repealed 1.90.050(a).
- Paragraph (b)(5) is from the third sentence of repealed 1.90.050(a).
- Paragraph (b)(6) is from the repealed 1.90.050(d).
- Paragraph’s (c)(1-3) is sentences 3, 4 and 5 of the repealed 1.90.010.
- Paragraph (c)(4) is from Council Policy 20.020.
- Paragraph (d) is from the last sentence of repealed 1.90.010.

Section 5. Proposes to repeal KMC Chapter 19.05 Parks and Recreation Commission.

Section 6. Proposes to repeal Chapter 21.20 Airport Commission.

Thank you for your consideration.

Attachments:

- A - Draft Ordinance Copy with Comments
- B - March 14, 2024 Airport Commission Packet Item and Approved Minutes
- C - February 13, 2024 Beautification Packet Item and Draft Minutes
- D - February 8, 2024 Council on Aging Packet Item(s) and Approved Minutes
- E - Amended Council on Aging By-Laws as recommended by the Council on Aging
- F - February 12, 2024 Harbor Commission Packet Item and Draft Minutes
- G - February 1, 2024 Parks and Recreation Commission Packet Item and Approved Minutes



Attachment A

Sponsored by: City Clerk

**CITY OF KENAI
ORDINANCE NO. XXXX-2024**

AN ORDINANCE REPEALING, REENACTING AND RENAMING KENAI MUNICIPAL CODE CHAPTER 1.90 - STANDARD PROCEDURES FOR BOARDS, COMMISSIONS AND COMMITTEES, ENACTING CHAPTER 1.95 - STANDING ADVISORY COMMISSIONS, REPEALING CHAPTERS 11.10 - HARBOR COMMISSION, CHAPTER 19.05 PARKS AND RECREATION COMMISSION, CHAPTER 21.20 AIRPORT COMMISSION, ENACTING SECTION 14.05.050 - PLANNING AND ZONING COMMISSION - QUALIFICATIONS AND MEMBERSHIP AND APPROVING AMENDMENTS TO THE COUNCIL ON AGING COMMISSION BY-LAWS TO ORGANIZE STREAMLINE, AND IMPROVE THE EFFICIENCY OF THE CITY'S STANDING COMMISSIONS.

WHEREAS, the City's Standing Advisory Commissions are intended to advise the Council and administration on specific issues based on their experience, expertise and information presented before the commissions; and,

WHEREAS, each Advisory Commission has a unique purpose adding value to the decision-making process carried out by the Council and administration; and,

WHEREAS, establishing general standards applicable to all standing Advisory Commissions ensures consistency and efficiency in process; and,

WHEREAS, establishing a clear scope of work for each Advisory Commission provides direction to the commissions and ensures effective use of the volunteer commission members time; and,

WHEREAS, while current information on various commissions is spread throughout the Code, organizing the code to address the advisory commissions primarily in one place, improves public interface and transparency; and,

WHEREAS, a new code section is needed for the Planning and Zoning Commission to carry forward applicable code provisions to the Planning and Zoning Commission, which is unique from other City commissions by virtue of the Commission's non-advisory duties; and,

WHEREAS, the City Manager, City Attorney and City Clerk met with each advisory commission and committee in early 2024 to review and discuss current code provisions applicable to each body; and,

WHEREAS, recommended amendments from each commission or committee were drafted, presented and approved by each body; and,

WHEREAS, after further consideration of those recommendations, the administration in an effort to streamline and improve efficiencies for Standing Commissions, reevaluated the process and recommend a complete rewrite and renaming of Chapter 1.90; and,

WHEREAS, the Airport Commission at their _____, 2024 regular meeting recommended that the City Council _____ this Ordinance; and,

WHEREAS, the Beautification Committee at their _____, 2024 regular meeting recommended that the City Council _____ this Ordinance; and,

New Text Underlined; [DELETED TEXT BRACKETED]

Ordinance No. XXXX-2024
Page 2 of 14

WHEREAS, the Council on Aging at their _____, 2024 regular meeting recommended that the City Council _____ this Ordinance; and,

WHEREAS, the Council on Aging at their February 8, 2024 regular meeting recommended that the City Council approve amendments to the By-Laws of the Council on Aging as attached; and,

WHEREAS, the Harbor Commission at their _____, 2024 regular meeting recommended that the City Council _____ this Ordinance; and,

WHEREAS, the Parks and Recreation Commission at their _____, 2024 regular meeting recommended that the City Council _____ this Ordinance; and,

WHEREAS, the Planning and Zoning Commission at their _____, 2024 regular meeting recommended that the City Council _____ this Ordinance.

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

Section 1. ~~Repeal, Reenact and Rename Chapter 1.90 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 1.90 Standards for Boards, Commissions and Committees is hereby repealed, reenacted and renamed as Chapter 1.90 General Standards for Standing Advisory Commissions, as follows:~~

**[CHAPTER 1.90
STANDARD PROCEDURES FOR BOARDS, COMMISSIONS AND COMMITTEES**

- SECTIONS:
- 1.90.010 CREATION.
 - 1.90.020 DUTIES.
 - 1.90.030 QUALIFICATIONS.
 - 1.90.040 TERMS.
 - 1.90.050 PROCEEDINGS.
 - 1.90.060 SPECIFIC REQUIREMENTS OF BOARDS, COMMISSIONS AND COMMITTEES.

1.90.010 CREATION.

~~ALL BOARDS, COMMISSIONS AND COMMITTEES CREATED BY THE COUNCIL OF THE CITY OF KENAI, SHALL CONSIST OF SEVEN (7) MEMBERS WHO SHALL BE NOMINATED BY THE MAYOR AND CONFIRMED BY THE CITY COUNCIL FROM APPLICATIONS SUBMITTED TO THE CITY CLERK. A CHAIR AND VICE-CHAIR SHALL BE SELECTED ANNUALLY AND SHALL BE ELECTED FROM AND BY THE APPOINTED MEMBERS. AT THE ORGANIZATIONAL MEETING OF COUNCIL, OR AS SOON THEREAFTER AS PRACTICABLE, THE MAYOR, AFTER CONSULTATION WITH COUNCIL, SHALL NOMINATE COUNCIL MEMBERS AS A COUNCIL LIAISON TO ANY BOARD, COMMISSION OR COMMITTEE. AFTER CONFIRMATION BY COUNCIL, THE COUNCIL LIAISON MAY ATTEND ALL MEETINGS OF THE BOARD, COMMISSION OR COMMITTEE. A COUNCIL LIAISON IS NOT A MEMBER OF, AND SHALL HAVE NO VOTING POWER OR ANY OTHER RIGHTS OF MEMBERSHIP ON, THE BOARD, COMMISSION OR COMMITTEE. THE MAYOR AND OTHER COUNCIL MEMBERS MAY ATTEND MEETINGS OF BOARDS, COMMISSIONS OR COMMITTEES WHEN SERVING AS AN ALTERNATE FOR THE COUNCIL LIAISON, OR IN THEIR CAPACITY AS ELECTED OFFICIALS. CITY ADMINISTRATIVE STAFF SHALL ATTEND AND SUPPLY STAFF SUPPORT TO ALL MEETINGS OF BOARDS, COMMISSIONS AND COMMITTEES.~~

Commented [SS1]: This section proposes to repeal and replace the current chapter 1.90.

Notes in the section being repealed will indicate how the code was modified, included or omitted within the new section.

Notes in the new section will indicate that it is a new provision that was not in the previous code.

Commented [SS2]: First sentence included in 1.90.020 (a) and (b) and in the new 14.05.050 (a).

Commented [SS3]: Second sentence included in 1.90.050(b) and in the new 14.05.050(b)(2).

Commented [SS4]: Sentences 3 through 6 were included in 1.90.060(a)(1-3), paragraph (a) is from Council adopted policy 20.020 and in the new 14.05.050 (c)(1-3), paragraph (d) is from Council Policy 20.020.

Commented [SS5]: Sentence 7 was included as 1.90.060(b).

1.90.020 DUTIES.

- (A) MEMBERS OF BOARDS, COMMISSIONS AND COMMITTEES SHALL BE REQUIRED TO ESTABLISH POLICIES RELATING TO THEIR RESPECTIVE ORGANIZATION. THEY SHALL ACT IN AN ADVISORY CAPACITY TO CITY COUNCIL UNLESS OTHERWISE SPECIFIED IN THE CITY CODE.
- (B) IF THE BOARD, COMMISSION OR COMMITTEE HAS INCOME STATED WITHIN THE CITY OF KENAI ANNUAL BUDGET, SAID BOARD, COMMISSION OR COMMITTEE SHALL WORK WITH THE CITY MANAGER TO ESTABLISH EXPENSES PROJECTED FOR THE YEAR FOR APPROVAL BY THE CITY COUNCIL.

Commented [SS6]: Paragraphs (A) and (B) were both omitted in the new 1.90; however, duties have been included in the new code sections for each individual commission based on meetings with each body.

Section 2 of the Ordinance:
 1.95.010 (b)(2) - Airport Duties
 1.95.015 (b)(3) - Beautification Duties
 1.95.020 (b)(2) - COA Duties
 1.95.025 (b)(2) - Harbor Duties
 1.95.030 (b)(2) - Parks & Rec Duties

1.90.030 QUALIFICATIONS.

- (A) A MEMBER OF A BOARD, COMMISSION OR COMMITTEE MUST BE A RESIDENT OF THE CITY OF KENAI, UNLESS THE BOARD, COMMISSION OR COMMITTEE IS SPECIFICALLY EXEMPTED BY COUNCIL FROM THIS REQUIREMENT. THE MEMBER CANNOT BE AN OFFICER OR EMPLOYEE OF THE CITY OF KENAI. IF ANY MEMBER SHOULD MOVE HIS OR HER RESIDENCE FROM THE CORPORATE LIMITS OF THE CITY OF KENAI (IF APPLICABLE), IS AN OFFICER OR EMPLOYEE OF THE CITY OF KENAI, OR SHALL BE ELECTED OR APPOINTED AS AN OFFICER OR EMPLOYEE OF THE CITY OF KENAI, THE SERVICE OF SUCH MEMBER SHALL TERMINATE IMMEDIATELY. HE OR SHE SHOULD BE AWARE THAT HE OR SHE WILL SERVE WITHOUT SALARY, BUT WILL BE REIMBURSED FOR ALL REASONABLE EXPENSES INCURRED IN CONNECTION WITH THIS SERVICE, ONLY AFTER APPROVAL BY COUNCIL.

Commented [SS7]: The first three sentences were included in newly proposes 1.90.020(c) and in the new 14.05.050 paragraphs (a)(1-3)

Commented [SS8]: This last sentence was included in newly proposed 1.90.020(d), it was omitted from the new 14.05.050 as Planning Commissioners receive a stipend.

- (B) THE BEAUTIFICATION COMMITTEE, AND HARBOR, LIBRARY, AND PARKS AND RECREATION COMMISSIONS MAY AT THE DISCRETION OF THE COUNCIL HAVE UP TO TWO (2) NON-RESIDENT MEMBERS EACH.

Commented [SS9]: This paragraph was omitted in the new 1.90; however, was included in the new code sections for the individual commission.

Section 2 of the ordinance:
 1.95.020(c) - Beautification
 1.95.040(c) - Harbor
 1.95.050(c) - Parks & Rec

Note: Library Commission sunset in 2015. Airport and COA have different membership requirements.

- (C) THE PLANNING AND ZONING COMMISSION MAY HAVE UP TO ONE MEMBER THAT IS NOT A RESIDENT OF THE CITY IF THEY HAVE A CONTROLLING OWNERSHIP INTEREST IN A BUSINESS PHYSICALLY LOCATED IN THE CITY. THIS PROVISION SPECIFICALLY DOES NOT CREATE A DESIGNATED SEAT FOR A NON-RESIDENT.

Commented [SS10]: This paragraph was omitted in the new 1.90; however, was included in the new section of code proposed within Title 14.

Section 4 of this ordinance:
 14.05.050 (a)(1)&(3)

1.90.040 TERMS.

(A) ~~A MEMBER OF A BOARD, COMMISSION OR COMMITTEE SHALL SERVE FOR A TERM OF THREE (3) YEARS, UNLESS THE BOARD, COMMISSION OR COMMITTEE IS SPECIFICALLY EXEMPTED BY COUNCIL FROM THIS REQUIREMENT. AT RENEWAL DATE, THE MAYOR, WITH CONSENT OF THE COUNCIL, CAN REAPPOINT THE MEMBER OR RECOMMEND A REPLACEMENT.~~

Commented [SS11]: Included and modified to included term start of Jan1 and end Dec 31 in new 1.90.030(a) and already exists in 14.05.015(d)

Commented [SS12]: Included in new 1.90.020(e) and in the new 14.05.050(a)(4)

(B) ~~THE TERMS OF THE INITIAL BOARD, COMMISSION OR COMMITTEE MEMBER SHALL BE STAGGERED SO THAT THREE (3) MEMBERS WILL BE APPOINTED FOR ONE (1) YEAR; TWO (2) MEMBERS WILL BE APPOINTED FOR TWO (2) YEARS; AND TWO (2) MEMBERS WILL BE APPOINTED FOR THREE (3) YEARS. TERMS SHALL COMMENCE ON JANUARY 1ST OF EACH YEAR.~~

Commented [SS13]: Included in new 1.90.030(c)

1.90.050 PROCEEDINGS.

(A) ~~ALL BOARDS, COMMISSIONS AND COMMITTEES WILL HAVE REGULARLY SCHEDULED MEETINGS WHICH SHALL BE OPEN TO THE PUBLIC. EXCEPTIONS TO THE MEETING REQUIREMENTS SHALL BE ESTABLISHED BY COUNCIL. PERMANENT RECORDS OR MINUTES SHALL BE KEPT OF ALL PROCEEDINGS AND SUCH MINUTES SHALL RECORD THE VOTE OF EACH MEMBER UPON EVERY QUESTION. EVERY DECISION OR FINDING SHALL IMMEDIATELY BE FILED IN THE OFFICE OF THE CITY CLERK AND SHALL BE A PUBLIC RECORD OPEN TO INSPECTION BY ANY PERSON. ALL ACTS OF BOARDS, COMMISSIONS AND COMMITTEES ARE SUBJECT TO THE PARAMOUNT AUTHORITY OF THE CITY COUNCIL.~~

Commented [SS14]: Included and modified to reflect current practice in new 1.90.050(a) and included in the new 14.05.050(b)(1)

Commented [SS15]: Included in new 1.90.050(d) - (e) and in the new 14.05.050(b)(4-5)

Commented [SS16]: Omitted and replaced as the new 1.90.010 (b)

(B) ~~IF THE COMMISSION, COMMITTEE OR BOARD MEMBER SHALL BE ABSENT, WITHOUT THE BODY EXCUSING THE ABSENCE FOR GOOD CAUSE, FROM MORE THAN ONE-HALF OF ALL THE MEETINGS OF HIS OR HER COMMITTEE, COMMISSION OR BOARD, REGULAR AND SPECIAL, HELD WITHIN ANY PERIOD OF THREE (3) CONSECUTIVE CALENDAR MONTHS, HE OR SHE SHALL THEREUPON CEASE TO HOLD THE SEAT. A COMMISSION, COMMITTEE OR BOARD MEMBER MAY NOT HAVE MORE THAN THREE (3) EXCUSED ABSENCES DURING A TWELVE (12) MONTH CALENDAR YEAR.~~

Commented [SS17]: Included in new 1.90.040 and in the new 14.05.050(a)(5)

(C) ~~IN ALL MATTERS OF PARLIAMENTARY PROCEDURE, THE MOST CURRENT EDITION OF ROBERT'S RULES OF ORDER NEWLY REVISED SHALL BE APPLICABLE AND GOVERN ALL MEETINGS, UNLESS AS SPECIFIED IN KMC 1.15.060, MOTIONS; KMC 1.15.100, SPEAKING; AND KMC 1.15.110, VOTING.~~

Commented [SS18]: Included in new 1.90.050(c) and in the new 14.05.050 (b)(3)

(D) ~~THE RESPONSIBILITY OF INSURING THAT ALL MEMBERS OF BOARDS, COMMISSIONS AND COMMITTEES RECEIVE A COPY OF THE STANDARD PROCEDURES OF BOARDS, COMMISSIONS AND COMMITTEES LIES WITH THE CITY CLERK.~~

Commented [SS19]: Included in new 1.90.050(f) and in the new 14.05.050(b)(6)

1.90.060 SPECIFIC REQUIREMENTS OF BOARDS, COMMISSIONS AND COMMITTEES.

~~REQUIREMENTS OF BOARDS, COMMISSIONS AND COMMITTEES AS SET FORTH IN KMC 1.90 ARE GENERAL REQUIREMENTS AND SHALL BE FOLLOWED TO THE EXTENT THAT THEY DO NOT CONFLICT WITH SPECIFIC REQUIREMENTS FOUND IN CODE SECTIONS SPECIFICALLY PERTAINING TO INDIVIDUAL BOARDS, COMMISSIONS AND COMMITTEES.]~~

Commented [SS20]: Included in new 1.90.070

Chapter 1.90
General Standards for Standing Advisory Commissions.

Sections:

- 1.90.010 Creation.
- 1.90.015 Members, Appointments and Qualifications.
- 1.90.020 Terms.
- 1.90.025 Attendance.
- 1.90.030 Proceedings.
- 1.90.035 Liaisons.
- 1.90.040 Specific Requirements of Standing Advisory Commissions.

1.90.010 **Creation.**

(a) Standing Advisory Commissions of the City may be created or dissolved by an ordinance of the City Council. The following Standing Advisory Commissions have been created by the Council:

- (1) Airport Commission, as established in KMC 1.95.010;
- (2) Beautification Commission, as established in KMC 1.95.020;
- (3) Council on Aging Commission, as established in KMC 1.95.030;
- (4) Harbor Commission, as established in KMC 1.95.040;
- (5) Parks and Recreation Commission, as established in KMC 1.95.050;

(b) Standing Advisory Commissions are created to advise the Council and Administration as requested and codified. Decisions of Standing Advisory Commissions may be considered by the Council and administration, but standing advisory commissions may not direct Council or Administration.

(c) This Chapter does not apply to the Planning and Zoning Commission which is not solely advisory to the Council and Administration.

Commented [SS21]: The blue highlighted portion of this sections new and is establishing in code one location that identifies the Standing Advisory Commissions of the City.

1.90.020 Member, Appointment and Qualifications.

- (a) Unless otherwise specified standing advisory commissions will consist of seven members.
- (b) Commission members will be nominated by the Mayor and confirmed by the Council from applications submitted to the Clerk.
- (c) Members must be residents of the City unless otherwise specified and may not be an officer or employee of the City. If any member who is required to reside in the City, moves their residence outside of City limits, or if any member is elected or appointed as an officer or employee of the City, the term of such member will terminate immediately.
- (d) Members will serve without salary, but may be reimbursed for reasonable expenses incurred in connection with the service, only after approval by the Council.
- (e) After completion of a full or partial term, the Mayor with confirmation of the Council may reappoint the member or recommend a replacement.

1.90.030 Terms.

- (a) Terms of appointment will be for three-years beginning January 1st and ending December 31st, unless the commission is exempted by the Council from this requirement.
- (b) When an appointment is to fill a vacancy created prior to the end of a term, the appointment will be for the remainder of that term.
- (c) When appointments are first made to a newly established commission, the first appointments will be to staggered terms, so that three members will be appointed for one year; two members will be appointed for two years; and two members will be appointed for three years.

Commented [SS22]: This is a new paragraph. The purpose is to codify practices related to partial term appointments.

1.90.040 Attendance.

If a member is absent, without the body excusing the absence for good cause from more than one-half of all the regular or special meetings held within any period of three consecutive calendar months, the member will thereupon cease to hold the seat. A commission member may not have more than three excused absences during a twelve-month calendar year.

1.90.050 Proceedings.

- (a) Standing Advisory Commissions will have regularly scheduled meetings which will be open to the public. Annual meeting schedules, meeting cancellations or holding special meetings will conform to policy set by the City Council.
- (b) A chair and vice-chair will be elected annually from and by the appointed members.
- (c) The most current edition of Robert's Rules of Order Newly Revised will govern all meetings, unless otherwise specified in KMC 1.15.060 motions; KMC 1.15.100 speaking; and KMC 1.15.110 voting.
- (d) Permanent record or minutes will be kept for regular and special meetings, and such minutes will record the vote of each member upon every question.
- (e) Every decision or finding will be filed in the office of the Clerk and will be a public record open to inspection by any person.
- (f) The Clerk is responsible for ensuring that all members of commissions are provided a copy of this chapter.

1.90.060 Liaison.

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- (a) Council Liaison. At the organizational meeting of Council, or as soon thereafter as practicable, the Mayor, after consultation with Council, will nominate Council Members as a council liaison to Standing Advisory Commissions. The following applies to Council Liaisons:
 - (1) After confirmation by Council, the council liaison may attend all meetings of the commission.
 - (2) The council liaison is a non-voting member and may not participate in the debate of the commission.
 - (3) Any Council Member may attend meetings or work sessions when serving as an alternate for the council liaison, or in their capacity as elected officials.
 - (3) Other Council Members may attend a meeting or work session of a commission; however, no more than three Council Members may attend any one meeting without additional public notice.
- (b) Staff Liaison. City administrative staff will attend and supply staff support to all meetings of the commissions of the City.

Commented [SS23]: From Council Policy 20.020 (G)(2)

Commented [SS24]: From Council Policy 20.020 (G)(1)

1.90.070 Specific Requirements of Standing Advisory Commissions.

Requirements of this chapter are general requirements and will be followed to the extent that they do not conflict with specific requirements found in code sections specifically pertaining to individual standing commissions.

Section 2. Enactment of Chapter 1.95 of Kenai Municipal Code: That Kenai Municipal Code, Section 1.95 Boards, Commissions and Committees is hereby enacted as follows:

Chapter 1.95
Standing Advisory Commissions.

Sections:

- 1.95.010 Airport Commission.
- 1.95.020 Beautification Committee.
- 1.95.030 Council on Aging Commission.
- 1.95.040 Harbor Commission.
- 1.95.050 Parks and Recreation Commission.

1.95.010 Airport Commission.

- (a) Purpose. The purpose of the Airport Commission is to advise the Council and administration on issues involving the Airport and lands held for the benefit of the Airport.
- (b) Duties and Powers. The Airport Commission will:
 - (1) Review and provide recommendations on the master plan for the airport development. This may include:
 - (i) Development of type, location and sequence of all airport terminal facilities; and,
 - (ii) Development and use of all airport lands.
 - (2) Act in an advisory capacity to the Council and the Administration on matters affecting the airport.
 - (3) Make recommendations to the City Manager on the airport budget.
 - (4) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year.

Commented [SS25]: This new section of code incorporates KMC 21.20 and includes amendments which were recommended by the Airport Commission during their March 14, 2024 meeting.

Section 5 of this ordinance will repeal KMC 21.20 in its entirety.

New Text Underlined; [DELETED TEXT BRACKETED]

(5) Provide information and recommendations as requested by the City Council and administration.

(c) Qualifications. Members of the Airport Commission will conform to the requirements as established by KMC 1.90, except that members of the Airport Commission need not be a resident of the City of Kenai.

(d) Membership. The Commission will be comprised of seven members who will be chosen so as to represent broadly the following areas:

(1) One member, fixed base operator (FBO); and,

(2) One member, lessee of airport aeronautical lands or terminal facility; and,

(3) One member, with expertise in Federal Aviation Administration functions; and,

(4) One member, representing the Civil Air Patrol; and,

(5) Three members, at-large, representing the business and professional community.

1.95.020 Beautification Commission.

(a) Purpose. The purpose of the Beautification Commission is to advise the Council and administration on enhancing the appearance of the City.

(b) Duties and Powers. The Beautification Commission will:

(1) Advise administration on seasonal displays and decorations promoted by the City; and,

(2) Advise administration on selection of annual plantings of flora to be displayed in the City; and,

(3) Advise Council and administration on City beautification issues and/or projects as requested by the Council or administration; and,

(4) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of the recommended capital improvements which, in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year.

(c) Qualifications and Membership. Members of the Beautification Commission will conform to the requirements of KMC 1.90, except the commission may at the discretion of the Council have up to two non-resident members.

Commented [SS26]: This is a new section of Code, based on the recommendations of the Beautification Committee.

1.95.030 Council on Aging Commission.

(a) Purpose. The purpose of the Council on Aging Commission is to advise the Council and Administration on issues involving the Kenai Senior Center and senior citizen programs supported by the City.

(b) Duties and Powers. The Council on Aging Commission will:

(1) Review and provide recommendations on any master plans for senior citizen services provided by the City. This may include:

(i) City owned facilities providing senior citizen services; and,

(ii) Development and use of the Senior Center or other facilities owned or managed by the City for the provision of services for senior citizens, excluding Vintage Pointe-Independent Senior Housing.

Commented [SS27]: This is a new section of code, based on the recommendations of the Council on Aging.

- (2) Act in an advisory capacity to the Council and the Administration on matters affecting the Senior Center and senior citizen services provided by the City; and,
- (3) Make recommendations to the City Manager on the budget for the City's Senior Center; and,
- (4) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year; and,
- (5) Provide information and recommendations as requested by the City Council and administration.

- (c) Qualifications and Membership. Members of the Council on Aging Commission will conform to the requirements as established by KMC 1.90, except that members need only to reside on the Kenai Peninsula and 51% of whom must be 55 years or older. The Commission shall be comprised of not more than nine members who will be chosen based on their interest in challenges and opportunities for local senior citizens.
- (d) Bylaws. The Council on Aging Commission may have its own bylaws approved by the City Council that provide guidance and direction for the Council on Aging Commission to the extent that they do not conflict with the City's Code of Ordinances. If a conflict should arise between the bylaws and City's Code of Ordinances, City Code will control.

Commented [SS28]: Council on Aging recommended lowering this age from 60 to 55.

1.95.040 Harbor Commission.

- (a) Purpose. The purpose of the Harbor Commission is to advise the Council and administration on issues involving City harbor facilities and tidal or submerged lands owned by the City.
- (b) Duties and Powers. The Harbor Commission will:
 - (1) Review and provide recommendations on any master plans for the development of harbor or port facilities for the City. This may include:
 - (i) Development of the type, location, and sequence of all public harbor facilities; and,
 - (ii) The relocation, removal, extension, or change of use of existing harbor facilities.
 - (2) Act in an advisory capacity to the Council and administration regarding matters related to City harbor facilities, tide or submerged lands. Make recommendations to the Council and administration relative to the care, control, and development of tide and submerged lands; and,
 - (3) Submit annually to the City Manager and Council, not less than ninety (90) days prior to the beginning of the budget year, a list of the recommended capital improvements which, in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for constructed in which year; and,
 - (4) Review all City leases of City-owned tide and submerged lands and make recommendations to the City Council and administration; and,
 - (5) Provide information and recommendations as requested by the City Council and administration; and,
 - (6) Advise and provide recommendations to the administration as requested on the qualifications for a Harbor Master.

Commented [SS29]: This new section of code incorporates KMC 11.10 and includes amendments which were recommended by the Harbor Commission during their February 12, 2024 meeting.

Section 3 of this ordinance will repeal KMC 11.10 in its entirety.

(c) Qualifications and Membership. Members of the Harbor Commission will conform to the requirements of KMC 1.90, except the commission may at the discretion of the Council have up to two non-resident members.

1.95.050 Parks and Recreation Commission.

(a) Purpose. The purpose of the Parks and Recreation Commission is to advise the Council and administration on issues involving the City's parks and recreational facilities.

(b) Duties and Powers. The Parks and Recreation Commission will:

(1) Review and provide recommendations on any master plans for the physical development of recreation facilities for the City. Such master plans with accompanying maps, plats, charts, descriptive, and explanatory matter, may show the Commission's recommendations for the development of the City's recreation facilities including:

(i) Development of the type, location, and sequence of all public recreation facilities; and,

(ii) The relocation, removal, extension, or change of use of existing recreation facilities.

(2) Advise the Council and Administration on concerns and recommendations regarding parks and recreational facilities within the City including recommendations for consideration by the Administration in the development of the Parks and Recreation Department's annual budget; and,

(3) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year; and,

(4) Provide information and recommendations as requested by the City Council and administration; and,

(5) Advise and provide recommendations to the Administration as requested on the qualifications for a Director of Parks and Recreation.

(c) Qualifications and Membership. Members of the Parks and Recreation Commission will conform to the requirements of KMC 1.90, except the commission may at the discretion of the Council have up to two non-resident members.

Commented [SS30]: This new section of code incorporates KMC Title 19 and includes amendments which were recommended by the Parks & Recreation Commission during their February 1, 2024 meeting.

Section 4 of this ordinance will repeal KMC Title 19 in its entirety.

Section 3. Repeal of Chapter 11.10 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 11.10 Harbor Commission is hereby repealed as follows:

**[CHAPTER 11.10
HARBOR COMMISSION**

11.10.010 DUTIES AND POWERS.

(A) THE HARBOR COMMISSION SHALL BE REQUIRED TO DO THE FOLLOWING:

(1) DEVELOP, ADOPT, ALTER, OR REVISE, SUBJECT TO APPROVAL BY THE CITY COUNCIL, A MASTER PLAN FOR THE PHYSICAL DEVELOPMENT OF HARBOR OR PORT FACILITIES FOR THE CITY. SUCH MASTER PLAN WITH ACCOMPANYING MAPS, PLATS, CHARTS, DESCRIPTIVE, AND EXPLANATORY MATTER, SHALL SHOW THE HARBOR COMMISSION'S RECOMMENDATIONS FOR THE DEVELOPMENT OF THE CITY HARBOR FACILITIES MAY INCLUDE, AMONG OTHER THINGS:

(i) DEVELOPMENT OF THE TYPE, LOCATION, AND SEQUENCE OF ALL PUBLIC HARBOR FACILITIES;

(ii) THE RELOCATION, REMOVAL, EXTENSION, OR CHANGE OF USE OF EXISTING HARBOR FACILITIES;

New Text Underlined: [DELETED TEXT BRACKETED]

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- (2) SUBMIT ANNUALLY TO THE CITY MANAGER AND COUNCIL, NOT LESS THAN NINETY (90) DAYS PRIOR TO THE BEGINNING OF THE BUDGET YEAR, A LIST OF THE RECOMMENDED CAPITAL IMPROVEMENTS WHICH, IN THE OPINION OF THE COMMISSION, ARE NECESSARY OR DESIRABLE TO BE CONSTRUCTED DURING THE FORTHCOMING THREE (3) YEAR PERIOD. SUCH LIST SHALL BE ARRANGED IN ORDER OF PREFERENCE, WITH RECOMMENDATIONS AS TO WHICH PROJECTS SHALL BE CONSTRUCTED IN WHICH YEAR.
- (3) MAKE INVESTIGATIONS REGARDING ANY MATTER RELATED TO CITY HARBOR FACILITIES, TIDE OR SUBMERGED LANDS. MAKE RECOMMENDATIONS TO THE COUNCIL RELATIVE TO THE CARE, CONTROL, AND DEVELOPMENT OF TIDE AND SUBMERGED LANDS.
- (4) REVIEW ALL CITY LEASES OF CITY-OWNED TIDE, SUBMERGED, AND LANDS OR NAVIGABLE WATERS WITHIN THE CITY, AND AS TO THE PLANNED IMPROVEMENTS PROPOSED AND MAKE RECOMMENDATIONS TO THE CITY COUNCIL.
- (5) MAKE AND PREPARE REPORTS AND PLANS FOR APPROVAL BY THE CITY COUNCIL.
- (6) COORDINATE PUBLIC EFFORTS, INDIVIDUAL AND GROUP, TO THE EFFECTUATION OF APPROVED PLANS.
- (7) SHALL ACT IN ADVISORY CAPACITY IN THE SELECTION OF A HARBOR MASTER SHOULD SUCH A POSITION BE CREATED BY THE CITY COUNCIL.]

Section 4. Enactment of Section 14.05.050 of Kenai Municipal Code: That Kenai Municipal Code, Section 14.05.050 - Membership, Qualifications and Proceedings, is hereby enacted as follows:

14.05.050 - Membership Qualifications and Procedures.

- (a) The Planning and Zoning Commission will consist of seven members, who will be nominated by the Mayor and confirmed by the City Council in accordance with KMC 14.05.015, and the following:
 - (1) Members must be a resident of the City of Kenai, except the commission may have up to one member that is not a resident of the City if that member has a controlling ownership interest in a business physically located in the City. This provision specifically does not create a designated seat for a non-resident.
 - (2) Members may not be an officer or employee of the City.
 - (3) If a member who is required to reside in the City, moves their residence outside of City limits, or if a member who is required to have a controlling ownership interest in a business physically located in the City, relinquishes their controlling ownership interest of the business physically located in the City, or if a member is elected or appointed as an officer or employee of the City, the term of such member will terminate immediately.
 - (4) After completion of a partial term, the Mayor with confirmation of the Council may reappoint the member or recommend a replacement in accordance with KMC 14.05.015.
 - (5) If a member is absent, without the body excusing the absence for good cause from more than one-half of all the regular or special meetings held within any period of three consecutive calendar months, the member will thereupon cease to hold the seat. A commission member may not have more than three excused absences during a twelve-month calendar year.
- (b) The Commission will have regularly scheduled meetings which will be open to the public. Procedures and preceding of the commission will include, but are not limited to the following:
 - (1) Annual meeting schedules, meeting cancellations or holding special meetings will conform to policy set by the City Council.
 - (2) A chair and vice-chair will be elected annually from and by the appointed members.

Commented [SS31]: This would be a completely new section to the Planning and Zoning Commissions Code within Title 14. The intent is to include the current provisions from 1.90 that apply to the Planning and Zoning Commission into their section of code. The Planning and Zoning Commission does not fall under the description of an Advisory Body; although they do at time make advisory decisions, they also have decision making authority and act in a quasi-judicial capacity.

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- (3) The most current edition of Robert’s Rules of Order Newly Revised will govern all meetings, unless otherwise specified in KMC 1.15.060 motions; KMC 1.15.100 speaking; and KMC 1.15.110 voting.
- (4) Permanent record or minutes will be kept for regular and special meetings, and such minutes will record the vote of each member upon every question.
- (5) Every decision or finding will be filed in the office of the Clerk and will be a public record open to inspection by any person.
- (6) The Clerk is responsible for ensuring that all members of commissions are provided a copy of this section.
- (c) At the organizational meeting of Council, or as soon thereafter as practicable, the Mayor, after consultation with Council, will nominate a Council Members as council liaison to the Planning and Zoning Commission. The following applies to the Council Liaisons:
 - (1) After confirmation by Council, the council liaison may attend all meetings of the commission.
 - (2) The council liaison is a non-voting member and may not participate in the debate of the commission.
 - (3) Any Council Member may attend meetings or work sessions when serving as an alternate for the council liaison, or in their capacity as elected officials.
 - (4) Other Council Members may attend a meeting or work session of the commission; however, no more than three Council Members may attend any one meeting without additional public notice.
- (d) City administrative staff will attend and supply staff support to all meetings of the commission.

Commented [SS32]: From Council Policy 20.020 G.2.

Commented [SS33]: From Council Policy 20.020 G.1.

Section 5. Repeal of Chapter 19.05 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 19.05 Parks and Recreation Commission is hereby repealed as follows:

**[CHAPTER 19.05
PARKS AND RECREATION COMMISSION**

SECTIONS:

- 19.05.010 *CREATION.*
- 19.05.020 *DUTIES AND POWERS.*
- 19.05.030 *TERMS AND APPOINTMENTS TO VACANCIES.*
- 19.05.040 *QUALIFICATIONS OF COMMISSION MEMBERS.*
- 19.05.050 *PROCEEDINGS OF COMMISSION.*

19.05.010 CREATION. (ORD. 416, REPEALED ORD. 1161)

19.05.020 DUTIES AND POWERS.

THE COMMISSION SHALL BE REQUIRED TO DO THE FOLLOWING:

- (A) DEVELOP, ADOPT, ALTER, OR REVISE SUBJECT TO APPROVAL BY THE CITY COUNCIL, A MASTER PLAN FOR THE PHYSICAL DEVELOPMENT OF RECREATION FACILITIES FOR THE CITY. SUCH MASTER PLAN WITH ACCOMPANYING MAPS, PLATS, CHARTS, DESCRIPTIVE, AND EXPLANATORY MATTER, SHALL SHOW THE COMMISSION’S RECOMMENDATIONS FOR THE DEVELOPMENT OF THE CITY’S RECREATION FACILITY MAY INCLUDE, AMONG OTHER THINGS:
 - (1) DEVELOPMENT OF THE TYPE, LOCATION, AND SEQUENCE OF ALL PUBLIC RECREATION FACILITIES; AND
 - (2) THE RELOCATION, REMOVAL, EXTENSION, OR CHANGE OF USE OF EXISTING RECREATION FACILITIES.

New Text Underlined: [DELETED TEXT BRACKETED]

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- (B) SUBMIT ANNUALLY TO THE CITY MANAGER AND COUNCIL, NOT LESS THAN NINETY (90) DAYS PRIOR TO THE BEGINNING OF THE BUDGET YEAR, A LIST OF RECOMMENDED CAPITAL IMPROVEMENTS, WHICH IN THE OPINION OF THE COMMISSION, ARE NECESSARY OR DESIRABLE TO BE CONSTRUCTED DURING THE FORTHCOMING THREE (3) YEAR PERIOD. SUCH LIST SHALL BE ARRANGED IN ORDER OF PREFERENCE, WITH RECOMMENDATIONS AS TO WHICH PROJECTS SHALL BE CONSTRUCTED IN WHICH YEAR.
- (C) MAKE INVESTIGATIONS REGARDING ANY MATTER RELATED TO CITY RECREATION.
- (D) MAKE AND PREPARE REPORTS AND PLANS FOR APPROVAL BY THE CITY COUNCIL.
- (E) SHALL ACT IN ADVISORY CAPACITY IN THE SELECTION OF A DIRECTOR OF PARKS AND RECREATION.

19.05.030 TERMS AND APPOINTMENTS TO VACANCIES. (ORDS. 416, 430, REPEALED ORD. 1161)

19.05.040 QUALIFICATIONS OF COMMISSION MEMBERS. (ORDS. 416, 619, REPEALED ORD. 1161)

19.05.050 PROCEEDINGS OF COMMISSION. (ORD. 416, REPEALED ORD. 1161)]

Section 6. Repeal of Chapter 21.20 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 21.20 Airport Commission is hereby repealed as follows:

**[21.20
AIRPORT COMMISSION**

SECTIONS:

- 21.20.010 DUTIES AND POWERS.
- 21.20.020 QUALIFICATIONS.
- 21.20.030 MEMBERSHIP.

21.20.010 DUTIES AND POWERS.

THE COMMISSION SHALL:

- (A) DEVELOP, ADOPT, ALTER OR REVISE, SUBJECT TO APPROVAL BY THE CITY COUNCIL, A MASTER PLAN FOR THE AIRPORT DEVELOPMENT. THIS MAY INCLUDE:
 - (1) DEVELOPMENT OF TYPE, LOCATION AND SEQUENCE OF ALL AIRPORT TERMINAL FACILITIES;
 - (2) DEVELOPMENT AND USE OF ALL AIRPORT AERONAUTICAL LANDS.
- (B) OBSERVE, OVERSEE AND GUIDE IN AN ADVISORY CAPACITY, ANY MATTERS RELATING TO USE OF AIRPORT RUNWAYS, AIRPORT TERMINAL, AND AIRPORT AERONAUTICAL LANDS.
- (C) ACT IN AN ADVISORY CAPACITY TO THE COUNCIL AND THE AIRPORT MANAGER.
- (D) MAKE RECOMMENDATIONS TO THE CITY MANAGER ON THE AIRPORT BUDGET.

21.20.020 QUALIFICATIONS.

MEMBERS OF THE AIRPORT COMMISSION WILL CONFORM TO THE REQUIREMENTS OF THE CITY OF KENAI BOARDS, COMMISSIONS, AND COMMITTEES STANDARD PROCEDURES AS ESTABLISHED BY KMC 1.90, EXCEPT THAT MEMBERS OF THE AIRPORT COMMISSION NEED NOT BE RESIDENTS OF THE CITY OF KENAI.

21.20.030 MEMBERSHIP.

THE COMMISSION SHALL COMPRISE OF SEVEN (7) MEMBERS WHO SHALL BE CHOSEN SO AS TO REPRESENT BROADLY THE FOLLOWING AREAS:

- (A) ONE MEMBER, FIXED BASE OPERATOR (FBO).
- (B) ONE MEMBER, LESSEE OF AIRPORT AERONAUTICAL LANDS OR TERMINAL FACILITY.

New Text Underlined: [DELETED TEXT BRACKETED]

Ordinance No. XXXX-2024
Page 14 of 14

- (C) ONE MEMBER, WITH EXPERTISE IN FEDERAL AVIATION ADMINISTRATION FUNCTIONS.
- (D) ONE MEMBER, REPRESENTING THE CIVIL AIR PATROL.
- (E) THREE MEMBERS, AT-LARGE, REPRESENTING THE BUSINESS AND PROFESSIONAL COMMUNITY.
- (F) ONE NON-VOTING MEMBER, REPRESENTING AD HOC MEMBER OF THE KENAI CITY COUNCIL.]

Section 7. That the Council on Aging Commission By-Laws as amended and attached are hereby approved.

Section 8. 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 8. 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 15th DAY OF MAY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced:	May 1, 2024
Enacted:	May 15, 2024
Effective:	June 14, 2024



KENAI

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MEMORANDUM

Attachment B

TO: Airport Commission

FROM: Scott Bloom, City Attorney

DATE: January 31, 2024

SUBJECT: **Proposed Amendments to KMC Chapter 21.20 and KMC Chapter 1.90**

On January, 11, 2024 Terry Eubank, City Manager, Shellie Saner, City Clerk, and I met with your Commission in a work session to discuss possible code changes to KMC Chapter 21.20- Airport Commission and KMC Chapter 1.90- Standard Procedures for Board, Commissions and Committees, as well as other procedures (such as an annual work plan) with the goal of improving the efficiency of your commission and making sure your valuable time as a commissioner is used wisely.

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

If the Commission wishes to recommend Council approve the proposed amendments to code, a motion will be needed. For example, "I move to recommend that the City Council adopt the proposed amendments to KMC Chapter 21.20 and Chapter 1.90 as provided in attachment A". After the main motion has been made and seconded the subject will be before the commission for discussion and additional amendments. If additional amendments are proposed they must be made in the form of a motion, be seconded and voted on. Once discussion is complete and no additional amendments are proposed, the main motion will be voted on. All proposed amendment(s) that are approved by a majority of the Commission will be forwarded by the Administration to the Council in the form of an Ordinance, the Ordinance will also likely include recommended changes from other City Commissions that are relevant to their code sections.

The Administration may also recommend moving code provisions pertaining to the Airport Commission into a different section of code, from KMC 21.20 into KMC 1.90, for organizational purposes only, but a final recommendation on this change is still in the works. It would not have any material effect on the Commission.

Thank you for your consideration.

Chapter 21.20 AIRPORT COMMISSION

Sections:

21.20.005 Purpose

21.20.010 Duties and powers.

21.20.020 Qualifications.

21.20.030 Membership.

21.20.005 Purpose

The purpose of the Airport Commission is to advise the Council and administration on issues involving the Airport and lands held for the benefit of the Airport. This proposed new section of code is intended just to clearly state the purpose of the commission.

21.20.010 Duties and powers.

The Commission shall:

(a) [DEVELOP, ADOPT, ALTER OR REVISE, SUBJECT TO APPROVAL BY THE CITY COUNCIL, A] Review and provide recommendations on the master plan for the airport development . This may include: As discussed previously, these changes reflect that the commission itself is not independently responsible for any master plans, but that the Commission's role to provide recommendations on such plans as they are developed.

- (1) Development of type, location and sequence of all airport terminal facilities;
- (2) Development and use of all airport [AERONAUTICAL] lands. This change reflects current practice as discussed.

[(B) OBSERVE, OVERSEE AND GUIDE IN AN ADVISORY CAPACITY, ANY MATTERS RELATING TO USE OF AIRPORT RUNWAYS, AIRPORT TERMINAL, AND AIRPORT AERONAUTICAL LANDS.] This change would delete this paragraph and the new language in the paragraph below is expanded as a catchall.

[[c] b) Act in an advisory capacity to the Council and the [AIRPORT MANAGER] Administration on matters affecting the airport. This new language expands this section a little as a catchall.

([d] c) Make recommendations to the City Manager on the airport budget.

([e] d) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list shall be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year. This new section reflects input on a capital plan similar to other commissions.

21.20.020 Qualifications.

Members of the Airport Commission will conform to the requirements of the City of Kenai Boards, Commissions, and Committees Standard Procedures as established by KMC [1.90](#), except that members of the Airport Commission need not be residents of the City of Kenai.

21.20.030 Membership.

The Commission shall comprise of seven (7) members who shall be chosen so as to represent broadly the following areas:

- (a) One member, fixed base operator (FBO).
- (b) One member, lessee of airport aeronautical lands or terminal facility.
- (c) One member, with expertise in Federal Aviation Administration functions.
- (d) One member, representing the Civil Air Patrol.
- (e) Three members, at-large, representing the business and professional community.
- (f) One non-voting member, representing ad hoc member of the Kenai City Council.

Chapter 1.90

STANDARD PROCEDURES FOR BOARDS, COMMISSIONS AND COMMITTEES

Sections:

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

1.90.010 **Creation.**

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

1.90.020 **Duties.**

- (a) Members of boards, commissions and committees shall be required to establish policies relating to their respective organization. They shall act in an advisory capacity to City Council and administration unless otherwise specified in the City Code. **This change reflects that commission advise administration and not just the City Council.**

(b) If the board, commission or committee has income stated within the City of Kenai annual budget, said board, commission or committee shall work with the City Manager to establish expenses projected for the year for approval by the City Council.

1.90.030 Qualifications.

(a) A member of a board, commission or committee must be a resident of the City of Kenai, unless the board, commission or committee is specifically exempted by Council from this requirement. The member cannot be an officer or employee of the City of Kenai. If any member should move his or her residence from the corporate limits of the City of Kenai (if applicable), is an officer or employee of the City of Kenai, or shall be elected or appointed as an officer or employee of the City of Kenai, the service of such member shall terminate immediately. He or she should be aware that he or she will serve without salary, but will be reimbursed for all reasonable expenses incurred in connection with this service, only after approval by Council.

(b) The Beautification Committee, and Harbor, Library, and Parks and Recreation Commissions may at the discretion of the Council have up to two (2) non-resident members each.

(c) The Planning and Zoning Commission may have up to one member that is not a resident of the City if they have a controlling ownership interest in a business physically located in the City. This provision specifically does not create a designated seat for a non-resident.

1.90.040 Terms.

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

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

1.90.050 Proceedings.

- (a) All boards, commissions and committees will have regularly scheduled meetings which shall be open to the public. Exceptions to the meeting requirements shall be established by Council. Permanent records or minutes shall be kept of all proceedings and such minutes shall record the vote of each member upon every question. Every decision or finding shall immediately be filed in the office of the City Clerk and shall be a public record open to inspection by any person. All acts of boards, commissions and committees are subject to the paramount authority of the City Council.
- (b) If the commission, committee or board member shall be absent, without the body excusing the absence for good cause, from more than one-half of all the meetings of his or her committee, commission or board, regular and special, held within any period of three (3) consecutive calendar months, he or she shall thereupon cease to hold the seat. A commission, committee or board member may not have more than three (3) excused absences during a twelve (12) month calendar year.
- (c) In all matters of parliamentary procedure, the most current edition of Robert's Rules of Order Newly Revised shall be applicable and govern all meetings, unless as specified in KMC [1.15.060](#), motions; KMC [1.15.100](#), speaking; and KMC [1.15.110](#), voting.
- (d) The responsibility of insuring that all members of boards, commissions and committees receive a copy of the Standard Procedures of Boards, Commissions and Committees lies with the City Clerk.

1.90.060 Specific requirements of boards, commissions and committees.

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

**KENAI AIRPORT COMMISSION – REGULAR MEETING
MARCH 14, 2024 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR GLENDA FEEKEN, PRESIDING**

ACTION MINUTES

A. CALL TO ORDER

A Regular Meeting of the Airport Commission was held on March 14, 2024, in the Kenai City Council Chambers, Kenai, AK. Chair Feeken called the meeting to order at approximately 6:05 p.m.

1. Pledge of Allegiance

Chair Feeken led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Glenda Feeken, Chair
James Bielefeld
Dan Pitts

Paul Minelga, Vice Chair
Jacob Caldwell

A quorum was present.

Absent:

James Zirul

Joshua Daily

Also in attendance were:

Derek Ables, Airport Manager
Scott Bloom, City Attorney
Henry Knackstedt, City Council Liaison

3. Agenda Approval

Chair Feeken noted that staff had requested the removal of item F4 from the agenda, along with the following additions to the packet:

Add to Item F.5

Discussion/Recommendation – Recommending Council Adoption of a Resolution Authorizing the City Manager to Enter into a Bar and Lounge Concession Agreement for the Kenai Municipal Airport

- Memo
- Upper Deck Agreement & Attachments
- Draft Resolution No. 2024-12

MOTION:

Commissioner Bielefeld **MOVED** to approve the agenda with the requested revisions. Vice Chair Minelga **SECONDED** the motion.

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

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

1. January 11, 2024
2. February 8, 2024

MOTION:

Commissioner Bielefeld **MOVED** to approve the January 11 and February 8, 2024 Airport Commission minutes.

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

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

1. **Discussion/Recommendation** - Recommendations to Council for Changes to Kenai Municipal Code Chapter 21.20 Airport Commission, and Chapter 1.90 Standards for Boards, Commissions and Committees.

MOTION:

Vice Chair Minelga **MOVED** to recommend City Council adopt the proposed amendments to KMC Chapter 21.20 and Chapter 1.90 as provided in attachment A in the packet. Commissioner Bielefeld **SECONDED** the motion.

Airport Manager Ables gave a staff report from information provided in the packet.

Discussion ensued.

UNANIMOUS CONSENT was requested on the motion.

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

2. **Discussion/Recommendation** - Recommendation to Council to Change the Location of Airport Commission Regular Meetings to Kenai City Hall Council Chambers.

MOTION:

Commissioner Bielefeld **MOVED** to recommend City Council approval of amend Policy 20.020 to change the location of Airport Commission regular meetings to Kenai City Hall Council Chambers. Commissioner Caldwell **SECONDED** the motion.

Airport Manager Ables gave a staff report from information provided in the packet.

Discussion ensued.

UNANIMOUS CONSENT was requested on the motion.

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

3. **Discussion/Recommendation** – Recommending Council Enactment of Ordinance No. 3403-2024 - Amending Sections of Kenai Municipal Code Chapters 21.10- Leasing and Acquisition of Airport Reserve Lands, and 22.05-Disposition of City Lands, to Extend the Time Allowed for Private Development on City Leased Lots and Requiring Certain Financial Assurances Prior to Lease Execution.

MOTION:

Commissioner Bielefeld **MOVED** to recommend City Council enact Ordinance No. 3403-2024. Commissioner Caldwell **SECONDED** the motion.

Airport Manager Ables gave a staff report from information provided in the packet.

Discussion ensued.

UNANIMOUS CONSENT was requested on the motion.

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

4. **Discussion/Recommendation** – Recommending Council Adoption of a Resolution Authorizing the City Manager to Enter into a Restaurant Concession Agreement for the Kenai Municipal Airport.

This item was removed during agenda approval.

5. **Discussion/Recommendation** – Recommending Council Adoption of a Resolution Authorizing the City Manager to Enter into a Bar and Lounge Concession Agreement for the Kenai Municipal Airport.

MOTION:

Commissioner Caldwell **MOVED** to recommend City Council adopt a Resolution Authorizing the City Manager to Enter into a Bar and Lounge Concession Agreement. Vice Chair Minelga **SECONDED** the motion.

Airport Manager Ables gave a staff report from information provided in the packet.

UNANIMOUS CONSENT was requested on the motion.

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

G. REPORTS

1. Airport Manager – Airport Manager Ables reviewed his report as provided in the packet.
2. Commission Chair – No report.
3. City Council Liaison – Council Member Knackstedt reported on recent actions of the City Council.

H. ADDITIONAL PUBLIC COMMENTS – None.

I. NEXT MEETING ATTENDANCE NOTIFICATION – April 11, 2024

Commissioner Caldwell noted that he would be absent.

J. COMMISSION QUESTIONS AND COMMENTS – None.


K. ADJOURNMENT

L. INFORMATIONAL ITEMS

1. Memorandum of Agreement with Greatland Consulting and Training LLC for Use of the Alaska Regional Fire Training Facility.
2. Repair and Maintenance Services Contract for Security Guard Services at the Kenai Municipal Airport.
3. A Special Use Permit to Rebecca Boettcher, DBA: The Fishing Grounds, LLC for Operation of a Snack/Gift Shop Inside the Kenai Municipal Airport.

There being no further business before the Airport Commission, the meeting was adjourned at 6:47 p.m.

I certify the above represents accurate minutes of the Airport Commission meeting of March 14, 2024.



Meghan Thibodeau
Deputy City Clerk



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MEMORANDUM

Attachment C

TO: Beautification Committee

FROM: Scott Bloom, City Attorney

DATE: February 5, 2024

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

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

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

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

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

Thank you for your consideration.

Chapter XX.XX
BEAUTIFICATION COMMISSION

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

Sections:

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

XX.XX.XXX **Purpose.**

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

XX.XX.XXX **Duties and powers.**

(a) The Beautification Commission will:

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

Chapter 1.90
STANDARD PROCEDURES FOR BOARDS, COMMISSIONS AND COMMITTEES

Sections:

1.90.010 **Creation.**
1.90.020 **Duties.**

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

1.90.010 **Creation.**

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

1.90.020 **Duties.**

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

1.90.030 **Qualifications.**

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

1.90.040 Terms.

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

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

1.90.050 Proceedings.

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

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

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

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

1.90.060 Specific requirements of boards, commissions and committees.

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

**KENAI BEAUTIFICATION COMMITTEE – SPECIAL MEETING
FEBRUARY 13, 2024 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR SARAH DOUTHIT, PRESIDING**

ACTION MINUTES

A. CALL TO ORDER

A Special Meeting of the Beautification Committee was held on February 13, 2024, in the Kenai City Council Chambers, Kenai, AK. Chair Douthit called the meeting to order at approximately 6:10 p.m.

1. Pledge of Allegiance

Chair Douthit led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Sarah Douthit, Chair
Sonja Barbaza

Emily Heale, Vice Chair
Terri Wilson (*remote participation*)

A quorum was present.

Absent:

Christina Warner, Vice Chair

Brittney Hoffert

Also in attendance were:

Tyler Best, Parks & Recreation Director
Jenna Brown, Parks & Recreation Assistant Director
Phil Daniel, City Council Liaison
Terry Eubank, City Manager
Shellie Saner, City Clerk

3. Agenda Approval

MOTION:

Committee Member Heale **MOVED** to approve the agenda as presented. Committee Member Barbaza **SECONDED** the motion.

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

B. NEW BUSINESS

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

MOTION:

Committee Member Heale **MOVED** to recommend that the City Council adopt of a new section of Kenai Municipal Code titled Beautification Commission, and amendments to Chapter 1.90 Standards for Boards, Commissions and Committees. Committee Member Barbaza **SECONDED** the motion.

City Clerk Saner and City Manager Eubank gave a staff report from information provided in the packet.

Discussion ensued; additional clarification was provided by City Clerk Saner. Members spoke in support.

VOTE:

YEA: Douthit, Heale, Wilson, Barbaza

NAY: None

ABSENT: Warner, Hoffert

MOTION PASSED WITHOUT OBJECTION.**C. ADDITIONAL PUBLIC COMMENTS – None.****D. NEXT MEETING ATTENDANCE NOTIFICATION – March 12, 2024 Work Session**

It was noted that a work session had tentatively been set for March 12, 2024. Members noted they would not be available, and the meeting was rescheduled to April 9, 2024.

E. COMMISSION QUESTIONS AND COMMENTS

Committee Member Barbaza expressed appreciation for the efforts of staff.

Committee Member Heale expressed appreciation for the previous meeting and efforts of staff.

Chair Douthit said she was excited for the direction of the commission.

F. ADJOURNMENT

There being no further business before the Beautification Committee, the meeting was adjourned at 6:26 p.m.

I certify the above represents accurate minutes of the Beautification Committee special meeting of February 13, 2024.

Meghan Thibodeau
Deputy City Clerk



KENAI

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

MEMORANDUM

Attachment D

TO: Council on Aging

FROM: Scott Bloom, City Attorney

DATE: February 1, 2024

SUBJECT: **Proposed Amendments to Bylaws and Creation of Code and Commission**

On January, 11, 2024 Terry Eubank, City Manager, Shellie Saner, City Clerk, and I met with your Commission in a work session to discuss possible changes the Council’s bylaws, creation of code for the Council, and changes to KMC Chapter 1.90- Standard Procedures for Board, Commissions and Committees, as well as other procedures (such as an annual work plan) with the goal of improving the efficiency of your Council and making sure your valuable time as a commissioner/ council member is used wisely.

Attached to this Memorandum in Attachment A are proposed new code section for the Council on Aging. The new code provisions convert the Council on Aging into a City Commission and codify the general principals of the commission as provided in the current bylaws. In addition, comments regarding each change are provided in red. These comments are for discussion purposes only for this body.

In addition, a set of revised bylaws are provided for discussion and recommendation to Council. These changes reflect discussions at your last meeting, as well as the conversion from a council to a commission and housekeeping changes. The changes are shown in color blue and red

If the Council wishes to recommend Council approve the proposed codification of the Council on Aging, a motion will be needed. For example, “I move to recommend that the City Council adopt a new section of Kenai Municipal Code and amendments to KMC 1.90 as provided in attachment A”. After the main motion has been made and seconded the subject will be before the Council for discussion and additional amendments. If additional amendments are proposed they must be made in the form of a motion, be seconded and voted on. Once discussion is complete and no additional amendments are proposed, the main motion will be voted on. All proposed amendment(s) that are approved by a majority of the council will be forwarded by the Administration to the City Council in the form of an Ordinance, the Ordinance will also likely include recommended changes from other City Commissions that are relevant to their code sections. A similar process would be appropriate to change the bylaws.

The Administration will also likely recommend to the City Council moving code provisions pertaining to commissions within the existing code for organizational purposes only, but a final

recommendation on this change is still in the works. It would not have any material effect on the Council.

Thank you for your consideration.



Chapter XX.XX
COUNCIL ON AGING COMMISSION

Sections:

- [XX.XX.005](#) [Purpose](#)
- [XX.XX.010](#) [Duties and powers.](#)
- [XX.XX.020](#) [Qualifications and membership.](#)
- [XX.XX.030](#) [Bylaws.](#)

XX.XX.005 **Purpose**

The purpose of the Council on Aging Commission is to advise the Council and Administration on issues involving the Kenai Senior Center and senior citizen programs supported by the City. This proposed new section of code is intended to clearly state the purpose of the commission.

XX.XX.010 **Duties and powers.**

The Commission shall:

- (a) Review and provide recommendations on any master plans for senior citizen services provided by the City. This may include:
 - (1) City owned facilities providing senior citizen services;
 - (2) Development and use of the Senior Center or other facilities owned or managed by the City for the provision of services for senior citizens, excluding Vintage Pointe-Independent Senior Housing.
- (c) Act in an advisory capacity to the Council and the Administration on matters affecting the Senior Center and senior citizen services provided by the City.
- (d) Make recommendations to the City Manager on the budget for the City's Senior Center.
- (e) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list shall be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year. This sets out the duties and powers for the commission

XX.XX.020 **Qualifications and membership.**

Members of the Council on Aging Commission will conform to the requirements of the City of Kenai Boards, Commissions, and Committees Standard Procedures as established by KMC 1.90, except that members need only to reside on the Kenai Peninsula and 51% of whom must be 60 years or older. The Commission shall comprise of not more than nine members who shall be chosen based on their interest in challenges and opportunities for local senior citizens. This section defines the qualification and membership as provided in the bylaws.

XX.XX.030 Bylaws.

The Council on Aging Commission may have its own bylaws approved by the City Council that provide guidance and direction for the Council on Aging Commission to the extent that they do not conflict with the City’s Code of Ordinances. If a conflict should arise between the bylaws and City’s Code of Ordinances, City Code will control. **This section acknowledges the existence of the bylaws and describes their purpose.**

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

Sections:

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

1.90.010 Creation.

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

1.90.020 Duties.

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

1.90.030 Qualifications.

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

1.90.040 Terms.

- (a) A member of a board, commission or committee shall serve for a term of three (3) years, unless the board, commission or committee is specifically exempted by Council from this requirement. At renewal date, the Mayor, with consent of the Council, can reappoint the member or recommend a replacement.
- (b) The terms of the initial board, commission or committee member shall be staggered so that three (3) members will be appointed for one (1) year; two (2) members will be appointed for two (2) years; and two (2) members will be appointed for three (3) years. Terms shall commence on January 1st of each year.

1.90.050 Proceedings.

- (a) All boards, commissions and committees will have regularly scheduled meetings which shall be open to the public. Exceptions to the meeting requirements shall be established by Council. Permanent records or minutes shall be kept of all proceedings and such minutes shall record the vote of each member upon every question. Every decision or finding shall immediately be filed in the office of the City Clerk and shall be a public record open to inspection by any person. All acts of boards, commissions and committees are subject to the paramount authority of the City Council.
- (b) If the commission, committee or board member shall be absent, without the body excusing the absence for good cause, from more than one-half of all the meetings of his or her committee, commission or board, regular and special, held within any period of three (3) consecutive calendar months, he or she shall thereupon cease to hold the seat. A commission, committee or board member may not have more than three (3) excused absences during a twelve (12) month calendar year.
- (c) In all matters of parliamentary procedure, the most current edition of Robert's Rules of Order Newly Revised shall be applicable and govern all meetings, unless as specified in KMC [1.15.060](#), motions; KMC [1.15.100](#), speaking; and KMC [1.15.110](#), voting.

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

1.90.060 Specific requirements of boards, commissions and committees.

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

**BY-LAWS [AND RULES OF PROCEDURE] FOR
COUNCIL ON AGING COMMISSION
KENAI, ALASKA**

[THE MEMBERS OF THE COUNCIL ON AGING, KENAI, ALASKA, A LOCAL COMMITTEE ORGANIZED UNDER THE LAWS OF THE STATE OF ALASKA, PURSUANT TO FEDERAL AND STATE FUNDING, HAVING AS ITS OBJECT, THE FOLLOWING CODE OF BY-LAWS AND RULES OF PROCEDURE AS ITS GUIDELINES IN ALL FUTURE OPERATIONS.] The members of the Council on Aging Commission adopt the following by-laws as its guidelines for all future operations subject to the City of Kenai Code of Ordinances.

The mission of the Council on Aging Commission is to advise the [MAYOR,]City Council and City Administration, [DIRECTOR, AND THE CITY OF KENAI,]of the needs of the elderly in the area, support the programs which enable the continued independence of senior citizens and to serve as an advisory [COMMITTEE,]commission [WHOSE PURPOSE AND MAKE-UP WILL BE SET FORTH UNDER ARTICLE I, SECTION 3].

The adoption of these by-laws [AND RULES] supersedes, replaces, and nullifies any and all previously enacted, utilized, or governing rules or by-laws except the City's Code of Ordinances. [AND FURTHER, BY ADOPTION OF THESE BY-LAWS AND RULES, THE PREVIOUSLY EXISTING COUNCIL ON AGING IS DEEMED DISSOLVED.]

**Article I
MEMBERSHIP**

The Council Commission may have a membership of not more than nine (9) members. Over one-half of the members shall be participants of the Senior Citizens' programs, sponsored by the City of Kenai.

- (a) The members of the Council Commission shall be chosen in the following manner:
 1. Members shall be chosen from among persons who have shown an interest in the areas of the problems of the elderly challenges to the senior population.
 - [2. THE MAYOR WILL APPOINT MEMBERS TO THE COUNCIL ON AGING COMMISSION SUBJECT TO CONFIRMATION BY THE CITY COUNCIL.]

- (b) The duties of the Council will be as follows:
 - [a]1. Advise the Director of Senior Citizen Programs on matters dealing with the budgets for senior programs and programs operated at the Senior Center.
 - [B] FORWARD COPIES OF MEETING SUMMARIES TO THE CITY CLERK [MAYOR OF THE CITY OF KENAI], WHO, IN TURN, WILL FORWARD THE REPORT TO THE CITY COUNCIL.]
 - [c]2. To the extent practical, communications, advice, and reports shall be in written form and shall represent a consensus of the committee.

**Article II
ELIGIBILITY RESTRICTIONS**

[A MEMBER OF THE COMMISSION ~~UNCL~~ SHALL BE AN ADULT PERSON RESIDING IN THE CITY OF KENAI ~~PENINSULA~~-AREA, AND 51 % OF WHICH MUST BE SIXTY (~~60~~55) YEARS OF AGE OR OLDER.]

No employee of the City of Kenai is eligible for membership.

There will be no more than one member per household.

Members

Commented [SS1]: In the new proposed Council on Aging Commission code "Qualifications and Membership" establishes that the commission conforms to KMC1.90; and KMC 1.90.010 establishes that members are nominated by the Mayor and confirmed by the City Council. This is no longer needed in the By-Laws.

Commented [SS2]: City Council Policy 20.020 establishes that action minutes for all commissions are produced by the Clerk's Office, from notes kept by the Department Liaison during the meeting. This conflicts with that policy, I recommend removal from the By-Laws.

Commented [SS3]: This same information has been included in the new proposed Council on Aging Commission Code "Qualifications and Membership" I recommend removal from the By-Laws to prevent any future amendments that may cause a conflict between code and the bylaws.

**[Article III
MEETINGS**

[REGULAR MEETINGS SHALL BE HELD MONTHLY ON THE SECOND THURSDAY OF THE MONTH AT THE SENIOR CENTER.] Special meetings may be called by the chairperson with approval of the Kenai City Clerk and notification of ~~Commission~~ and City Manager. Meetings may be cancelled by the City Clerk, with notification of ~~Commission~~ and City Manager, if cancellation is warranted, i.e. lack of agenda items, pre-knowledge of lack of quorum, etc. Participating senior citizens shall be notified of the date, time, and place of the meeting by the monthly newsletter, as well as receipt of the meeting agenda and packet. All meetings shall be open to the public. However, this does not automatically ensure participation by non-members of the ~~Commission~~.

Commented [S54]: Council Policy 20.020 establishes commission meeting schedules and is based on recommendations from the individual commissions.

If the COA commission wished to recommend a change in their meeting schedule, having to recommend the change in only one document would streamline the process.

**Article IV
PLACE OF MEETINGS**

The meetings shall be held at the place designated as the Kenai Senior Citizens Center in Kenai, Alaska, or at the City of Kenai offices.

**Article V
QUORUM**

A quorum shall be a majority of the current appointed membership as established in Article I. The affirmative vote of a majority present at a meeting is required to take action on any matter. A quorum of the ~~Commission~~ is defined as follows:

- 1. When the appointed membership is eight (8) or nine (9), a quorum shall be five (5).
- 2. When the appointed membership is seven (7) or lower, a quorum shall be (4).

**Article VI
POWERS OF THE ~~COUNCIL~~ COMMISSION**

The powers of the ~~Commission~~ are advisory only and are derived from the federal, state, and city local governments which provide the funds for operation and all powers and activities shall be exercised in accordance with law. All action taken by this ~~Commission~~ shall be submitted to the City ~~Administrator Council for~~ and shall be subject to approval ~~by the Kenai City Council~~ unless otherwise specified in these By-Laws or City Code.

**Article VII
OFFICERS**

Officers shall be elected annually for one-year terms at the first meeting each year when a quorum is present. There shall be a Chairperson and Vice-Chairperson. ~~Officers are limited to two (2) successive terms in the same office.~~

**Article VIII
TERM OF APPOINTMENT AND ATTENDANCE**

Members of the ~~Commission~~ are appointed by the City of Kenai to serve three (3) years or until termination by:

1. Resignation;
2. Request of Council on Aging Commission;
3. Upon request of the City of Kenai; or
4. If the member is absent, without the body excusing the absence for good cause, from more than one-half of all the meetings of the Council on Aging Commission, regular and special, held within any period of three (3) consecutive calendar months, the member shall thereupon cease to hold the seat. A member may not have more than three (3) excused absences during a twelve-month calendar year.

The term of each appointed member of the ~~Commission~~ shall be three (3) years. The terms shall be staggered so that three (3) members shall be appointed every third year and three (3) members shall be appointed in each of the other years of every such three-year period.

**Article IX
HONORARY MEMBER APPOINTMENT**

When a member is no longer able to actively participate on the Council on Aging Commission, the remaining membership may, by majority vote, request the Mayor to appoint the nonactive member to the Council on Aging Commission as an honorary member. The honorary member would be a non-voting member.

**Article X
VOLUNTEERS**

Volunteers wishing to serve upon committees established by the Council on Aging Commission may be appointed by the ~~Commission~~ chairperson or his representative to do so without, therefore, becoming members of the ~~Co~~Commission.

**Article XI
RULES OF MEETING**

All meetings of the ~~Commission~~ ~~uncil~~ ~~shal~~ ~~will~~ be conducted in accordance with rules of parliamentary practice and, in the absence of other authority, shall be governed by the provisions of Roberts Rules of Order.

The Council on Aging Commission during their February ~~XX~~10, 202~~4~~2 meeting by a majority vote of the membership recommended Council approval of the amended By-Laws and Rules of Procedures.

The Kenai City Council at their ~~February 16, 2022~~ _____ meeting approved the amended By-Laws and Rules of Procedures.

**KENAI COUNCIL ON AGING – REGULAR MEETING
FEBRUARY 8, 2024 – 3:00 P.M.
KENAI SENIOR CENTER
361 SENIOR CT., KENAI, AK 99611
CHAIR KEN AYERS, PRESIDING**

ACTION MINUTES

A. CALL TO ORDER

A Regular Meeting of the Council on Aging was held on February 8, 2024, at the Kenai Senior Center, Kenai, AK. Chair Ayers called the meeting to order at approximately 3:00 p.m.

1. Pledge of Allegiance

Chair Ayers led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Ken Ayers, Chair	Rachael Craig, Vice Chair
Velda Geller	William Sadler
Frances Kilfoyle	Kit Hill
Jim Glendening	

A quorum was present.

Absent:

Barbara Modigh

Also in attendance were:

Kathy Romain, Senior Center Director
 Red Piersee, Senior Center Administrative Assistant
 Kayla Feltman, Senior Center Volunteer/Activities Coordinator
 James Baisden, City Council Liaison
 Terry Eubank, City Manager
 Scott Bloom, City Attorney

3. Agenda Approval

MOTION:

Vice Chair Craig **MOVED** to approve the agenda as presented. Member Hill **SECONDED** the motion.

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

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

1. January 16, 2024

MOTION:

Member Hill **MOVED** to approve the January 16, 2024 Council on Aging minutes. Vice Chair Craig **SECONDED** the motion.

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

E. UNFINISHED BUSINESS – None.

F. NEW BUSINESS

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

MOTION:

Vice Chair Craig **MOVED** to recommend that the City adopt a new section of Kenai Municipal Code, proposed amendments to KMC 1.90 and the Council on Aging Bylaws as provided in the packet. Member Glendening **SECONDED** the motion.

Director Romain gave a staff report from information provided in the packet; additional clarification was provided by City Manager Eubank and City Attorney Bloom.

Discussion ensued; members spoke in support.

UNANIMOUS CONSENT was requested on the motion.

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

2. **Discussion/Recommendation** – Recommendations to Council for Amendments to Council on Aging Bylaws.

Approved during the previous agenda item.

G. REPORTS

1. Senior Center Director – Director Romain and Assistants Piersee and Feltman reported on the following:
 - Upcoming March for Meals Fundraiser event.
 - Cabinets have been added to the Senior Center craft room.
 - City Departments are preparing for the upcoming budget process.
 - Member surveys will be coming out in March; feedback from these surveys is important for Senior Center programs.
 - Upcoming Superbowl party at the Senior Center.
2. Commission Chair – Chair Ayers recognized new members Glendening, Sadler and Hill; asked for feedback on changes members would like to see regarding senior housing.
3. City Council Liaison – Council Member Baisden reported on recent actions of the City Council.

H. ADDITIONAL PUBLIC COMMENTS – None.

I. NEXT MEETING ATTENDANCE NOTIFICATION – March 14, 2024

J. COMMISSION QUESTIONS AND COMMENTS

K. ADJOURNMENT

L. INFORMATIONAL ITEMS – None.

There being no further business before the Council on Aging, the meeting was adjourned at 3:30 p.m.

I certify the above represents accurate minutes of the Council on Aging meeting of February 8, 2024.



Meghan Thibodeau
Deputy City Clerk

**BY-LAWS FOR
COUNCIL ON AGING COMMISSION
KENAI, ALASKA**

Attachment E

The members of the Council on Aging Commission adopt the following by-laws as its guidelines for all future operations subject to the City of Kenai Code of Ordinances.

The mission of the Council on Aging Commission is to advise the City Council and City Administration, of the needs of the elderly in the area, support the programs which enable the continued independence of senior citizens and to serve as an advisory commission.

The adoption of these by-laws supersedes, replaces, and nullifies any and all previously enacted, utilized, or governing rules or by-laws except the City's Code of Ordinances.

**Article I
MEMBERSHIP**

The Commission may have a membership of not more than nine (9) members. Over one-half of the members shall be participants of the Senior Citizens' programs, sponsored by the City of Kenai.

(a) The members of the Commission shall be chosen in the following manner:

1. Members shall be chosen from among persons who have shown an interest in the areas of challenges to the senior population.

(b) The duties of the Council will be as follows:

1. Advise the Director of Senior Citizen Programs on matters dealing with the budgets for senior programs and programs operated at the Senior Center.
2. To the extent practical, communications, advice, and reports shall be in written form and shall represent a consensus of the committee.

**Article II
ELIGIBILITY RESTRICTIONS**

No employee of the City of Kenai is eligible for membership.

There will be no more than one member per household.

**Article III
MEETINGS**

Special meetings may be called by the chairperson with approval of the Kenai City Clerk and notification of Commission and City Manager. Meetings may be cancelled by the City Clerk, with notification of Commission and City Manager, if cancellation is warranted, i.e. lack of agenda items, pre-knowledge of lack of quorum, etc. Participating senior citizens shall be notified of the date, time, and place of the meeting by the monthly newsletter, as well as receipt of the meeting agenda and packet. All meetings shall be open to the public. However, this does not automatically ensure participation by non-members of the Commission.

**Article IV
PLACE OF MEETINGS**

The meetings shall be held at the place designated as the Kenai Senior Citizens Center in Kenai, Alaska, or at the City of Kenai offices.

Article V QUORUM

A quorum shall be a majority of the current appointed membership as established in Article I. The affirmative vote of a majority present at a meeting is required to take action on any matter. A quorum of the Commission is defined as follows:

1. When the appointed membership is eight (8) or nine (9), a quorum shall be five (5).
2. When the appointed membership is seven (7) or lower, a quorum shall be (4).

Article VI POWERS OF THE COMMISSION

The powers of the Commission are advisory only and are derived from the federal, state, and city local governments which provide the funds for operation and all powers and activities shall be exercised in accordance with law. All action taken by this Commission shall be submitted to the City Council for approval unless otherwise specified in these By-Laws or City Code.

Article VII OFFICERS

Officers shall be elected annually for one-year terms at the first meeting each year when a quorum is present. There shall be a Chairperson and Vice-Chairperson.

Article VIII TERM OF APPOINTMENT AND ATTENDANCE

Members of the Commission are appointed by the City of Kenai to serve three (3) years or until termination by:

1. Resignation;
2. Request of Council on Aging Commission;
3. Upon request of the City of Kenai; or
4. If the member is absent, without the body excusing the absence for good cause, from more than one-half of all the meetings of the Council on Aging Commission, regular and special, held within any period of three (3) consecutive calendar months, the member shall thereupon cease to hold the seat. A member may not have more than three (3) excused absences during a twelve-month calendar year.

The term of each appointed member of the Commission shall be three (3) years. The terms shall be staggered so that three (3) members shall be appointed every third year and three (3) members shall be appointed in each of the other years of every such three-year period.

Article IX HONORARY MEMBER APPOINTMENT

When a member is no longer able to actively participate on the Council on Aging Commission, the remaining membership may, by majority vote, request the Mayor to appoint the nonactive member to the Council on Aging Commission as an honorary member. The honorary member would be a non-voting member.

Article X VOLUNTEERS

Volunteers wishing to serve upon committees established by the Council on Aging Commission may be appointed by the Commission chairperson or his representative to do so without, therefore, becoming members of the Commission.

Article XI
RULES OF MEETING

All meetings of the Commission will be conducted in accordance with rules of parliamentary practice and, in the absence of other authority, shall be governed by the provisions of Roberts Rules of Order.

* * * * *

The Council on Aging Commission during their February 8, 2024 meeting by a majority vote of the membership recommended Council approval of the amended By-Laws and Rules of Procedures.

The Kenai City Council at their May 15, 2024 meeting approved the amended By-Laws and Rules of Procedures.



KENAI

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

MEMORANDUM

Attachment F

TO: Harbor Commission

FROM: Scott Bloom, City Attorney

DATE: February 5, 2024

SUBJECT: **Proposed Amendments to KMC Chapter 11.10 and KMC Chapter 1.90**

On January, 8, 2024 Terry Eubank, City Manager, Shellie Saner, City Clerk, and I met with your Commission in a work session to discuss possible code changes to KMC Chapter 11.10 - Harbor Commission and KMC Chapter 1.90- Standard Procedures for Board, Commissions and Committees, as well as other procedures (such as an annual work plan) with the goal of improving the efficiency of your commission and making sure your valuable time as a commissioner is used wisely.

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

If the Commission wishes to recommend Council approve the proposed amendments to code, a motion will be needed. For example, "I move to recommend that the City Council adopt the proposed amendments to KMC Chapter 11.10 and Chapter 1.90 as provided in attachment A". After the main motion has been made and seconded the subject will be before the commission for discussion and additional amendments. If additional amendments are proposed they must be made in the form of a motion, be seconded and voted on. Once discussion is complete and no additional amendments are proposed, the main motion will be voted on. All proposed amendment(s) that are approved by a majority of the Commission will be forwarded by the Administration to the Council in the form of an Ordinance, the Ordinance will also likely include recommended changes from other City Commissions that are relevant to their code sections.

The Administration may also recommend moving code provisions pertaining to the Harbor Commission into a different section of code, from KMC 11.10 into KMC 1.90, for organizational purposes only, but a final recommendation on this change is still in the works. It would not have any material effect on the Commission.

Thank you for your consideration.

Chapter 11.10 HARBOR COMMISSION

Sections:

<u>11.10.005</u>	<u>Purpose.</u>
<u>11.10.010</u>	<u>Duties and powers.</u>

11.10.005 Purpose.

The purpose of the Harbor Commission is to advise the Council and administration on issues involving City harbor facilities and tidal or submerged lands owned by the City. This proposed new section of code is intended just to clearly state the purpose of the commission.

11.10.010 Duties and powers.

(a) The Harbor Commission shall [BE REQUIRED TO DO THE FOLLOWING]:

(1) [DEVELOP, ADOPT, ALTER, OR REVISE, SUBJECT TO APPROVAL BY THE CITY COUNCIL, A] Review and provide recommendations on any master plans for the [PHYSICAL] development of harbor or port facilities for the City. [SUCH MASTER PLAN WITH ACCOMPANYING MAPS, PLATS, CHARTS, DESCRIPTIVE, AND EXPLANATORY MATTER, SHALL SHOW THE HARBOR COMMISSION'S RECOMMENDATIONS FOR THE DEVELOPMENT OF THE CITY HARBOR FACILITIES] This may include, among other things:

- (i) Development of the type, location, and sequence of all public harbor facilities;
- (ii) The relocation, removal, extension, or change of use of existing harbor facilities;

As discussed previously, these changes reflect that the commission itself is not independently responsible for any master plans, but that the Commission's role to provide recommendations on such plans as they are developed.

(2) Submit annually to the City Manager and Council, not less than ninety (90) days prior to the beginning of the budget year, a list of the recommended capital improvements which, in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming [THREE (3)] five-year period. Such list shall be arranged in order of preference, with recommendations as to which projects [SHALL BE] are recommended for constructed in which year. The changes in this section are intended to reflect the actual timeline utilized by the City in its capital planning and that these are recommendations dependent on funding.

(3) Act in an advisory capacity to the Council and administration [MAKE INVESTIGATIONS] regarding [ANY] matters related to City harbor facilities, tide or submerged lands. Make recommendations to the Council and administration relative to the care, control, and development of tide and submerged lands. This change is recommended to reflect that the commission really doesn't have a budget or authority to independently carry out investigations, but instead its role is to advise and make recommendations to administration and the City Council.

(4) Review all City leases of City-owned tide[,] and submerged lands [, AND LANDS OR NAVIGABLE WATERS WITHIN THE CITY, AND AS TO THE PLANNED IMPROVEMENTS PROPOSED] and make recommendations to the City Council and administration. **These are just housekeeping changes**

(5) Provide information and recommendations as requested by the City Council. [MAKE AND PREPARE REPORTS AND PLANS FOR APPROVAL BY THE CITY COUNCIL **This change again reflects that the role of the Harbor Commission is to advise the Council, as opposed to independently acting.**

(6) COORDINATE PUBLIC EFFORTS, INDIVIDUAL AND GROUP, TO THE EFFECTUATION OF APPROVED PLANS.] **This language is recommended for removal as City Administration generally carries out plans approved by the Council as opposed to advisory bodies.**

[(6)] Advise and provide recommendations to the administration as requested on the qualifications for a Harbor Master. [SHALL ACT IN ADVISORY CAPACITY IN THE SELECTION OF A HARBOR MASTER SHOULD SUCH A POSITION BE CREATED BY THE CITY COUNCIL.] **Because this role is unique in current code to this Commission and the parks and Recreation it is the City Manager's preference that this be removed entirely, but with the new language the City manager is not strongly opposed to it.**

Chapter 1.90 STANDARD PROCEDURES FOR BOARDS, COMMISSIONS AND COMMITTEES

Sections:

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

1.90.010 **Creation.**

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

1.90.020 Duties.

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

1.90.030 Qualifications.

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

1.90.040 Terms.

- (a) A member of a board, commission or committee shall serve for a term of three (3) years, unless the board, commission or committee is specifically exempted by Council from this requirement. At renewal date, the Mayor, with consent of the Council, can reappoint the member or recommend a replacement.
- (b) The terms of the initial board, commission or committee member shall be staggered so that three (3) members will be appointed for one (1) year; two (2) members will be appointed for two (2) years; and two (2) members will be appointed for three (3) years. Terms shall commence on January 1st of each year.

1.90.050 Proceedings.

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

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

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

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

1.90.060 Specific requirements of boards, commissions and committees.

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

**KENAI HARBOR COMMISSION – REGULAR MEETING
FEBRUARY 12, 2024 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR LISA GABRIEL, PRESIDING**

ACTION MINUTES

A. CALL TO ORDER

A Regular Meeting of the Harbor Commission was held on February 12, 2024, in the Kenai City Council Chambers, Kenai, AK. Chair Gabriel called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Chair Gabriel led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Lisa Gabriel, Chair
David Peck
John Coston

Jeanne Reveal, Vice Chair
Matthew Moffis

A quorum was present.

Also in attendance were:

Scott Curtin, Public Works Director
Lisa List, Public Works Administrative Assistant
Victoria Askin, City Council Liaison
Terry Eubank, City Manager
Shellie Saner, City Clerk
Linda Mitchell, Planning Director

3. Agenda Approval

MOTION:

Commissioner Peck **MOVED** to approve the agenda as presented. Vice Chair Reveal **SECONDED** the motion.

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

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

- 1. November 6, 2023
- 2. January 8, 2024

MOTION:

Commissioner Peck **MOVED** to approve the November 6, 2023 and January 8, 2024 Harbor Commission minutes. Commissioner Reveal **SECONDED** the motion.

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

E. UNFINISHED BUSINESS – None.

F. NEW BUSINESS

1. **Discussion/Recommendation** - Recommending City Council Adoption of Proposed Amendments to KMC Chapter's 11.10 Harbor Commission and KMC 1.90 Standard Procedures for Boards, Commissions and Committees.

MOTION:

Commissioner Coston **MOVED** to recommend that the City Council adopt the proposed amendments to KMC Chapter 11.10 and Chapter 1.90 as provided in attachment A in the packet. Vice Chair Reveal **SECONDED** the motion.

City Manager Eubank and City Clerk Saner gave a staff report from information provided in the packet.

VOTE:

YEA: Gabriel, Reveal, Peck, Moffis, Coston

NAY: None

MOTION PASSED UNANIMOUSLY.

2. **Discussion/Recommendation** - Recommending City Council Enact Ordinance 3391-2024 - Amending the Imagine Kenai 2030 Comprehensive Plan Land Use Plan Map for Certain Parcels from Industrial to Mixed-Use.

MOTION:

Vice Chair Reveal **MOVED** to recommend City Council enactment of Ordinance No. 3391-2024. Commissioner Peck **SECONDED** the motion.

Commissioner Moffis declared a possible conflict of interest, stating that he owns property in the area affected. Chair Gabriel ruled that there was a conflict, and recused Commissioner Moffis from deliberation and voting.

Commissioner Costin declared that he serves on both the Harbor Commission and Planning & Zoning Commission, but that his vote this evening would be in regards to how this item relates to his role as a member of the Harbor Commission.

Planning Director Mitchell gave a staff report from information provided in the packet.

VOTE:

YEA: Gabriel, Reveal, Peck, Moffis, Coston.

NAY: None.

MOTION PASSED UNANIMOUSLY.

3. **Discussion/Recommendation** - Recommending City Council Enact Ordinance 3392-2024 - Amending the Kenai Zoning Code to Add a New Zoning District, Working Waterfront (WW) and Amending the Official Zoning Map for Certain Parcels from Heavy Industrial (IH) to Working Waterfront (WW) or Conservation (C) Zoning District.

MOTION:

Commissioner Peck **MOVED** to recommend City Council enactment of Ordinance No. 3392-2024. Vice Chair Reveal **SECONDED** the motion.

Commissioner Moffis declared a possible conflict of interest, stating that he owns property in the area affected. Chair Gabriel ruled that there was a conflict, and recused Commissioner Moffis from deliberation and voting.

Commissioner Costin declared that he serves on both the Harbor Commission and Planning & Zoning Commission, but that his vote this evening would be in regards to how this item relates to his role as a member of the Harbor Commission.

Planning Director Mitchell gave a staff report from information provided in the packet.

UNANIMOUS CONSENT was requested on the motion.

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

G. REPORTS

1. Public Works Director – Director Curtin reported on the following:
 - The US Army Corps of Engineers has awarded a contract for the Kenai Bluff Bank Stabilization Project to Western Marine Construction Inc.
2. Commission Chair – Chair Gabriel thanked staff.
3. City Council Liaison – Council Member Askin reported on recent City Council actions.

H. ADDITIONAL PUBLIC COMMENTS – None.

I. NEXT MEETING ATTENDANCE NOTIFICATION – March 11, 2024

J. COMMISSION QUESTIONS AND COMMENTS

Commissioner Coston thanked staff for the proposed code modifications.

Commissioner Peck thanked staff for the presentations.

Commissioner Moffis thanked staff.

K. ADJOURNMENT

L. INFORMATIONAL ITEMS – None.

There being no further business before the Harbor Commission, the meeting was adjourned at 6:18 p.m.

I certify the above represents accurate minutes of the Harbor Commission meeting of February 12, 2024.

Meghan Thibodeau
Deputy City Clerk



KENAI

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

MEMORANDUM

Attachment G

TO: Parks and Recreation Commission

FROM: Scott Bloom, City Attorney

DATE: January 24, 2024

SUBJECT: **Proposed Amendments to KMC Chapter 19.05 and KMC Chapter 1.90**

On January, 4, 2024 Terry Eubank, City Manager, Shellie Saner, City Clerk, and I met with your Commission in a work session to discuss possible code changes to KMC Chapter 19.05- Parks and Recreation Commission and KMC Chapter 1.90- Standard Procedures for Board, Commissions and Committees, as well as other procedures (such as an annual work plan) with the goal of improving the efficiency of your commission and making sure your valuable time as a commissioner is used wisely.

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

If the Commission wishes to recommend Council approve the proposed amendments to code, a motion will be needed. For example, "I move to recommend that the City Council adopt the proposed amendments to KMC Chapter 19.05 and Chapter 1.90 as provided in attachment A". After the main motion has been made and seconded the subject will be before the commission for discussion and additional amendments. If additional amendments are proposed they must be made in the form of a motion, be seconded and voted on. Once discussion is complete and no additional amendments are proposed, the main motion will be voted on. All proposed amendment(s) that are approved by a majority of the Commission will be forwarded by the Administration to the Council in the form of an Ordinance, the Ordinance will also likely include recommended changes from other City Commissions that are relevant to their code sections.

The Administration may also recommend moving code provisions pertaining to the Parks and Recreation Commission into a different section of code, from KMC 19.05 into KMC 1.90, for organizational purposes only, but a final recommendation on this change is still in the works. It would not have any material effect on the Commission.

Thank you for your consideration.

Chapter 19.05 PARKS AND RECREATION COMMISSION

Sections:

- 19.05.010** *Creation.*
- 19.05.020** *Duties and powers.*
- 19.05.030** *Terms and appointments to vacancies.*
- 19.05.040** *Qualifications of Commission members.*
- 19.05.050** *Proceedings of Commission.*

19.05.010 **[Creation] Purpose.**

The purpose of the Parks and Recreation Commission is to advise the Council and administration on issues involving the City's parks and recreational facilities. This proposed new section of code is intended just to clearly state the purpose of the commission.

19.05.020 **Duties and powers.**

The Commission shall be required to do the following:

- (a) [DEVELOP, ADOPT, ALTER, OR REVISE SUBJECT TO APPROVAL BY THE CITY COUNCIL, A] Review and provide recommendations on any master plans for the physical development of recreation facilities for the City. Such master plans with accompanying maps, plats, charts, descriptive, and explanatory matter, [SHALL] may show the Commission's recommendations for the development of the City's recreation facilities[Y MAY] including[E], among other things: *As discussed previously, these changes reflect that the commission itself is not independently responsible for any master plans, but that the*

Commission's role to provide recommendations on such plans as they are developed. Changes are also included to reflect that the City does not currently have any parks or recreation master plans, and while they are desired by the current administration it is unclear when funding might be available to hire a consultant to assist in completing such plans.

(1) Development of the type, location, and sequence of all public recreation facilities; and

(2) The relocation, removal, extension, or change of use of existing recreation facilities.

(b) Submit annually to the City Manager and Council, not less than ninety [(90)] days prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming [THREE (3)] five year period. Such list shall be arranged in order of preference, with recommendations as to which projects [SHALL BE] are recommended for construction [ED] in which year. The changes in this section are intended to reflect the actual timeline utilized by the City in its capital planning and that these are recommendations dependent on funding.

(c) [MAKE INVESTIGATIONS REGARDING ANY MATTER RELATED TO CITY RECREATION] Advise the Council and Administration on concerns and recommendations regarding parks and recreational facilities within the City including recommendations for consideration by the Administration in the development of the Parks and Recreation Department's annual budget. This change is recommended to reflect that the commission really doesn't have a budget or authority to independently carry out investigations, but instead its role is to advise and make recommendations to administration and the City Council. Changes to this section further specifically seek recommendations in the Department's annual budget preparations.

(d) Provide information and recommendations as requested [MAKE AND PREPARE REPORTS AND PLANS FOR APPROVAL] by the City Council. This change reflects again that rather than acting independently, the commission's role is really to gather information and make recommendation on issues requested by the Council.

(e) Advise and provide recommendations to the Administration as requested on the qualifications for [SHALL ACT IN ADVISORY CAPACITY IN THE SELECTION OF] a Director of Parks and Recreation. This change was requested by some members of the commission. Because this role is unique in current code to this Commission and the harbor Commission in the selection of a harbor master, it is the City Manager's preference that this be removed entirely, but with the new language the City manager is not strongly opposed to it.

Chapter 1.90

STANDARD PROCEDURES FOR BOARDS, COMMISSIONS AND COMMITTEES

Sections:

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

1.90.010 **Creation.**

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

their capacity as elected officials. City administrative staff shall attend and supply staff support to all meetings of boards, commissions and committees. **This change is just to reflect that the Council on Aging can have a different number of members.**

1.90.020 Duties.

(a) Members of boards, commissions and committees shall be required to establish policies relating to their respective organization. They shall act in an advisory capacity to City Council and administration unless otherwise specified in the City Code. **This change reflects that commission advise administration and not just the City Council.**

(b) If the board, commission or committee has income stated within the City of Kenai annual budget, said board, commission or committee shall work with the City Manager to establish expenses projected for the year for approval by the City Council.

(Ord. 2748-2014)

1.90.030 Qualifications.

(a) A member of a board, commission or committee must be a resident of the City of Kenai, unless the board, commission or committee is specifically exempted by Council from this requirement. The member cannot be an officer or employee of the City of Kenai. If any member should move his or her residence from the corporate limits of the City of Kenai (if applicable), is an officer or employee of the City of Kenai, or shall be elected or appointed as an officer or employee of the City of Kenai, the service of such member shall terminate immediately. He or she should be aware that he or she will serve without salary, but will be reimbursed for all reasonable expenses incurred in connection with this service, only after approval by Council.

(b) The Beautification Committee, and Harbor, Library, and Parks and Recreation Commissions may at the discretion of the Council have up to two (2) non-resident members each.

(c) The Planning and Zoning Commission may have up to one member that is not a resident of the City if they have a controlling ownership interest in a business physically located in the City. This provision specifically does not create a designated seat for a non-resident.

(Ords. 1948-2002, 2320-2008, 2829-2015)

1.90.040 Terms.

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

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

1.90.050 Proceedings.

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

(b) If the commission, committee or board member shall be absent, without the body excusing the absence for good cause, from more than one-half of all the meetings of his or her committee, commission or board, regular and special, held within any period of three (3) consecutive calendar months, he or she shall thereupon cease to hold the seat. A

commission, committee or board member may not have more than three (3) excused absences during a twelve (12) month calendar year.

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

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

(Ords. 1610-94, 2017-2003, 2050-2004, 2140-2006, 2614-2012, 3202-2021)

1.90.060 Specific requirements of boards, commissions and committees.

Requirements of boards, commissions and committees as set forth in KMC [1.90](#) are general requirements and shall be followed to the extent that they do not conflict with specific requirements found in code sections specifically pertaining to individual boards, commissions and committees. (Ords. 1223, 1239)

The Kenai Municipal Code is current through Ordinance 3380-2023, passed November 15, 2023.

Disclaimer: The City Clerk has the official version of the Kenai Municipal Code. Users should contact the City Clerk for ordinances passed subsequent to the ordinance cited above.

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

[City Telephone: \(907\) 283-7535](tel:(907)283-7535)

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**KENAI PARKS & RECREATION COMMISSION – REGULAR MEETING
FEBRUARY 1, 2024 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
VICE CHAIR SOVALA KISENA, PRESIDING**

ACTION MINUTES

A. CALL TO ORDER

A Regular Meeting of the Parks & Recreation Commission was held on February 1, 2024, in the Kenai City Council Chambers, Kenai, AK. Vice Chair Kisena called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Vice Chair Kisena led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Sovala Kisena, Vice Chair	Nigel LaRicca
Kyle Graham	Jennifer Joanis
Michael Bernard	Charlie Stephens

A quorum was present.

Absent:

Grant Wisniewski, Chair

Also in attendance were:

Tyler Best, Parks & Recreation Director
 Jenna Brown, Parks & Recreation Assistant Director
 Terry Eubank, City Manager
 Shellie Saner, City Clerk

3. Agenda Approval

MOTION:

Commissioner Joanis **MOVED** to approve the agenda as presented. Commissioner Stephens **SECONDED** the motion.

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

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF ACTION MINUTES

1. January 4, 2024

MOTION:

Commissioner Joanis **MOVED** to approve the January 4, 2024 Parks & Recreation Commission minutes. Commissioner LaRicca **SECONDED** the motion.

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

E. UNFINISHED BUSINESS

- 1. **Discussion/Recommendation** - Recommendations to Council for Changes to Kenai Municipal Code Chapter 19.05 Parks and Recreation Commission, and Chapter 1.90 Standards for Boards, Commissions and Committees.

MOTION:

Commissioner Stephens **MOVED** to recommend City Council approval of the changes to Kenai Municipal Code Chapter 19.05 Parks and Recreation Commission, and Chapter 1.90 Standards for Boards, Commissions and Committees. Commissioner Joanis **SECONDED** the motion.

Director Best gave a staff report from information provided in the packet; City Clerk saner clarified the intent of the changes.

Discussion ensued; Commissioner Joanis and Vice Chair Kisena spoke in support.

UNANIMOUS CONSENT was requested on the motion.

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

F. NEW BUSINESS

G. REPORTS

- 1. Parks & Recreation Director – No report.
- 2. Commission Chair – No report.
- 3. City Council Liaison – No report.

H. ADDITIONAL PUBLIC COMMENTS – None.

I. NEXT MEETING ATTENDANCE NOTIFICATION – March 7, 2024

Commissioner Stephens noted he would be absent.


J. COMMISSION QUESTIONS AND COMMENTS – None.

K. ADJOURNMENT

L. INFORMATIONAL ITEMS – None.

There being no further business before the Parks & Recreation Commission, the meeting was adjourned at 6:11 p.m.

I certify the above represents accurate minutes of the Parks & Recreation Commission meeting of February 1, 2024.



 Meghan Thibodeau
 Deputy City Clerk



Sponsored by: City Clerk

**CITY OF KENAI
ORDINANCE NO. 3416-2024 (SUBSTITUTE)**

AN ORDINANCE REPEALING, REENACTING AND RENAMING KENAI MUNICIPAL CODE CHAPTER 1.90 - STANDARD PROCEDURES FOR BOARDS, COMMISSIONS AND COMMITTEES, ENACTING CHAPTER 1.95 - STANDING ADVISORY COMMISSIONS, REPEALING CHAPTERS 11.10 - HARBOR COMMISSION, CHAPTER 19.05 PARKS AND RECREATION COMMISSION, CHAPTER 21.20 AIRPORT COMMISSION, ENACTING SECTION 14.05.050 - PLANNING AND ZONING COMMISSION - QUALIFICATIONS AND MEMBERSHIP, AND APPROVING AMENDMENTS TO THE COUNCIL ON AGING COMMISSION'S BY-LAWS TO ORGANIZE STREAMLINE, AND IMPROVE THE EFFICIENCY OF THE CITY'S STANDING COMMISSIONS.

WHEREAS, the City's Standing Advisory Commissions are intended to advise the Council and Administration on specific issues based on their experience, expertise and information presented before the commissions; and,

WHEREAS, each Advisory Commission has a unique purpose adding value to the decision-making process carried out by the Council and Administration; and,

WHEREAS, establishing general standards applicable to all standing Advisory Commissions ensures consistency and efficiency in process; and,

WHEREAS, establishing a clear scope of work for each Advisory Commission provides direction to the commissions and ensures effective use of the volunteer commission members time; and,

WHEREAS, while current information on various commissions is spread throughout the Code, organizing the code to address the advisory commissions primarily in one place, improves public interface and transparency; and,

WHEREAS, a new code section is needed for the Planning and Zoning Commission to carry forward applicable code provisions to the Planning and Zoning Commission, which is unique from other City commissions by virtue of the Commission's non-advisory duties; and,

WHEREAS, the City Manager, City Attorney and City Clerk met with each advisory commission and committee in early 2024 to review and discuss current code provisions applicable to each body; and,

WHEREAS, recommended amendments from each commission or committee were drafted, presented and approved by each body; and,

WHEREAS, after further consideration of those recommendations, the Administration in an effort to streamline and improve efficiencies for Standing Commissions, reevaluated the process and recommend a complete rewrite and renaming of Chapter 1.90; and,

WHEREAS, the Airport Commission at their May 9, 2024 regular meeting recommended that the City Council enact this Ordinance; and,

WHEREAS, the Beautification Committee at their _____, 2024 regular meeting recommended that the City Council _____ this Ordinance; and,

WHEREAS, the Council on Aging at their May 9, 2024 regular meeting recommended that the City Council enact this Ordinance with recommended amendments; and,

WHEREAS, the Council on Aging at their February 8, 2024 regular meeting recommended that the City Council approve amendments to the By-Laws of the Council on Aging as attached; and,

WHEREAS, the Harbor Commission at their May 6, 2024 regular meeting recommended that the City Council enact this Ordinance; and,

WHEREAS, the Parks and Recreation Commission at their May 2, 2024 regular meeting recommended that the City Council enact this Ordinance; and,

WHEREAS, the Planning and Zoning Commission at their May 8, 2024 regular meeting recommended that the City Council enact this Ordinance.

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

Section 1. Repeal, Reenact and Rename Chapter 1.90 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 1.90 Standards for Boards, Commissions and Committees is hereby repealed, reenacted and renamed as Chapter 1.90 General Standards for Standing Advisory Commissions, as follows:

[CHAPTER 1.90
STANDARD PROCEDURES FOR BOARDS, COMMISSIONS AND COMMITTEES

SECTIONS:

- 1.90.010 CREATION.
- 1.90.020 DUTIES.
- 1.90.030 QUALIFICATIONS.
- 1.90.040 TERMS.
- 1.90.050 PROCEEDINGS.
- 1.90.060 SPECIFIC REQUIREMENTS OF BOARDS, COMMISSIONS AND COMMITTEES.

1.90.010 CREATION.

ALL BOARDS, COMMISSIONS AND COMMITTEES CREATED BY THE COUNCIL OF THE CITY OF KENAI, SHALL CONSIST OF SEVEN (7) MEMBERS WHO SHALL BE NOMINATED BY THE MAYOR AND CONFIRMED BY THE CITY COUNCIL FROM APPLICATIONS SUBMITTED TO THE CITY CLERK. A CHAIR AND VICE-CHAIR SHALL BE SELECTED ANNUALLY AND SHALL BE ELECTED FROM AND BY THE APPOINTED MEMBERS. AT THE ORGANIZATIONAL MEETING OF COUNCIL, OR AS SOON THEREAFTER AS PRACTICABLE, THE MAYOR, AFTER CONSULTATION WITH COUNCIL, SHALL NOMINATE COUNCIL MEMBERS AS A COUNCIL LIAISON TO ANY BOARD, COMMISSION OR COMMITTEE. AFTER CONFIRMATION BY COUNCIL, THE COUNCIL LIAISON MAY ATTEND ALL MEETINGS OF THE BOARD, COMMISSION OR COMMITTEE. A COUNCIL LIAISON IS NOT A MEMBER OF, AND SHALL HAVE NO VOTING POWER OR ANY OTHER RIGHTS OF MEMBERSHIP ON, THE BOARD, COMMISSION OR COMMITTEE. THE MAYOR AND OTHER COUNCIL MEMBERS MAY ATTEND MEETINGS OF BOARDS, COMMISSIONS OR COMMITTEES WHEN SERVING AS AN ALTERNATE FOR THE COUNCIL LIAISON, OR IN THEIR CAPACITY AS ELECTED OFFICIALS. CITY ADMINISTRATIVE STAFF SHALL ATTEND AND SUPPLY STAFF SUPPORT TO ALL MEETINGS OF BOARDS, COMMISSIONS AND COMMITTEES.

1.90.020 DUTIES.

- (A) MEMBERS OF BOARDS, COMMISSIONS AND COMMITTEES SHALL BE REQUIRED TO ESTABLISH POLICIES RELATING TO THEIR RESPECTIVE ORGANIZATION. THEY SHALL ACT IN AN ADVISORY CAPACITY TO CITY COUNCIL UNLESS OTHERWISE SPECIFIED IN THE CITY CODE.

- (B) IF THE BOARD, COMMISSION OR COMMITTEE HAS INCOME STATED WITHIN THE CITY OF KENAI ANNUAL BUDGET, SAID BOARD, COMMISSION OR COMMITTEE SHALL WORK WITH THE CITY MANAGER TO ESTABLISH EXPENSES PROJECTED FOR THE YEAR FOR APPROVAL BY THE CITY COUNCIL.

1.90.030 QUALIFICATIONS.

- (A) A MEMBER OF A BOARD, COMMISSION OR COMMITTEE MUST BE A RESIDENT OF THE CITY OF KENAI, UNLESS THE BOARD, COMMISSION OR COMMITTEE IS SPECIFICALLY EXEMPTED BY COUNCIL FROM THIS REQUIREMENT. THE MEMBER CANNOT BE AN OFFICER OR EMPLOYEE OF THE CITY OF KENAI. IF ANY MEMBER SHOULD MOVE HIS OR HER RESIDENCE FROM THE CORPORATE LIMITS OF THE CITY OF KENAI (IF APPLICABLE), IS AN OFFICER OR EMPLOYEE OF THE CITY OF KENAI, OR SHALL BE ELECTED OR APPOINTED AS AN OFFICER OR EMPLOYEE OF THE CITY OF KENAI, THE SERVICE OF SUCH MEMBER SHALL TERMINATE IMMEDIATELY. HE OR SHE SHOULD BE AWARE THAT HE OR SHE WILL SERVE WITHOUT SALARY, BUT WILL BE REIMBURSED FOR ALL REASONABLE EXPENSES INCURRED IN CONNECTION WITH THIS SERVICE, ONLY AFTER APPROVAL BY COUNCIL.
- (B) THE BEAUTIFICATION COMMITTEE, AND HARBOR, LIBRARY, AND PARKS AND RECREATION COMMISSIONS MAY AT THE DISCRETION OF THE COUNCIL HAVE UP TO TWO (2) NON-RESIDENT MEMBERS EACH.
- (C) THE PLANNING AND ZONING COMMISSION MAY HAVE UP TO ONE MEMBER THAT IS NOT A RESIDENT OF THE CITY IF THEY HAVE A CONTROLLING OWNERSHIP INTEREST IN A BUSINESS PHYSICALLY LOCATED IN THE CITY. THIS PROVISION SPECIFICALLY DOES NOT CREATE A DESIGNATED SEAT FOR A NON-RESIDENT.

1.90.040 TERMS.

- (A) A MEMBER OF A BOARD, COMMISSION OR COMMITTEE SHALL SERVE FOR A TERM OF THREE (3) YEARS, UNLESS THE BOARD, COMMISSION OR COMMITTEE IS SPECIFICALLY EXEMPTED BY COUNCIL FROM THIS REQUIREMENT. AT RENEWAL DATE, THE MAYOR, WITH CONSENT OF THE COUNCIL, CAN REAPPOINT THE MEMBER OR RECOMMEND A REPLACEMENT.
- (B) THE TERMS OF THE INITIAL BOARD, COMMISSION OR COMMITTEE MEMBER SHALL BE STAGGERED SO THAT THREE (3) MEMBERS WILL BE APPOINTED FOR ONE (1) YEAR; TWO (2) MEMBERS WILL BE APPOINTED FOR TWO (2) YEARS; AND TWO (2) MEMBERS WILL BE APPOINTED FOR THREE (3) YEARS. TERMS SHALL COMMENCE ON JANUARY 1ST OF EACH YEAR.

1.90.050 PROCEEDINGS.

- (A) ALL BOARDS, COMMISSIONS AND COMMITTEES WILL HAVE REGULARLY SCHEDULED MEETINGS WHICH SHALL BE OPEN TO THE PUBLIC. EXCEPTIONS TO THE MEETING REQUIREMENTS SHALL BE ESTABLISHED BY COUNCIL. PERMANENT RECORDS OR MINUTES SHALL BE KEPT OF ALL PROCEEDINGS AND SUCH MINUTES SHALL RECORD THE VOTE OF EACH MEMBER UPON EVERY QUESTION. EVERY DECISION OR FINDING SHALL IMMEDIATELY BE FILED IN THE OFFICE OF THE CITY CLERK AND SHALL BE A PUBLIC RECORD OPEN TO INSPECTION BY ANY PERSON. ALL ACTS OF BOARDS, COMMISSIONS AND COMMITTEES ARE SUBJECT TO THE PARAMOUNT AUTHORITY OF THE CITY COUNCIL.
- (B) IF THE COMMISSION, COMMITTEE OR BOARD MEMBER SHALL BE ABSENT, WITHOUT THE BODY EXCUSING THE ABSENCE FOR GOOD CAUSE, FROM MORE THAN ONE-HALF OF ALL THE MEETINGS OF HIS OR HER COMMITTEE, COMMISSION OR BOARD, REGULAR AND SPECIAL, HELD WITHIN ANY PERIOD OF THREE (3) CONSECUTIVE CALENDAR MONTHS, HE OR SHE SHALL THEREUPON CEASE TO HOLD THE SEAT. A COMMISSION, COMMITTEE OR BOARD MEMBER MAY NOT HAVE MORE THAN THREE (3) EXCUSED ABSENCES DURING A TWELVE (12) MONTH CALENDAR YEAR.
- (C) IN ALL MATTERS OF PARLIAMENTARY PROCEDURE, THE MOST CURRENT EDITION OF ROBERT'S RULES OF ORDER NEWLY REVISED SHALL BE APPLICABLE AND GOVERN ALL MEETINGS, UNLESS AS SPECIFIED IN KMC 1.15.060, MOTIONS; KMC 1.15.100, SPEAKING; AND KMC 1.15.110, VOTING.

- (D) THE RESPONSIBILITY OF INSURING THAT ALL MEMBERS OF BOARDS, COMMISSIONS AND COMMITTEES RECEIVE A COPY OF THE STANDARD PROCEDURES OF BOARDS, COMMISSIONS AND COMMITTEES LIES WITH THE CITY CLERK.

1.90.060 SPECIFIC REQUIREMENTS OF BOARDS, COMMISSIONS AND COMMITTEES.

REQUIREMENTS OF BOARDS, COMMISSIONS AND COMMITTEES AS SET FORTH IN KMC 1.90 ARE GENERAL REQUIREMENTS AND SHALL BE FOLLOWED TO THE EXTENT THAT THEY DO NOT CONFLICT WITH SPECIFIC REQUIREMENTS FOUND IN CODE SECTIONS SPECIFICALLY PERTAINING TO INDIVIDUAL BOARDS, COMMISSIONS AND COMMITTEES.]

Chapter 1.90
General Standards for Standing Advisory Commissions.

Sections:

- 1.90.010 Creation.
- 1.90.020 Members, Appointments and Qualifications.
- 1.90.030 Terms.
- 1.90.040 Attendance.
- 1.90.050 Proceedings.
- 1.90.060 Liaisons.
- 1.90.070 Specific Requirements of Standing Advisory Commissions.

1.90.010 Creation.

- (a) Standing Advisory Commissions of the City may be created or dissolved by an ordinance of the City Council. The following Standing Advisory Commissions have been created by the Council:
 - (1) Airport Commission, as established in KMC 1.95.010;
 - (2) Beautification Commission, as established in KMC 1.95.020;
 - (3) Council on Aging Commission, as established in KMC 1.95.030;
 - (4) Harbor Commission, as established in KMC 1.95.040;
 - (5) Parks and Recreation Commission, as established in KMC 1.95.050;
- (b) Standing Advisory Commissions are created to advise the Council and Administration as requested and codified. Decisions of Standing Advisory Commissions may be considered by the Council and Administration, but standing advisory commissions may not direct Council or Administration.
- (c) This Chapter does not apply to the Planning and Zoning Commission which is not solely advisory to the Council and Administration.

1.90.020 Members, Appointments and Qualifications.

- (a) Unless otherwise specified standing advisory commissions will consist of seven members.
- (b) Commission members will be nominated by the Mayor and confirmed by the Council from applications submitted to the Clerk.
- (c) Members must be residents of the City unless otherwise specified and may not be an officer or employee of the City. If any member who is required to reside in the City, moves their residence outside of City limits, or if any member is elected or appointed as an officer or employee of the City, the term of such member will terminate immediately.

- (d) Members will serve without salary, but may be reimbursed for reasonable expenses incurred in connection with the service, only after approval by the Council.
- (e) After completion of a full or partial term, the Mayor with confirmation of the Council may reappoint the member or recommend a replacement.

1.90.030 Terms.

- (a) Terms of appointment will be for three-years beginning January 1st and ending December 31st, unless the commission is exempted by the Council from this requirement.
- (b) When an appointment is to fill a vacancy created prior to the end of a term, the appointment will be for the remainder of that term.
- (c) When appointments are first made to a newly established commission, the first appointments will be to staggered terms, so that three members will be appointed for one year; two members will be appointed for two years; and two members will be appointed for three years.

1.90.040 Attendance.

If a member is absent, without the body excusing the absence for good cause from more than one-half of all the regular or special meetings held within any period of three consecutive calendar months, the member will thereupon cease to hold the seat. A commission member may not have more than three excused absences during a twelve-month calendar year.

1.90.050 Proceedings.

- (a) Standing Advisory Commissions will have regularly scheduled meetings which will be open to the public. Annual meeting schedules, meeting cancellations or holding special meetings will conform to policy set by the City Council.
- (b) A chair and vice-chair will be elected annually from and by the appointed members.
- (c) The most current edition of Robert's Rules of Order Newly Revised will govern all meetings, unless otherwise specified in KMC 1.15.060 motions; KMC 1.15.100 speaking; and KMC 1.15.110 voting.
- (d) Permanent record or minutes will be kept for regular and special meetings, and such minutes will record the vote of each member upon every question.
- (e) Every decision or finding will be filed in the office of the Clerk and will be a public record open to inspection by any person.
- (f) The Clerk is responsible for ensuring that all members of commissions are provided a copy of this chapter.

1.90.060 Liaison.

- (a) Council Liaison. At the organizational meeting of Council, or as soon thereafter as practicable, the Mayor, after consultation with Council, will nominate Council Members as a Council Liaison to Standing Advisory Commissions. The following applies to Council Liaisons:
 - (1) After confirmation by Council, the Council Liaison may attend all meetings of the commission.
 - (2) The Council Liaison is a non-voting member and may not participate in the debate of the commission.
 - (3) Any Council Member may attend meetings or work sessions when serving as an alternate for the Council Liaison, or in their capacity as elected officials.

- (4) Other Council Members may attend a meeting or work session of a commission; however, no more than three Council Members may attend any one meeting without additional public notice.
- (b) Staff Liaison. City administrative staff will attend and supply staff support to all meetings of the commissions of the City.

1.90.070 Specific Requirements of Standing Advisory Commissions.

Requirements of this chapter are general requirements and will be followed to the extent that they do not conflict with specific requirements found in code sections specifically pertaining to individual standing commissions.

Section 2. Enactment of Chapter 1.95 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 1.95 Standing Advisory Commissions is hereby enacted as follows:

Chapter 1.95
Standing Advisory Commissions.

Sections:

- 1.95.010 Airport Commission.
- 1.95.020 Beautification Commission.
- 1.95.030 Council on Aging Commission.
- 1.95.040 Harbor Commission.
- 1.95.050 Parks and Recreation Commission.

1.95.010 Airport Commission.

- (a) Purpose. The purpose of the Airport Commission is to advise the Council and Administration on issues involving the Airport and lands held for the benefit of the Airport.
- (b) Duties and Powers. The Airport Commission will:
 - (1) Review and provide recommendations on the master plan for the airport development. This may include:
 - (i) Development of type, location and sequence of all airport terminal facilities; and,
 - (ii) Development and use of all airport lands.
 - (2) Act in an advisory capacity to the Council and the Administration on matters affecting the airport.
 - (3) Make recommendations to the City Manager on the airport budget.
 - (4) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year.
 - (5) Provide information and recommendations as requested by the City Council and Administration.
- (c) Qualifications. Members of the Airport Commission will conform to the requirements as established by KMC 1.90, except that members of the Airport Commission need not be a resident of the City of Kenai.
- (d) Membership. The Commission will be comprised of seven members who will be chosen so as to represent broadly the following areas:

- (1) One member, fixed base operator (FBO); and,
- (2) One member, lessee of airport aeronautical lands or terminal facility; and,
- (3) One member, with expertise in Federal Aviation administration functions; and,
- (4) One member, representing the Civil Air Patrol; and,
- (5) Three members, at-large, representing the business and professional community.

1.95.020 Beautification Commission.

- (a) Purpose. The purpose of the Beautification Commission is to advise the Council and Administration on enhancing the appearance of the City.
- (b) Duties and Powers. The Beautification Commission will:
 - (1) Advise Administration on seasonal displays and decorations promoted by the City; and,
 - (2) Advise Administration on selection of annual plantings of flora to be displayed in the City; and,
 - (3) Advise Council and Administration on City beautification issues and/or projects as requested by the Council or Administration; and,
 - (4) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of the recommended capital improvements which, in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year.
- (c) Qualifications and Membership. Members of the Beautification Commission will conform to the requirements of KMC 1.90, except the commission may at the discretion of the Council have up to two non-resident members.

1.95.030 Council on Aging Commission.

- (a) Purpose. The purpose of the Council on Aging Commission is to advise the Council and Administration on issues involving the Kenai Senior Center and senior citizen programs supported by the City.
- (b) Duties and Powers. The Council on Aging Commission will:
 - (1) Review and provide recommendations on any master plans for senior citizen services provided by the City. This may include:
 - (i) City owned facilities providing senior citizen services; and,
 - (ii) Development and use of the Senior Center or other facilities owned or managed by the City for the provision of services for senior citizens, excluding Vintage Pointe-Independent Senior Housing.
 - (2) Act in an advisory capacity to the Council and the Administration on matters affecting the Senior Center and senior citizen services provided by the City; and,
 - (3) Make recommendations to the City Manager on the budget for the City's Senior Center; and,
 - (4) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year; and,

- (5) Provide information and recommendations as requested by the City Council and Administration.
- (c) Qualifications and Membership. Members of the Council on Aging Commission will conform to the requirements as established by KMC 1.90, except that members need only to reside on the Kenai Peninsula and 51% of whom must be 55 years or older. The Commission shall be comprised of not more than nine members who will be chosen based on their interest in challenges and opportunities for local senior citizens.
- (d) Bylaws. The Council on Aging Commission may have its own bylaws approved by the City Council that provide guidance and direction for the Council on Aging Commission to the extent that they do not conflict with the City's Code of Ordinances. If a conflict should arise between the bylaws and City's Code of Ordinances, City Code will control.

1.95.040 Harbor Commission.

- (a) Purpose. The purpose of the Harbor Commission is to advise the Council and Administration on issues involving City harbor facilities and tidal or submerged lands owned by the City.
- (b) Duties and Powers. The Harbor Commission will:
 - (1) Review and provide recommendations on any master plans for the development of harbor or port facilities for the City. This may include:
 - (i) Development of the type, location, and sequence of all public harbor facilities; and,
 - (ii) The relocation, removal, extension, or change of use of existing harbor facilities.
 - (2) Act in an advisory capacity to the Council and Administration regarding matters related to City harbor facilities, tide or submerged lands. Make recommendations to the Council and Administration relative to the care, control, and development of tide and submerged lands; and,
 - (3) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of the recommended capital improvements which, in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for constructed in which year; and,
 - (4) Review all City leases of City-owned tide and submerged lands and make recommendations to the City Council and Administration; and,
 - (5) Provide information and recommendations as requested by the City Council and Administration; and,
 - (6) Advise and provide recommendations to the Administration as requested on the qualifications for a Harbor Master.
- (c) Qualifications and Membership. Members of the Harbor Commission will conform to the requirements of KMC 1.90, except the commission may at the discretion of the Council have up to two non-resident members.

1.95.050 Parks and Recreation Commission.

- (a) Purpose. The purpose of the Parks and Recreation Commission is to advise the Council and Administration on issues involving the City's parks and recreational facilities.
- (b) Duties and Powers. The Parks and Recreation Commission will:
 - (1) Review and provide recommendations on any master plans for the physical development of recreation facilities for the City. Such master plans with accompanying maps, plats, charts,

descriptive, and explanatory matter, may show the Commission's recommendations for the development of the City's recreation facilities including:

- (i) Development of the type, location, and sequence of all public recreation facilities; and,
- (ii) The relocation, removal, extension, or change of use of existing recreation facilities.
- (2) Advise the Council and Administration on concerns and recommendations regarding parks and recreational facilities within the City including recommendations for consideration by the Administration in the development of the Parks and Recreation Department's annual budget; and,
- (3) Submit annually to the City Manager and Council, not less than ninety days prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five-year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year; and,
- (4) Provide information and recommendations as requested by the City Council and Administration; and,
- (5) Advise and provide recommendations to the Administration as requested on the qualifications for a Director of Parks and Recreation.
- (c) Qualifications and Membership. Members of the Parks and Recreation Commission will conform to the requirements of KMC 1.90, except the commission may at the discretion of the Council have up to two non-resident members.

Section 3. Repeal of Chapter 11.10 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 11.10 Harbor Commission is hereby repealed as follows:

[CHAPTER 11.10
HARBOR COMMISSION

11.10.010 DUTIES AND POWERS.

- (A) THE HARBOR COMMISSION SHALL BE REQUIRED TO DO THE FOLLOWING:
 - (1) DEVELOP, ADOPT, ALTER, OR REVISE, SUBJECT TO APPROVAL BY THE CITY COUNCIL, A MASTER PLAN FOR THE PHYSICAL DEVELOPMENT OF HARBOR OR PORT FACILITIES FOR THE CITY. SUCH MASTER PLAN WITH ACCOMPANYING MAPS, PLATS, CHARTS, DESCRIPTIVE, AND EXPLANATORY MATTER, SHALL SHOW THE HARBOR COMMISSION'S RECOMMENDATIONS FOR THE DEVELOPMENT OF THE CITY HARBOR FACILITIES MAY INCLUDE, AMONG OTHER THINGS:
 - (i) DEVELOPMENT OF THE TYPE, LOCATION, AND SEQUENCE OF ALL PUBLIC HARBOR FACILITIES;
 - (ii) THE RELOCATION, REMOVAL, EXTENSION, OR CHANGE OF USE OF EXISTING HARBOR FACILITIES;
 - (2) SUBMIT ANNUALLY TO THE CITY MANAGER AND COUNCIL, NOT LESS THAN NINETY (90) DAYS PRIOR TO THE BEGINNING OF THE BUDGET YEAR, A LIST OF THE RECOMMENDED CAPITAL IMPROVEMENTS WHICH, IN THE OPINION OF THE COMMISSION, ARE NECESSARY OR DESIRABLE TO BE CONSTRUCTED DURING THE FORTHCOMING THREE (3) YEAR PERIOD. SUCH LIST SHALL BE ARRANGED IN ORDER OF PREFERENCE, WITH RECOMMENDATIONS AS TO WHICH PROJECTS SHALL BE CONSTRUCTED IN WHICH YEAR.
 - (3) MAKE INVESTIGATIONS REGARDING ANY MATTER RELATED TO CITY HARBOR FACILITIES, TIDE OR SUBMERGED LANDS. MAKE RECOMMENDATIONS TO THE COUNCIL RELATIVE TO THE CARE, CONTROL, AND DEVELOPMENT OF TIDE AND SUBMERGED LANDS.

- (4) REVIEW ALL CITY LEASES OF CITY-OWNED TIDE, SUBMERGED, AND LANDS OR NAVIGABLE WATERS WITHIN THE CITY, AND AS TO THE PLANNED IMPROVEMENTS PROPOSED AND MAKE RECOMMENDATIONS TO THE CITY COUNCIL.
- (5) MAKE AND PREPARE REPORTS AND PLANS FOR APPROVAL BY THE CITY COUNCIL.
- (6) COORDINATE PUBLIC EFFORTS, INDIVIDUAL AND GROUP, TO THE EFFECTUATION OF APPROVED PLANS.
- (7) SHALL ACT IN ADVISORY CAPACITY IN THE SELECTION OF A HARBOR MASTER SHOULD SUCH A POSITION BE CREATED BY THE CITY COUNCIL.]

Section 4. Enactment of Section 14.05.050 of Kenai Municipal Code: That Kenai Municipal Code, Section 14.05.050 - Membership, Qualifications and Proceedings, is hereby enacted as follows:

14.05.050 - Membership Qualifications and Procedures.

- (a) The Planning and Zoning Commission will consist of seven members, who will be nominated by the Mayor and confirmed by the City Council in accordance with KMC 14.05.015, and the following:
 - (1) Members must be a resident of the City of Kenai, except the commission may have up to one member that is not a resident of the City if that member has a controlling ownership interest in a business physically located in the City. This provision specifically does not create a designated seat for a non-resident.
 - (2) Members may not be an officer or employee of the City.
 - (3) If a member who is required to reside in the City, moves their residence outside of City limits, or if a member who is required to have a controlling ownership interest in a business physically located in the City, relinquishes their controlling ownership interest of the business physically located in the City, or if a member is elected or appointed as an officer or employee of the City, the term of such member will terminate immediately.
 - (4) After completion of a partial term, the Mayor with confirmation of the Council may reappoint the member or recommend a replacement in accordance with KMC 14.05.015.
 - (5) If a member is absent, without the body excusing the absence for good cause from more than one-half of all the regular or special meetings held within any period of three consecutive calendar months, the member will thereupon cease to hold the seat. A commission member may not have more than three excused absences during a twelve-month calendar year.
- (b) The Commission will have regularly scheduled meetings which will be open to the public. Procedures and preceding of the commission will include, but are not limited to the following:
 - (1) Annual meeting schedules, meeting cancellations or holding special meetings will conform to policy set by the City Council.
 - (2) A chair and vice-chair will be elected annually from and by the appointed members.
 - (3) The most current edition of Robert's Rules of Order Newly Revised will govern all meetings, unless otherwise specified in KMC 1.15.060 motions; KMC 1.15.100 speaking; and KMC 1.15.110 voting.
 - (4) Permanent record or minutes will be kept for regular and special meetings, and such minutes will record the vote of each member upon every question.
 - (5) Every decision or finding will be filed in the office of the Clerk and will be a public record open to inspection by any person.

- (6) The Clerk is responsible for ensuring that all members of commissions are provided a copy of this section.
- (c) At the organizational meeting of Council, or as soon thereafter as practicable, the Mayor, after consultation with Council, will nominate a Council Members as Council Liaison to the Planning and Zoning Commission. The following applies to the Council Liaisons:
 - (1) After confirmation by Council, the Council Liaison may attend all meetings of the commission.
 - (2) The Council Liaison is a non-voting member and may not participate in the debate of the commission.
 - (3) Any Council Member may attend meetings or work sessions when serving as an alternate for the Council Liaison, or in their capacity as elected officials.
 - (4) Other Council Members may attend a meeting or work session of the commission; however, no more than three Council Members may attend any one meeting without additional public notice.
- (d) City administrative staff will attend and supply staff support to all meetings of the commission.

Section 5. Repeal of Chapter 19.05 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 19.05 Parks and Recreation Commission is hereby repealed as follows:

[CHAPTER 19.05
PARKS AND RECREATION COMMISSION

SECTIONS:

- 19.05.010 CREATION.*
- 19.05.020 DUTIES AND POWERS.*
- 19.05.030 TERMS AND APPOINTMENTS TO VACANCIES.*
- 19.05.040 QUALIFICATIONS OF COMMISSION MEMBERS.*
- 19.05.050 PROCEEDINGS OF COMMISSION.*

19.05.010 CREATION. (ORD. 416, REPEALED ORD. 1161)

19.05.020 DUTIES AND POWERS.

THE COMMISSION SHALL BE REQUIRED TO DO THE FOLLOWING:

- (A) DEVELOP, ADOPT, ALTER, OR REVISE SUBJECT TO APPROVAL BY THE CITY COUNCIL, A MASTER PLAN FOR THE PHYSICAL DEVELOPMENT OF RECREATION FACILITIES FOR THE CITY. SUCH MASTER PLAN WITH ACCOMPANYING MAPS, PLATS, CHARTS, DESCRIPTIVE, AND EXPLANATORY MATTER, SHALL SHOW THE COMMISSION’S RECOMMENDATIONS FOR THE DEVELOPMENT OF THE CITY’S RECREATION FACILITY MAY INCLUDE, AMONG OTHER THINGS:
 - (1) DEVELOPMENT OF THE TYPE, LOCATION, AND SEQUENCE OF ALL PUBLIC RECREATION FACILITIES; AND
 - (2) THE RELOCATION, REMOVAL, EXTENSION, OR CHANGE OF USE OF EXISTING RECREATION FACILITIES.
- (B) SUBMIT ANNUALLY TO THE CITY MANAGER AND COUNCIL, NOT LESS THAN NINETY (90) DAYS PRIOR TO THE BEGINNING OF THE BUDGET YEAR, A LIST OF RECOMMENDED CAPITAL IMPROVEMENTS, WHICH IN THE OPINION OF THE COMMISSION, ARE NECESSARY OR DESIRABLE TO BE CONSTRUCTED DURING THE FORTHCOMING THREE (3) YEAR PERIOD. SUCH LIST SHALL BE ARRANGED IN ORDER OF PREFERENCE, WITH RECOMMENDATIONS AS TO WHICH PROJECTS SHALL BE CONSTRUCTED IN WHICH YEAR.
- (C) MAKE INVESTIGATIONS REGARDING ANY MATTER RELATED TO CITY RECREATION.
- (D) MAKE AND PREPARE REPORTS AND PLANS FOR APPROVAL BY THE CITY COUNCIL.

(E) SHALL ACT IN ADVISORY CAPACITY IN THE SELECTION OF A DIRECTOR OF PARKS AND RECREATION.

19.05.030 TERMS AND APPOINTMENTS TO VACANCIES. (ORDS. 416, 430, REPEALED ORD. 1161)

19.05.040 QUALIFICATIONS OF COMMISSION MEMBERS. (ORDS. 416, 619, REPEALED ORD. 1161)

19.05.050 PROCEEDINGS OF COMMISSION. (ORD. 416, REPEALED ORD. 1161)]

Section 6. Repeal of Chapter 21.20 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 21.20 Airport Commission is hereby repealed as follows:

**[21.20
AIRPORT COMMISSION**

SECTIONS:

- 21.20.010 DUTIES AND POWERS.
- 21.20.020 QUALIFICATIONS.
- 21.20.030 MEMBERSHIP.

21.20.010 DUTIES AND POWERS.

THE COMMISSION SHALL:

- (A) DEVELOP, ADOPT, ALTER OR REVISE, SUBJECT TO APPROVAL BY THE CITY COUNCIL, A MASTER PLAN FOR THE AIRPORT DEVELOPMENT. THIS MAY INCLUDE:
 - (1) DEVELOPMENT OF TYPE, LOCATION AND SEQUENCE OF ALL AIRPORT TERMINAL FACILITIES;
 - (2) DEVELOPMENT AND USE OF ALL AIRPORT AERONAUTICAL LANDS.
- (B) OBSERVE, OVERSEE AND GUIDE IN AN ADVISORY CAPACITY, ANY MATTERS RELATING TO USE OF AIRPORT RUNWAYS, AIRPORT TERMINAL, AND AIRPORT AERONAUTICAL LANDS.
- (C) ACT IN AN ADVISORY CAPACITY TO THE COUNCIL AND THE AIRPORT MANAGER.
- (D) MAKE RECOMMENDATIONS TO THE CITY MANAGER ON THE AIRPORT BUDGET.

21.20.020 QUALIFICATIONS.

MEMBERS OF THE AIRPORT COMMISSION WILL CONFORM TO THE REQUIREMENTS OF THE CITY OF KENAI BOARDS, COMMISSIONS, AND COMMITTEES STANDARD PROCEDURES AS ESTABLISHED BY KMC 1.90, EXCEPT THAT MEMBERS OF THE AIRPORT COMMISSION NEED NOT BE RESIDENTS OF THE CITY OF KENAI.

21.20.030 MEMBERSHIP.

THE COMMISSION SHALL COMPRISE OF SEVEN (7) MEMBERS WHO SHALL BE CHOSEN SO AS TO REPRESENT BROADLY THE FOLLOWING AREAS:

- (A) ONE MEMBER, FIXED BASE OPERATOR (FBO).
- (B) ONE MEMBER, LESSEE OF AIRPORT AERONAUTICAL LANDS OR TERMINAL FACILITY.
- (C) ONE MEMBER, WITH EXPERTISE IN FEDERAL AVIATION ADMINISTRATION FUNCTIONS.
- (D) ONE MEMBER, REPRESENTING THE CIVIL AIR PATROL.
- (E) THREE MEMBERS, AT-LARGE, REPRESENTING THE BUSINESS AND PROFESSIONAL COMMUNITY.
- (F) ONE NON-VOTING MEMBER, REPRESENTING AD HOC MEMBER OF THE KENAI CITY COUNCIL.]

Section 7. That the Council on Aging Commission By-Laws as amended and attached as Attachment E are hereby approved.

Section 8. 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 9. 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 15TH DAY OF MAY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced: May 1, 2024
Enacted: May 15, 2024
Effective: June 14, 2024

MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Shellie Saner, City Clerk
DATE: May 7, 2024
SUBJECT: **Substitute Ordinance No. 3416-2024** - Repealing, Reenacting and Renaming Kenai Municipal Code Chapter 1.90 - Standard Procedures for Boards, Commissions and Committees, Enacting Chapter 1.95 - Standing Advisory Commissions, Repealing Chapters 11.10 - Harbor Commission, Chapter 19.05 Parks and Recreation Commission, Chapter 21.20 Airport Commission, Enacting Section 14.05.050 - Planning and Zoning Commission - Qualifications and Membership, and Approving Amendments to the Council on Aging Commission's By-Laws to Organize Streamline, and Improve the Efficiency of the City's Standing Commissions.

This memo requests an amendment by Substitute Ordinance. The substitute ordinance reflects the recommendation to Council from the Airport Commission, Council on Aging, Harbor Commission, Parks and Recreation Commission and the Planning and Zoning Commission, as outlined below:

- The tenth whereas clause was updated to reflect the actions of the Airport Commission during their May 9, 2024 meeting, which was to recommend Council enact Ordinance No. 3416-2024.
- The twelfth whereas clause was updated to reflect the actions of the Council on Aging during their May 9, 2024 meeting, which was to recommend Council enact Ordinance No. 3416-2024 with recommended amendments.
- The fourteenth whereas clause was updated to reflect the actions of the Harbor Commission during their May 6, 2024 meeting, which was to recommend Council enact Ordinance No. 3416-2024.
- The fifteenth whereas clause was updated to reflect the actions of the Parks and Recreation Commission during their May 2, 2024 meeting, which was to recommend Council enact Ordinance No. 3416-2024.
- The sixteenth whereas clause was updated to reflect the actions of the Planning and Zoning Commission during their May 8, 2024 meeting, which was to recommend Council enact Ordinance No. 3416-2024.

In addition the Substitute Ordinance addresses minor technical amendments as outlined below:

- The intent of the proposed ordinance is to make the standing advisory bodies of the City all Commissions, there were two references within Section 2 that referred to Beautification as a Committee, those were corrected to Beautification Commission within the Substitute.

The following motion is respectfully requested:

I move to amend Ordinance No. 3416- 2024 by Substitute Ordinance No. 3416-2024.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3417-2024**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS BY \$12,600 IN THE GENERAL FUND FOR THE PURCHASE OF APPROXIMATELY 7.8 ACRES OF REAL PROPERTY DESCRIBED AS TRACT B, KENAI BLUFF STABILIZATION SUBDIVISION FROM DAVID W. SALTER TO BE RETAINED BY THE CITY FOR A PUBLIC PURPOSE AND DETERMINING THAT THE PUBLIC INTEREST WILL NOT BE SERVED BY AN APPRAISAL.

WHEREAS, the subject real property to be purchased through approval of this Ordinance is described as Tract B, Kenai Bluff Stabilization Subdivision, filed under Plat No. 2021-32 in the Kenai Recording District; and,

WHEREAS, the subject property consists of a long rectangular tract covering lands from the top of the Kenai bluff to the Kenai beach, which are tidally influenced and not suitable for development; and,

WHEREAS, the owner, David W. Salter, desires to sell the subject property to the City upon terms and conditions, which include an executed maintenance easement on adjacent lots with sea walls constructed by private parties on the subject property; and,

WHEREAS, the total purchase price for the subject property containing approximately 7.8 acres is \$12,000 with estimated closing costs not to exceed \$600; and,

WHEREAS, the City works cooperatively with State of Alaska agencies to manage the Personal Use Fishery on its beaches, which includes providing beach access, beach maintenance, and managing issues such as litter, trespassing on adjacent private property, destruction of vegetated areas, fish waste on the beach, and public life and safety issues; and,

WHEREAS, pursuant to Kenai Municipal Code 22.05.135 (a), the City may acquire property needed for a public purpose on such terms and conditions as the Council shall determine provided that no purchase shall be made until a qualified independent appraiser has appraised the property and given the Council an opinion as to the fair market value of the land unless the Council, determines that the best interest of the City will not be served by an appraisal; and,

WHEREAS, an appraisal does not serve the public interest for the subject property as the purchase price is reasonable, consistent with other similar property purchases, and an appraisal would add an unnecessary cost to the transaction; and,

WHEREAS, at its meeting on May 6, 2024 the Harbor Commission recommended _____ of this Ordinance; and,

WHEREAS, the City Council finds that it is in the best interest of the City to acquire the property for the public purpose of protection of marine wetlands, bluff stabilization, and management of the community beachfront on Kenai North Beach and the Personal Use Fishery for a purchase price of \$12,000 plus an estimated \$600 of estimated closing costs and without a recent appraisal.

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 purchase approximately 7.8 acres of real property described as Tract B, Kenai Bluff Stabilization Subdivision from David W. Salter to be retained by the City for a public purpose for a total purchase price of \$12,000 on a form approved by the City Attorney.

Section 2. That the City Council finds that an appraisal does not serve the public interest for the subject property as the purchase price is reasonable, consistent with other similar property purchases, and an appraisal would add an unnecessary cost to the transaction.

Section 3. That the City Council further finds the acquisition 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 its acquisition for the total costs including estimated closing costs of \$12,600.

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

General Fund:

Increase revenues –	
Appropriation of Fund Balance	<u>\$12,600</u>
 Increase expenditures –	
Land Administration – Land	<u>\$12,600</u>

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 15TH DAY OF MAY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: DS

Introduced:	May 1, 2024
Enacted:	May 15, 2024
Effective:	May 15, 2024



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Linda Mitchell, Planning Director

DATE: April 24, 2024

SUBJECT: **Ordinance No. 3417-2024 – An Ordinance Increasing Estimated Revenues and Appropriations By \$12,600 In The General Fund For The Purchase Of Approximately 7.8 Acres Of Real Property Described As Tract B, Kenai Bluff Stabilization Subdivision From David W. Salter To Be Retained By The City For A Public Purpose And Determining That The Public Interest Will Not Be Served By An Appraisal.**

The proposed Ordinance increases appropriations in the general fund to purchase the real property described as Tract B, Kenai Bluff Stabilization Subdivision, filed under Plat No. 2021-32 in the Kenai Recording District, Third Judicial District, State of Alaska. The subject property is approximately 7.8 acres and has a zoning designation of Conservation (C).

The subject parcel is located along the Kenai River bluff, west of the City's Wastewater Treatment Plant. The adopted Land Management Plan has recommendations to retain parcels for management and future expansion (if needed) of the Wastewater Treatment Plan, protection of drainages and marine wetlands, and management of community beachfront on Kenai North Beach and the Personal Use Fishery. The acquisition of the subject parcel is in alignment with the recommendation.

The total purchase price is \$12,000 with estimated closing costs not to exceed \$600. The terms and conditions of the land acquisition includes an executed maintenance easement for sea walls constructed by private parties.

Pursuant to Kenai Municipal Code 22.05.135 (a), the City may acquire property needed for a public purpose on such terms and conditions as the Council shall determine provided that no purchase shall be made until a qualified independent appraiser has appraised the property and given the Council an opinion as to the fair market value of the land unless the Council, upon resolution so finding, determines that the best interest of the City will not be served by an appraisal. An appraisal does not serve the public interest as the purchase price is reasonable, consistent with other similar property purchases, and an appraisal would add an unnecessary cost to the transaction.

At the upcoming May 6, 2024 Harbor Commission Regular Meeting, the Commission will provide their recommendation on the enactment of this Ordinance.

It is in the best interest of the City to acquire the property for the public purpose of protection of marine wetlands, bluff stabilization, and management of the community beachfront on Kenai North Beach and the Personal Use Fishery for a purchase price of \$12,000 plus an estimated \$600 of estimated closing costs and without a recent appraisal.

Thank you for your consideration.

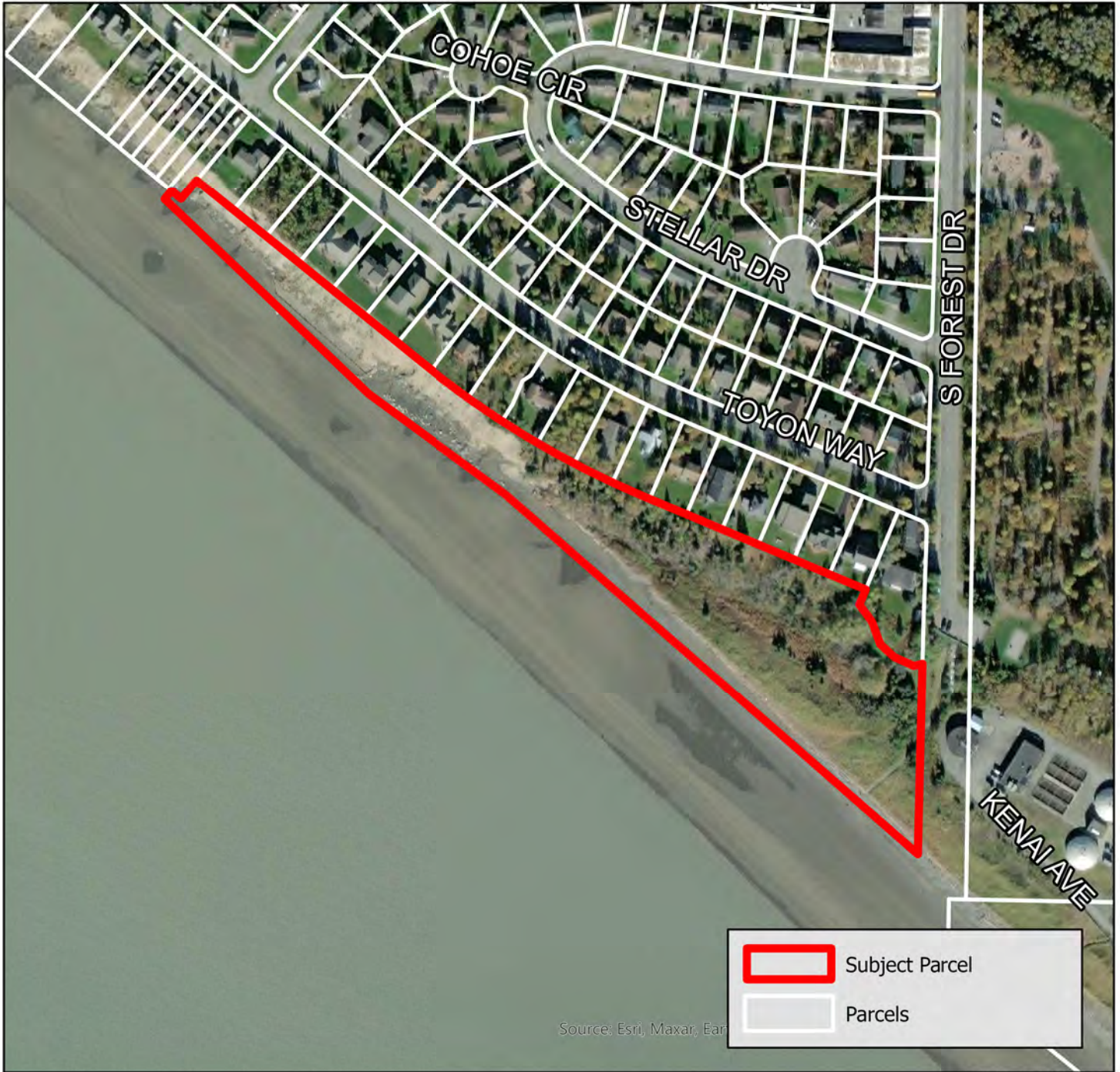
Attachment

Aerial Map





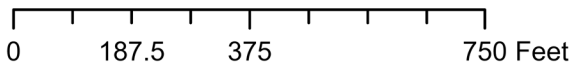
Ordinance No. 3417-2024
Land Acquisition
Tract B, Kenai Bluff Stabilization Subd.
Approximately 7.8 acres



N



Map for Reference Only
NOT A LEGAL DOCUMENT



Date Printed: 4/24/2024



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Linda Mitchell, Planning Director
DATE: May 7, 2024
SUBJECT: **Ordinance 3417-2024 Requested Amendment**

This memo requests an amendment to fill in a blank within the Ordinance.

At the regularly scheduled Harbor Commission meeting of May 6, 2024, the Commission voted to recommend that City Council enact Ordinance 3417-2024.

The following amendment is respectfully requested.

Motion

Amend the eighth whereas clause by inserting the recommendation of the Harbor Commission, to read:

- “WHEREAS, at its meeting on May 6, 2024, the Harbor Commission recommended enactment of this Ordinance; and,”

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2024-16**

A RESOLUTION AUTHORIZING A BUDGET TRANSFER WITHIN THE WATER AND SEWER CAPITAL PROJECT FUND FOR LIFT STATION RENOVATION PROJECTS.

WHEREAS, the Water & Sewer Utility in coordination with HDL Engineering Consultants LLC, has finalized construction bid documents for the renovation of three lift stations located at Lawton Drive, Mile Post 13 and Mile Post 14; and,

WHEREAS, with completion of the design documents and a more refined understanding of the project requirements, supplemental funding will be needed to allow the project to be bid and completed; and,

WHEREAS, this project includes replacement of lift station pumps, pump rails, controls, access hatches, concrete pad and awning, fencing and other appurtenances; and,

WHEREAS, as this is a new design and one of the first major renovations to our lift stations in some years, the department intends to complete renovations on a single site at this time, correct any deficiencies that arise during construction on the plans, before putting the other locations out to bid; and,

WHEREAS, the requested transfers as detailed below will allow one site to move forward at this time, while the Capital Improvement Plan includes \$300,000 in funding to replace these funds as part of the new fiscal year; and,

WHEREAS, the Mission Avenue Water Main Repairs project listed below are funds that remained after completion of that work, as the project was completed under budgeted amounts; and,

WHEREAS, much of the existing equipment is well beyond its intended useful life, completion of this work will allow for reliable service for years to come and is in the best interest of the City.

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

Section 1. That the City Manager is authorized to reallocate the existing capital project funds as detailed below:

Water & Sewer Capital Project Fund:

Decrease Expenditures:

Lawton Drive Lift Station	\$113,000
Mile Post 13 Lift Station	<u>113,000</u>

Total	<u>\$226,000</u>
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Increase Expenditures:

Mile Post 14 Lift Station	<u>\$226,000</u>
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Section 2. That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 15th DAY OF MAY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____





MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Scott Curtin, Public Works Director
DATE: May 7, 2024
SUBJECT: **Resolution 2024-16 Budget Transfer Lift Stations**

This Resolution is a first step in modernizing our sewer lift stations. This is a project that has been moving forward within our Capital Improvement Plans for sometime now. The work will include the replacement of two flygt submersible pumps, demolition and replacement of heavily corroded pump rails, installation of new pump floats and associated controls as well as other associated site work.

We intend to begin with renovations at one location. The lift station at the corner of the Kenai Spur Highway and Redoubt Avenue. This will be our test location to work out any discrepancies within our plans and specifications, with the intent of amending plans before releasing additional locations out for bid.

The City has 19 lift stations, many of which are approaching 50+ years of age, with equipment currently operating well beyond its intended useful life. This work will replace our existing infrastructure with newer, more efficient and reliable, equipment.

Completion of this work will also provide some much-needed additional spares of our older equipment which has not been in production for many years. This will allow us to keep our older locations operating longer while we continue to direct priority projects through the Capital Improvement Plan.

Approval of this budget transfer at this time to allow this project to move forward is in the best interest of the City. Council's approval is respectfully requested.



Sponsored by: Sounart

**CITY OF KENAI
RESOLUTION NO. 2024-17**

A RESOLUTION RENAMING COOK INLET VIEW DRIVE TO COOK INLET DRIVE.

WHEREAS, Kenai Municipal Code Section 14.15.140 authorizes City Council to name and rename an existing street or newly established street within City limits upon recommendation from the Planning and Zoning Commission and after consultation with the Kenai Peninsula Borough (KPB) or any other affected municipality; and,

WHEREAS, there has been an increase in complaints over the years that the existing street name, Cook Inlet View Drive, suggests the road has a scenic view, which has resulted in visitors, tourists, motorhomes, and tour buses/vans driving through the residential neighborhood and on the unimproved dead-end street that leads to the edge of the bluff; and,

WHEREAS, the removal of “view” from Cook Inlet View Drive would deter visitors, tourists, motorhomes, and tour buses/vans from driving through the residential neighborhood and lingering at the edge of the bluff; and,

WHEREAS, the KPB Planning Department has no objection to renaming Cook Inlet View Drive to Cook Inlet Drive; and,

WHEREAS, adjacent property owners have _____ to changing the street name to Cook Inlet Drive; and,

WHEREAS, the street name assignment would not adversely impact 911 navigation; and,

WHEREAS, the Planning and Zoning Commission during their May 22, 2024 regular meeting recommended Council _____ this resolution renaming Cook Inlet View Drive to Cook Inlet Drive; and,

WHEREAS, it is in the best interest of the City of Kenai to rename the street to protect the residential neighborhood from increased tourist traffic and activities.

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

Section 1. That Cook Inlet View Drive in the City of Kenai is renamed as Cook Inlet Drive.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5TH DAY OF JUNE, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Deborah Sounart, Council Member

DATE: May 9, 2024

SUBJECT: **Resolution No. 2024-17 – Street Renaming of Cook Inlet View Drive to Cook Inlet Drive**

This resolution seeks to change the street name of Cook Inlet View Drive to Cook Inlet Drive. There has been an increase in complaints over the years that the existing street name, Cook Inlet View Drive, suggests the road has a scenic view, which has resulted in visitors, tourists, motorhomes, and tour buses/vans driving through the residential neighborhood and on the unimproved dead-end street, known as 1st NW that leads to the edge of the bluff. The removal of “view” from Cook Inlet View Drive would these deter visitors and tourists from driving down through the residential neighborhood on an already busy street and lingering at the edge of the dangerously eroding bluff.

Pursuant to Kenai Municipal Code Section 14.15.140, City Council may change, rename, or name an existing street or newly established street within City limits upon recommendation from the Planning and Zoning Commission and after consultation with the Kenai Peninsula Borough (KPB) or any other affected municipality.

This resolution will be referred to Planning and Zoning Commission for their recommendation at their regularly scheduled meeting on May 22, 2024.

With staff’s recommendations, all property owners along Cook Inlet View Drive will be notified of the proposed street renaming and the scheduled public meetings to provide several opportunities for submissions of comments. In addition, staff will request for comments from the Public Works Department, Police Department, Fire Department, and local United States Post Office.

Thank you for your consideration.

Attachment
Aerial Map



Resolution No. 2024-17

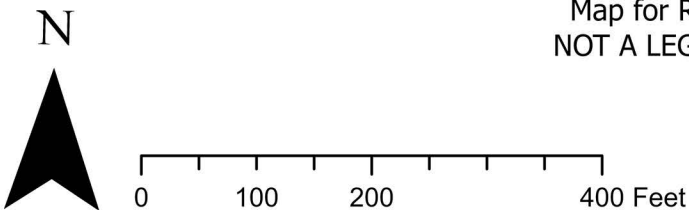
Street Renaming

Cook Inlet View Drive to Cook Inlet Drive



Date Printed: 5/9/2024

Map for Reference Only
NOT A LEGAL DOCUMENT





Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2024-18**

A RESOLUTION ACCEPTING AN AIRPORT IMPROVEMENT PROGRAM GRANT FROM THE FEDERAL AVIATION ADMINISTRATION FOR AN ECO-CART.

WHEREAS, the City received a grant offer from the Federal Aviation Administration for the purchase of an eco-cart; and,

WHEREAS, the airport needs this piece of equipment to test the ARFF vehicles and comply with CFR Part 139; and,

WHEREAS, the purchase of an eco-cart is 100% funded by the FAA through Bipartisan Infrastructure Loan funds; and,

WHEREAS, acceptance of this grant is in the best interest of the City.

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

Section 1. That the City Manager is authorized to execute a grant award and sign the corresponding grant assurances with the Federal Aviation Administration in the amount of \$34,950.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 15TH DAY OF MAY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: DS



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Derek Ables
DATE: May 08, 2024
SUBJECT: **Resolution 2024-18 - Accepting An Airport Improvement Program Grant From The Federal Aviation Administration For An Eco-Cart**

The purpose of this memo is seeking the approval of the City Council to accept a grant offer of \$34,950 from the Federal Aviation Administration using Bipartisan Infrastructure Law (BIL) funding for the purchase of a specialized cart to test aqueous film-forming foam (AFFF) in aircraft rescue and firefighting (ARFF) trucks. This grant will enable the airport to improve safety protocols and ensure compliance with CFR part 139. This equipment is crucial for ensuring the readiness and safety of our firefighting capabilities at the airport and will be 100% grant funded. This eco-cart is on the Airport Capital Improvement plan submitted to the FAA and the airport certification inspector has instructed us that it is required.

The AFFF testing cart offers several important benefits:

Safety and Compliance: The cart allows for accurate testing of the AFFF used in ARFF trucks, ensuring compliance with safety regulations and industry standards.

Operational Readiness: By regularly testing AFFF, we can ensure that our ARFF trucks are fully operational and ready to respond to emergencies.

Reduced Waste: The cart is designed to minimize waste during testing, contributing to environmental sustainability and reducing costs associated with excess foam disposal.

We respectfully request the City Council's approval to accept the \$34,950 grant offer for this specialized testing cart and sign the grant assurances. This initiative aligns with our commitment to airport safety and operational readiness.

A follow-up ordinance will be prepared for Council's approval appropriating the funds. Introduction of this ordinance is expected on the June 5th Council agenda.

**KENAI CITY COUNCIL – REGULAR MEETING
MAY 1, 2024 – 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 May 1, 2024, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Mayor Gabriel led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Brian Gabriel, Mayor
Phil Daniel
Alex Douthit

Victoria Askin (*remote participation*)
James Baisden

A quorum was present.

Absent:

Henry Knackstedt, Vice Mayor
Deborah Sounart

Also in attendance were:

**Xinlan Tanner, Student Representative
Terry Eubank, City Manager
Scott Bloom, City Attorney
Kathy Romain, Senior Services Director
Derek Ables, Airport Manager
Dave Ross, Police Chief
Shellie Saner, City Clerk

3. Agenda Approval

MOTION:

Council Member Baisden **MOVED** to approve the agenda and consent agenda as presented. Council Member Douthit **SECONDED** the motion.

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

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

UNANIMOUS CONSENT was requested.

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

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

B. SCHEDULED ADMINISTRATIVE REPORTS

C. SCHEDULED PUBLIC COMMENTS

- 1. 2024 March for Meals Event, Velda Geller, Kenai Senior Connections.

Velda Geller, President of Kenai Senior Connections, thanked Council for their support and attendance at the fundraiser; and presented a \$100,000 check to the Kenai Senior Center from the proceeds of the 2024 March for Meals event and the Kenai Senior Connections Endowment Fund.

D. UNSCHEDULED PUBLIC COMMENTS - None.

E. PUBLIC HEARINGS

- 1. **Ordinance No. 3409-2024** - Increasing Estimated Revenues and Appropriations in the General Fund - Police Department and Accepting Grants from the United States Department of Justice and Alaska Municipal League Joint Insurance Association for the Purchase of a Ballistic Vest. (Administration)

MOTION:

Council Member Baisden **MOVED** to enact Ordinance No. 3409-2024. Council Member Daniel **SECONDED** the motion.

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

VOTE:

YEA: Gabriel, Askin, Douthit, Baisden, Daniel

NAY: None

ABSENT: Sounart, Knackstedt

**Student Representative Tanner: Yea

MOTION PASSED.

- 2. **Ordinance No. 3410-2024** - Accepting and Appropriating a Grant Received through Maddie’s Fund to the Kenai Animal Shelter for the Care of Animals. (Administration)

MOTION:

Council Member Baisden **MOVED** to enact Ordinance No. 3410-2024. Council Member Daniel **SECONDED** the motion.

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

VOTE:

YEA: Askin, Douthit, Baisden, Daniel, Gabriel

NAY: None

ABSENT: Sounart, Knackstedt

**Student Representative Tanner: Yea

MOTION PASSED.

- 3. **Ordinance No. 3411-2024** - Amending Kenai Municipal Code 13.10.015 - Minor Offense Fine Schedule, to Increase the Paid Parking Fine and Make Housekeeping Changes. (Administration)

MOTION:

Council Member Baisden **MOVED** to enact Ordinance No. 3411-2024. Council Member Douthit **SECONDED** the motion.

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

It was reported that during the dipnet season the parking fees are higher than the current fine amount; this will increase the fine to an amount higher than the parking fees, which will be an incentive for people to pay the parking fee.

VOTE:

YEA: Douthit, Baisden, Daniel, Gabriel, Askin

NAY: None

ABSENT: Sounart, Knackstedt

**Student Representative Tanner: Yea

MOTION PASSED.

F. MINUTES

1. *Special Meeting of April 17, 2024. (City Clerk)
2. *Regular Meeting of April 17, 2024. (City Clerk)
3. *Special Meeting of April 18, 2024. (City Clerk)

G. UNFINISHED BUSINESS - None.

H. NEW BUSINESS

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

Approved by the consent agenda.

2. ***Action/Approval** - Non-Objection to the Renewal of a Package Store Liquor License for Country Liquor LLC., DBA: Country Liquor. - License No. 1308. (City Clerk)

Approved by the consent agenda.

3. ***Action/Approval** - Confirmation of Mayoral Nomination for Appointment to the Airport Commission. (Gabriel)

Approved by the consent agenda.

4. ***Ordinance No. 3412-2024** - Accepting and Appropriating Grant Funds from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)

Introduced by the consent agenda and Public Hearing set for May 15, 2024.

5. ***Ordinance No. 3413-2024** - Increasing Estimated Revenues and Appropriations in the General Fund - Police Department and Accepting a Grant from the US Department of Transportation Passed through the State of Alaska Department of Transportation and Public Facilities for Traffic Enforcement Overtime Expenditures. (Administration)

Introduced by the consent agenda and Public Hearing set for May 15, 2024.

6. ***Ordinance No. 3414-2024** - Repealing Kenai Municipal Code Sections 13.10.010(a)(2) - Miscellaneous Offenses, 13.10.020 - Loitering and Sleeping on the Streets, Schools, and 13.10.030 - Curfew, to Remove Certain City Prohibitions Regarding Begging, Loitering and Sleeping, and Curfews in the City that are Not Enforceable as Specifically Written in Code. (Administration)

Introduced by the consent agenda and Public Hearing set for May 15, 2024.

7. **Ordinance No. 3415-2024** - Authorizing a Donation of Surplus Sand from the Kenai Municipal Airport to the Triumvirate Theatre for the Construction of a New Theatre. (Administration)

MOTION:

Council Member Baisden **MOVED** to introduce Ordinance No. 3415-2024, refer the Ordinance to May 9, 2024 Airport Commission meeting for recommendation to Council and schedule the City Council public hearing for May 15, 2024. Council Member Douthit **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

8. **Ordinance No. 3416-2024** - Repealing, Reenacting and Renaming Kenai Municipal Code Chapter 1.90 - Standard Procedures for Boards, Commissions and Committees, Enacting Chapter 1.95 - Standing Advisory Commissions, Repealing Chapters 11.10 - Harbor Commission, Chapter 19.05 Parks and Recreation Commission, Chapter 21.20 Airport Commission, Enacting Section 14.05.050 - Planning And Zoning Commission - Qualifications and Membership, and Approving Amendments to The Council on Aging Commission's By-Laws to Organize Streamline, and Improve the Efficiency of the City's Standing Commissions. (City Clerk)

MOTION:

Council Member Baisden **MOVED** to introduce Ordinance No. 3416-2024; refer the Ordinance for Commission recommendations to the May 2, 2024 Parks and Recreation Commission meeting, the May 6, 2024 Harbor Commission meeting, the May 8, 2024 Planning and Zoning Commission, the May 9, 2024 Council on Aging meeting, the May 9, 2024 Airport Commission, the May 14, 2024 Beautification Committee meeting; and to schedule the City Council public hearing for May 15, 2024. Council Member Daniel **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

9. **Ordinance No. 3417-2024** - Increasing Estimated Revenues and Appropriations by \$12,600 in the General Fund for the Purchase of Approximately 7.8 Acres of Real Property Described as Tract B, Kenai Bluff Stabilization Subdivision from David W. Salter to be Retained by the City for a Public Purpose and Determining that the Public Interest will not be Served by an Appraisal. (Administration)

MOTION:

Council Member Baisden **MOVED** to introduce Ordinance No. 3417-2024, refer the Ordinance to May 6, 2024 Harbor Commission meeting for recommendation to Council and schedule the City Council public hearing for May 15, 2024. Council Member Daniel **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

No report, next meeting May 9, 2024.

2. Airport Commission

No report, next meeting May 9, 2024.

3. Harbor Commission

No report, next meeting May 6, 2024.

4. Parks and Recreation Commission

No report, next meeting May 2, 2024.

5. Planning and Zoning Commission

No report, next meeting May 8, 2024.

6. Beautification Committee

No report, next meeting May 14, 2024.

J. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Attending the American Legion State-Wide Convention held locally.
- Attending the Employee Appreciation Dinner and noted there was a great turnout.
- Attending the Caring for the Kenai Banquet and reported that Student Representative Tanner and her brother were the third-place winners. Student Representative Tanner reported the project was promoting local foods.
- Attending the retirement party for Fire Chief Tony Prior.
- The Mayor Coalition is issuing a letter in support of House Bill 394 - "An Act relating to the Regulatory Commission of Alaska and regulation of the service of natural gas storage and liquefied natural gas import facilities; relating to records of the Regulatory Commission of Alaska; relating to rates established by the Regulatory Commission of Alaska; and providing for an effective date."

K. ADMINISTRATION REPORTS

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

- The Employee Appreciation Dinner was a success with a great turnout, he thanked the party planning committee for their work.
- Conducting meetings with Departments to go over the Classification Study and receive feedback from Employees.
- Currently recruiting for the Fire Chief, Chief Animal Control Officer, and Airport Operations Specialist.
- Planning Director Mitchel is working with the Kenai Peninsula Borough on the Comprehensive Safety Action Plan.
- Attending the Kenai Peninsula Economic Development Industry Outlook Forum.
- Meeting with the contractor for the Bluff Stabilization Project, Western Marine, the main focus now is identifying rock sources and testing the rock.
- 2024 Storefront & Streetscape Improvement application period is open and will close on May 17, 2024.

2. City Attorney, no report.

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

- Serving as a Member of the Alaska Association of Municipal Clerks, Education Committee.
- Indexing documents in the Records Room.

L. ADDITIONAL PUBLIC COMMENTS

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

2. Council Comments

Council Member Askin said she enjoyed the Employee Appreciation Dinner.

Council Member Douthit reported the process of decommissioning the Moose Meat John Cabin has resulted in identifying 30-years of interesting items.

Student Representative Tanner reported on the end of the year activities for Connections Home School, Kenai Alternative High School and Kenai Central High School.

Council Member Daniel said he was looking forward to the upcoming Budget Work Session.

Council Member Baisden congratulated retiring Fire Chief Prior and congratulated the Kenai students who were inducted to the National Honor Society, noting his daughter was one of the students.

M. EXECUTIVE SESSION

- 1. Review and Discussion of the City Manager's Evaluation Which May be a Subject that Tends to Prejudice the Reputation and Character of the City Manager [AS 44.62.310(C)(2)].
- 2. Review and Discussion of the City Attorney's Evaluation Which May be a Subject that Tends to Prejudice the Reputation and Character of the City Attorney [AS 44.62.310(C)(2)].
- 3. Review and Discussion of the City Clerk's Evaluation Which May be a Subject that Tends to Prejudice the Reputation and Character of the City Clerk [AS 44.62.310(C)(2)].

MOTION:

Council Member Baisden **MOVED** to enter into executive session to review and discuss the evaluations of the City Manager, City Attorney and City Clerk which may be a subject that tends to prejudice the reputation and character of the City Manager, City Attorney and City Clerk. [AS 44.62.310(C)(2)]

Mr. Eubank, Mr. Bloom and Ms. Saner have elected to have the discussion take place in executive session.

The executive session will include Mayor Gabriel and the City Council Members; City Manager Eubank will be included when the Council requests his presence; City Attorney Bloom will be included when the Council requests his presence; and City Clerk Saner will be included when the Council Requests her presence.

Council Member Daniel **SECONDED** the motion.

VOTE:

- YEA: Baisden, Daniel, Gabriel, Askin, Douthit
- NAY: None
- ABSENT: Sounart, Knackstedt

MOTION PASSED.

MOTION:

Council Member Baisden **MOVED** to reconvene into regular session. Council Member Daniel **SECONDED** the motion.

VOTE:

- YEA: Daniel, Gabriel, Askin, Douthit, Baisden
- NAY: None
- ABSENT: Sounart, Knackstedt

MOTION PASSED.

[Clerk's Note: Council entered into executive session at 6:50 p.m.; and reconvened into regular session at 8:36 p.m.]

N. **PENDING ITEMS** - None.

O. **ADJOURNMENT**

P. **INFORMATIONAL ITEMS**

1. CIRCAC Director's Report

There being no further business before the Council, the meeting was adjourned at 8:36 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of May 1, 2024.

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.*

DRAFT

**PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: MAY 15, 2024**

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	98,721.61

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
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**PURCHASE ORDERS OVER \$35,000.00 WHICH NEED COUNCIL APPROVAL
COUNCIL MEETING OF: MAY 15, 2024**

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
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INCREASE OF EXISTING PURCHASE ORDER

VENDOR	DESCRIPTION	P.O. # - DEPT.	REASON	AMOUNT	TOTAL PO AMT
PENINSULA REFUSE	WASTEWATER PLANT SLUDGE DISPOSAL	127552 - WWTP	ADDITIONAL FUNDING DUE TO RATE INCREASE	39,392.90	102,765.02
BRENNTAG PACIFIC	FY24 CHEMICALS	127001 - WTP	ADDITIONAL CHEMICALS THROUGH END OF FY	3,000.00	89,722.10



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Scott Curtin, Public Works Director
DATE: May 8, 2024
SUBJECT: **Purchase Order – Peninsula Refuse**

This memo is to request an increase to purchase order 127552 for Peninsula Refuse in support of the City’s waste water plant sludge disposal service contract. The current purchase order, in the amount of \$63,372.12, is increasing by \$39,392.90 for a total new purchase order amount of \$102,765.02.

The additional funding is needed due to the rate increase of sludge disposal fees being charged to the City by the Kenai Peninsula Borough’s Central Peninsula Landfill, with rates going from \$45 per ton to \$135 per ton at the start of the calendar year. See attached fee schedule from the landfill. As Council may recall this was discussed during our budget work session on May 4th, 2024.

The department is currently receiving 10,000 gallons of leachate from the landfill per day, equating to less than 2% of our plants daily flow. We are charging the landfill \$.10/gal, equating to \$1000/day to offset our additional charges for the sludge disposal. Staff continues to research other cost saving measures including alternative disposal sites that may offer lower fees. Council may see more on that in the months to come.

Funding for this increase will be provided from the current operating budget for the waste water plant and will require an administrative budget transfer from repairs and maintenance into professional services. No additional appropriations are required or requested with this memo.

Council’s approval of this increase will allow the department to continue normal operations and is in the best interest of the City. Council’s approval is respectfully requested.

KPB SOLID WASTE FEE SCHEDULE CHANGES AS OF JANUARY 1, 2024

Non-Commercial Waste (Residential)	Charge	Unit
Asbestos (1 ton minimum charge)	\$ 200.00	ton
Automobiles (not accepted in Homer)	\$ 200.00	each
Household small batteries	No charge	
Trailers, RVs, Boats and Snow Machines	\$ 20.00	foot
Misc (animal carcasses, ashes, etc)	No charge	
Refrigerators and freezers	No charge	
Used oil (limits apply)	No charge	
Vehicle batteries (limits apply)	No charge	
Hazardous waste - 3 drums per year	No charge	
Fluorescent lamps and bulbs (limits apply)	No charge	
Solid Waste Violation/Fine - Minor	\$ 100.00	each
Solid Waste Violation/Fine - Major	\$ 500.00	each

Commercial Waste	Charge	Unit
Animal carcasses, ashes, etc.	\$ 5.00	each
Appliances	\$ 20.00	each
Automobiles (not accepted in Homer)	\$ 200.00	each
Wastes generated outside of KPB:		
PER TON (\$100 minimum charge)	\$ 365.00	ton
PER CUBIC YARD		
1 cubic yard (\$100 minimum charge)	\$ 100.00	cy
2-5 cubic yards	\$ 365.00	cy range
6-10 cubic yards	\$ 730.00	cy range
11-20 cubic yards	\$ 1,460.00	cy range
21-30 cubic yards	\$ 2,190.00	cy range
31-40 cubic yards	\$ 2,920.00	cy range
Asbestos (1 ton minimum charge)	\$ 200.00	ton
Construction/Demolition Debris, Land Clearing Debris (no stumps), Tires, Metals, etc.:		
PER TON (\$20 minimum charge)	\$ 90.00	ton
PER CUBIC YARD		
1 cubic yard (\$20 minimum charge)	\$ 20.00	cy
2-5 cubic yards	\$ 90.00	cy range
6-10 cubic yards	\$ 180.00	cy range
11-20 cubic yards	\$ 360.00	cy range
21-30 cubic yards	\$ 540.00	cy range
31-40 cubic yards	\$ 720.00	cy range
Sludge (municipal solid waste)	\$ 135.00	ton
Solid Waste	No Charge	
Special Waste (1 ton minimum charge)	\$ 135.00	ton





KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Scott Curtin, Public Works Director
DATE: May 3, 2024
SUBJECT: Purchase Order – Brenntag Pacific, Inc.

The purpose of this memo is to request Council authorization for an increase to Brenntag Pacific, Inc. existing purchase order no. 127001 from \$86,722.10 to \$89,722.10, an increase of \$3,000. Brenntag Pacific is operating under an annual service contract to provide various chemicals to the City’s Water and Waste Water Treatment Plants which is set to expire June 30, 2024. This approval will allow for sufficient chemicals to carry into July to allow sufficient time for new contracts and purchase orders to be established for an August delivery of our next round of necessary chemicals.

Chemicals provided under this agreement include Sodium Hypochlorite used to chlorinate the drinking water and to treat our waste water effluent, Sodium Bisulfite which neutralizes the chlorine in our waste water effluent prior to discharging, and Lime which is used to adjust the ph in the waste water plant’s digester.

Fiscal Year 2025 Chemicals bid documents will be released later this month, council can expect to see legislation to award that contract in June which will run through June 30th, 2025. Council’s approval is respectfully requested.



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Tyler Best, Parks and Recreation Director

DATE: May 4th, 2023

SUBJECT: **Second Extension to Agreement for Management Services at The Kenai Multi-Purpose Facility**

This memo requests support to execute the second extension of the Agreement for Management Service at the Kenai Multi-Purpose Facility and to authorize a decrease in the purchase order to the contract amount of \$66,000 to \$63,000.

On November 4, 2020, the Council approved Resolution 2020-84, which granted a 3-year contract to Redline Sports to operate the Kenai Multi-Purpose Facility with the possibility of 2, 1-year extensions; the initial term expires March 24, 2023—the contract's first year had a pay rate to the contractor of \$41.62 an hour, with a total Purchase Order set at \$45,000. The second year of the contract had a pay rate of \$45 an hour with a total Purchase Order set at \$50,000, and the third year of the contract had a pay rate of \$50 an hour with a total Purchase Order of \$55,000. The first one-year extensions paid the contractor \$50 an hour, with a total Purchase Order being \$66,000. For the second-year extension, the hourly rate will be 50 dollars an hour, and the Purchase Order will be set at \$63,000 dollars. This is because the contractor has requested that instead of the City reimbursing them for the purchase of ice paint and lines, the City purchases them directly.

The Administration has observed that Redline Sports has adequately fulfilled the contract agreement in the last three years. Therefore, the Administration recommends that the Council approve the second extension, through March 23, 2025, to the Agreement for Management Services at the Kenai Multi-Purpose Facility at a pay rate of \$50 dollars an hour with a total purchase order amount of \$63,000, subject to the availability of funds.

SECOND EXTENSION TO AGREEMENT FOR FACILITY MANAGEMENT SERVICES AT THE KENAI MULTI-PURPOSE FACILITY

The City of Kenai (Owner), 210 Fidalgo Avenue, Kenai AK 99611-7794, and Vince Redford d/b/a Redline ports (Contractor), a sole proprietorship, 169 Trumpeter Avenue, Soldotna, AK 99669, hereby amend the Agreement for the Facility Management Service at the, dated November 30th, 2020 (the agreements) as follows.

1.Paragraph 1 of the Agreement is amended to reflect the second-year extension of the term of the Agreement by extending the contract term to end on March 23, 2025.

2.Paragraph 5 is amended to read as follows: Payment. Owner shall compensate Contractor for all services rendered at the rate of\$41.62 per hour for 2020/2021; \$45.00 per hour for 2021/2022; and \$50.00 per hour for 2022/2023,2023/2024 and 2024/2025. The total cost of all services performed during the initial term of this Agreement shall not exceed \$45,000. The contractor shall immediately inform the Owner if scheduled ice reservations will result in services to be performed that would require payment in excess of \$63,000, and the Contractor shall not perform those services until and unless directed by the Owner. All payments for services in FY2025 are subject to availability and appropriation of funds.

3.Except as expressly modified or stated herein, all other terms and conditions of the Agreement remain in full force and effect.

Dated: _____

CITY OF KENAI

BY _____
Terry Eubank, City Manager

Dated: _____

CONTRACTOR

BY _____
Vince Redford, Owner Red Line Sports

**AGREEMENT FOR FACILITY MANAGEMENT SERVICES
AT THE CITY OF KENAI MULTI-PURPOSE FACILITY**

THIS AGREEMENT is made this 30th day of November 2020, by and between the CITY OF KENAI (Owner), 210 Fidalgo Avenue, Kenai, AK 99611-7794, and Red Line Sports (Contractor), a (type of business), and governs facility management services provided by Contractor to Owner for management of the ConocoPhillips Multi-Purpose Facility (Facility) owned by and located in the City of Kenai. Facility address is 9775 Kenai Spur Highway.

1. **Term.** The term of this Agreement shall begin on approximately November 5, 2020, and end on March 23, 2023. This Agreement may be extended for two (2) successive one-year terms by mutual written consent of Owner and Contractor; however, no services shall be performed by Contractor between March 24 and September 27 of each year unless expressly agreed upon by the parties in writing. The typical season for this agreement and winter ice shall be October 1st through March 23rd.

2. **Independent Contractor; No Agency.** Contractor's relationship with Owner shall be that of an independent contractor with the authority to control and direct the performance of the details of the services that are the subject of this Agreement. Nothing contained in this Agreement shall be construed to create an agency, partnership, joint venture, or employee-employer relationship between Owner and Contractor. Contractor is not the agent of Owner and Contractor is not authorized to make any representation, contract, or commitment on behalf of Owner.

3. **Designated Representative.** Contractor is responsible for the direct supervision of Contractor's personnel through Contractor's designated representative, and such representative shall in turn be available at all reasonable times to confer with the designated agents of the Owner with respect to services rendered. The designated representative for Contractor is **Red Line Sports**. (*Vince Redford*).

4. **Employees.** It shall be Contractor's duty to train Contractor's employees in

order to provide the services required. All personnel performing work under this Agreement shall be employees of Contractor. The services provided shall be performed by qualified, careful, and efficient employees in strict conformity with the best practices and highest applicable standards. The manner in which the services are performed shall be determined by Contractor. Contractor shall pay all salaries and expenses of, and pay all federal social security taxes, federal and state unemployment taxes, and any similar payroll taxes relating to, Contractor's employees.

5. Payment. Owner shall compensate Contractor for all services rendered at the rate of **\$41.62 per hour for 2020/2021; \$45.00 per hour for 2021/2022; and \$50.00 per hour for 2022/2023.** The total cost of all services performed during the initial term of this Agreement shall not exceed **\$45,000.** Contractor shall immediately inform Owner if scheduled ice reservations will result in services to be performed that would require payment in excess of **\$45,000** and Contractor shall not perform those services until and unless directed by Owner.

Contractor shall provide an invoice for services to Owner no later than 5 (five) working days following the end of the month during which Contractor performed the services. Contractor shall deliver invoices to: City of Kenai, 332 Airport Way, Kenai, AK 99611. Payment shall be due from Owner to Contractor within thirty (30) days after Contractor submits the invoice for services to Owner.

6. Ice Schedule and Services. Ice reservations, scheduling, and collection of fees are the responsibility of Owner. Owner shall provide Contractor with a monthly schedule of ice reservations. Ice reservations and/or programs will be Monday through Sunday, including holidays. Ice scheduling will be for, but not limited to, hockey, figure skating, broomball, curling, public skate, and special events. The schedule shall be updated as needed as determined by Owner.

Contractor shall provide service and be on site ½ hour before the first-scheduled ice reservation of the day and shall remain on site until ½ hour after the last-scheduled ice reservation of the day.

7. **Additional Work.** The parties recognize that facility maintenance requirements vary with ice usage, both by the general public and by individuals/organizations purchasing ice time. The parties each recognize that there may be times when additional hours of ice maintenance are required, and times when fewer hours of ice maintenance are required. Owner shall provide a minimum of 48 hours notice to Contractor when the schedule for required ice maintenance services differs substantially from the typical operating schedule under paragraph 6, above.

8. **Ice Fees.** Contractor shall not charge fees to persons attending programs or using the Facility.

9. **Scope of Services.** Contractor shall perform the following management work and services at the Facility on an as needed/scheduled basis as determined by Contractor (except where specifically identified):

A. Ice Installation and Removal. Contractor shall perform ice installation and assist Owner with ice removal, as Owner requires.

B. Rink Boards, Glass, Nets, Goals, Netting, and Fencing. Contractor shall provide routine maintenance of the rink boards, glass, nets, goals, netting, and fencing. Routine maintenance of the rink boards and glass shall include, but not be limited to, light repair work and cleaning. Contractor may request that Owner assist with this maintenance as needed.

C. Line Kit/Ice Paint. Contractor shall install the line kit(s) and ice paint, as needed.

D. Ice Edging. Contractor shall perform ice edge maintenance.

E. Ice Resurfacing. The Ice Resurfacing Machine (Zamboni) is owned by the City of Kenai. Contractor shall perform Zamboni driving and perform ice resurfacing at scheduled times for ice reservations. The ice reservation schedule is based on 15-minute "zams."

F. Routine Maintenance of Zamboni. Contractor shall perform the following routine maintenance operations of the Zamboni:

- i. Perform oil/fluid changes per manufacturer's prescribed maintenance schedule.
- ii. Lubricate fittings and moving parts per manufacturer's prescribed maintenance schedule.
- iii. Remove, install, and adjust Zamboni blades prior to and after sharpening. Contractor shall be responsible for sharpening of the blades (estimated at eight sharpening's per season).
- iv. Remove, change, and install board brushes on Zamboni.
- v. Wash and wax Zamboni.
- vi. Perform regular maintenance of tires on Zamboni.

All repair work and preventative maintenance shall be documented and submitted to the City within 10 days after the last day Contractor performs services each spring.

G. Refrigeration System. Contractor is responsible for routine maintenance and preventative maintenance of the Facility's refrigeration system as specified by the manufacturer. Contractor shall perform light repair work as needed to all mechanical and machinery components related to the refrigeration system, *i.e.* compressors, pumps, belts, electrical circuits, plumbing, motors, and controls with exception of warranty work. Contractor shall inspect the refrigeration system on a daily basis and it shall be maintained in good functioning order as required to operate the Facility and to make artificial ice. Contractor shall post all daily inspection and maintenance records for review and shall submit all records to Owner within 10 days after the last day Contractor performs services each spring.

Contractor shall follow industry standards and be sensitive to energy costs by operating the refrigeration system in the most efficient manner possible without sacrificing quality of ice. This work includes, but is not limited to, monitoring outside temperatures, shutting down compressor and pumps at night, and maintaining proper ice thickness.

H. Snow Removal. Contractor shall remove snow deposited on the ice surface, spectator area, exits and entrances, and manage ice build-up on concrete areas.

I. Custodial. Contractor is responsible for maintaining the general cleanliness of the Facility. This work includes, but is not limited to, cleaning bleachers, sweeping

warming shacks, litter control, sweeping/mopping of mats and perimeter area, cleaning/disinfecting restrooms, and stocking restroom products. Contractor shall replace ground-level light bulbs (excluding main rink lights).

J. Utilities. Contractor shall operate the Facility in the most cost-effective manner possible related to energy costs.

K. Lock-up and Security. Contractor shall be responsible for securing the Zamboni and performing any daily or nightly facility lock-up specified by Owner. Contractor will not claim responsibility for assuring security during non-user group hours in which case Owner shall be responsible for providing the necessary security measures.

L. Training. Contractor shall provide a once-yearly training program for City employees to be identified by Owner (typically City Mechanics and Parks & Recreation personnel). Contractor shall provide training to City employees in areas such as ice safety and general ice maintenance procedures. Safety training records shall be maintained by Contractor and submitted to Owner within 10 days after the last day Contractor performs services each spring.

10. Owner's Additional Obligations. Owner shall perform the following functions or provide the following materials related to the Facility:

A. Line Kit/Ice Paint. Owner is responsible for purchasing the line kit(s) and ice paint.

B. Rink Boards, Glass, Netting, Fencing. Owner shall supply Facility netting, fencing, goalie nets, and related supplies.

C. Routine Maintenance of Zamboni. All materials and supplies related to items in paragraph 9.F., above, shall be purchased by Owner. Owner shall also purchase propane used to fill the Zamboni and shall supply two (2) blades for the Zamboni.

D. Major Repairs to Zamboni. Except for repairs from negligence caused by Contractor, for which Contractor is responsible, major repairs to the Zamboni, including internal or external engine work, drive train, auger bearings, hydraulic or cooling system leaks work, shall be the responsibility of Owner. Owner shall provide the parts to complete

the repair based on the recommendations of Contractor and shall also perform necessary work.

E. Electrical. Owner shall maintain the electrical components of the Facility except as may be stated otherwise in this Agreement.

F. Refrigeration System Supplies. Owner shall purchase oil and refrigeration chemicals needed to operate the refrigeration system.

G. Refrigeration System, Major Repairs. Major repair work or replacement of machinery and equipment shall be the responsibility of Owner. Major repair work may include, but is not limited to, internal or external engine or equipment work. Owner will be responsible for administering subcontracts or agency agreements related to the O&M of the Facility and the refrigeration system, if needed.

H. Snow Removal. Owner shall provide Contractor with the use of a walk-behind snow blower, if needed (as determined by Owner), and upon request of Contractor. Owner shall plow snow in the parking lot of the Facility.

I. Custodial Supplies. Owner shall provide materials and supplies for restroom dispensers, trash bags and trash receptacles. Owner shall provide all bulbs for ground level light bulbs and shall maintain main rink lights.

J. Utilities. Owner shall pay all utility costs for the Facility.

K. Ice Edging. Owner shall provide an ice edger.

11. Permits, Licenses, and Certificates. Contractor and Contractor's employees must comply with all applicable federal, state and local government laws, regulations, and permits.

Contractor shall obtain and maintain all necessary licenses and permits, pay all taxes lawfully imposed on Contractor's business, and pay any other fee or charge assessed under any applicable public statute, regulation, or ordinance. Said licensing includes, but is not limited to, obtaining state and borough business licenses and tax certificates, and, where applicable to Contractor, paying all taxes and filing all documents necessary to maintain Contractor's status as a corporate entity in good standing in the State of Alaska.

Contractor and any of Contractor's employees working with or handling Freon shall possess a valid EPA Recovery Technician Type II Certificate. Contractor shall submit proof of this certification to Owner prior to any employee of contractor handling Freon. Contractor shall also post a copy of all such certifications at the Facility.

12. Insurance.

A. Throughout the life of this Agreement Contractor shall, at Contractor's own expense, secure and keep in force insurance, as stated below.

- i. Comprehensive general liability insurance, including premises, all operations, property damage, personal injury and death, broad-form contractual coverage with a per occurrence limit of not less than one million dollars (\$1,000,000) combined single limit.
- ii. Worker's compensation insurance with coverage for all employees engaged in work under this Agreement as required by AS 23.30.045. Contractor is responsible for worker's compensation insurance for any subcontractor who directly or indirectly provides services under the Agreement.
- iii. Comprehensive automobile liability insurance covering all owned, hired, and non-owned vehicles with coverage limits not less than \$1,000,000 combined single limit per occurrence.

Where specific limits are stated, the limits are the minimum acceptable limits. If Contractor's insurance policy contains higher limits, Owner is entitled to coverage to the extent of the higher limits.

B. All insurance required by this paragraph shall meet the following additional requirements:

- i. for comprehensive general liability and automobile liability insurance, name the City of Kenai as an additional insured; and,
- ii. for worker's compensation insurance, general liability, and automobile liability insurance, where possible, include a waiver of subrogation so that the insurer waives all rights of subrogation against the City of Kenai for payments made under the policy; and,
- iii. provide Owner with at least 30 days notice before any termination, cancellation, or material change in insurance coverage is effective; and,
- iv. be issued by a company/corporation currently rated "A-" or better by A.M. Best.

C. Contractor shall submit to Owner proof of insurance coverage in the form of insurance policies, certificates, endorsements, or a combination thereof, and signed by a person authorized by the insurer to bind coverage on its behalf. The effective date of the insurance will be no later than the effective date of this Agreement or the first day of the term of this Agreement, whichever is later.

D. The indemnification and insurance coverage requirements stated in this Paragraph and in Paragraph 13 below, do not relieve Contractor of any other obligation under this Agreement.

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

13. Indemnity, Defend, and Hold Harmless Agreement. Contractor shall indemnify, defend, and hold harmless Owner and its agents, employees, and/or insurers from claim, loss, damage, liability, or expense in any way related to any act or omission of Contractor or Contractor's employees, agents, or invitees arising out of Contractor's performance of services under this Agreement, except to the extent any negligence of Owner or its employees or agents is a proximate cause of any injury or damage. If a third party asserts a claim against Contractor and Owner, Contractor and Owner shall seek in good faith to achieve agreement to an apportionment of fault as between them without and independent of litigation. This provision shall survive expiration or termination of this Agreement.

14. Termination. This Agreement may be terminated with cause by giving 15 days prior written notice to the other party. Cause is defined as the violation of the terms and conditions of this Agreement. Owner may terminate this Agreement without cause with 30 days prior written notice to Contractor. Termination of this Agreement by

Contractor without cause shall cause Contractor to be liable to the City for any increased costs of procuring the services provided in this Agreement and to any other damages provided by law.

15. Costs on Default. In the event that either party is in default in the performance of any of its obligations under this Agreement and an enforcement action is brought, the defaulting party shall pay to the other all the costs and expenses incurred in the action, including actual, reasonable attorney's fees. No right or remedy here conferred upon or reserved to Owner is intended to be exclusive of any other right or remedy, and each and every right and remedy shall be cumulative and in addition to any other right or remedy given, or now or later existing at law or in equity or by statute.

16. Assignment and Subcontract. Contractor shall not assign, subcontract, and/or transfer any right, obligation, or part of the services or work to be performed under this Agreement without prior written approval of the Owner. Any such assignment or transfer or subcontracting of services without the consent of Owner shall constitute a default on the part of Contractor.

17. No Discrimination. Contractor shall not discriminate on the grounds of race, color, religion, national origin, ancestry, age, or sex against any patron, employee, applicant for employment, or other person or group of persons in any manner prohibited by Federal or State law. Contractor recognizes the right of Owner to take any action necessary to enforce this requirement.

18. Assumption of Risk. Contractor shall provide all proper safeguards and assume all risks incurred in performing the work and services under this Agreement.

19. No Waiver. If Owner does not insist in any one or more instances on the strict performance by Contractor of any requirement under this Agreement, it is not a waiver or relinquishment for the future, but the requirement will continue in full force. An Owner waiver of any provision or requirement in this Agreement cannot be enforced nor relied on unless the waiver is in writing and signed on behalf of Owner.

20. Integration and Modification. This Agreement contains the entire

Agreement of the parties. All negotiations, statements, representations, warranties, and assurances, whether oral or written, which are in any way related to the subject matter of this Agreement or the performance of either party, are merged and integrated into this Agreement. This Agreement may not be modified except by in writing, signed by both parties.

21. Applicable Law/Venue. In any dispute between the parties, the laws of the State of Alaska shall govern. If any such dispute results in a lawsuit, the parties will bring the lawsuit before the courts of the State of Alaska in the Third Judicial District at Kenai.

22. Rules of Interpretation. Headings of paragraphs are solely for convenience of reference and shall not affect meaning, construction, or effect of this Agreement. Unless the context otherwise indicates, words expressed in the singular shall include the plural and vice versa. Unless the context otherwise indicates, the use of the neuter, masculine, or feminine gender shall include the others as well.

23. Notices. Any and all notices required or permitted under this Agreement, unless specified otherwise, shall be in writing and hand-delivered or mailed by certified mail, return receipt requested, to the following addresses:

Owner: City of Kenai
210 Fidalgo Avenue
Kenai, AK 99611
Attn: City Manager

Contractor: Red Line Sports
168 Trumpeter Ave
Soldotna, Alaska 99669
Attn: Vince Redford

Either party may change their address for notice by giving notice as provided herein to the other party. Notice is effective upon hand delivery or deposit, postage prepaid, in the United States mail.

24. Authority. Contractor represents that Contractor has read this Agreement

and Contractor agrees to be bound by its terms and conditions and that the person signing this Agreement is duly authorized to bind Contractor.

25. Effective Date. This Agreement is not effective until signed by the City Manager of the City of Kenai and Contractor.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement for Services the day and year set forth below.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

CITY OF KENAI

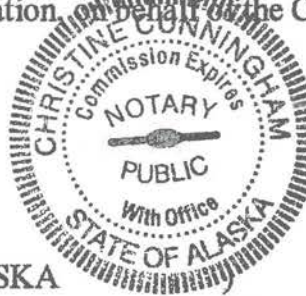
By: *Paul Ostrander*
Paul Ostrander
City Manager

CONTRACTOR

By: *Vince Redford*
Vince Redford
Owner

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 30 day of NOVEMBER, 2020, by Paul Ostrander, City Manager of the City of Kenai, an Alaska municipal corporation, ~~on behalf of the City.~~



Christine Cunningham
NOTARY PUBLIC for State of Alaska
My Commission Expires: W/DEFILE

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 16 day of November, 2020, by Vince Redford.



Wendy Amend
NOTARY PUBLIC for State of Alaska
My Commission Expires: 07-15-2021

Approved by Finance:



Terry Eubank, Finance Director

Approved as to Form:



Scott M. Bloom, City Attorney

Tax Compliance Certification Kenai Peninsula Borough Finance Department

144 N. Binkley Street
Soldotna, Alaska 99669-7599
www.kpb.us

Phone: (907) 714-2197
or: (907) 714-2175
Fax: (907) 714-2376



1.) Fill in all information requested. 2.) Sign and date. 3.) Submit with solicitation, or other.

For Official Use Only

Reason for Certificate: <input checked="" type="checkbox"/> Solicitation <input type="checkbox"/> Other:		For Department:	
		Dept. Contact:	
Business Name:	Red Line Sports		
Business Type:	<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other:		
Owner Name(s):	Vince Redford		
Business Mailing Address:	168 Trumpeter Ave Soldotna		
Business Telephone:	907 266-2734	Business Fax:	None
Email:	red line sports 907@gmail.com		

As a business or individual, have you ever conducted business or owned real or personal property within the Kenai Peninsula Borough? (If yes, please supply the following account numbers and sign below. If no, please sign below.)
 Yes No Kenai Peninsula Borough Code of Ordinances, Chapter 5.28.140, requires that businesses/individuals contracting to do business with the Kenai Peninsula Borough be in compliance with Borough tax provisions. No contract will be awarded to any individual or business who is found to be in violation of the Borough Code of Ordinances in the several areas of taxation.

REAL/PERSONAL/BUSINESS PROPERTY ACCOUNTS	
ACCT. NO.	ACCT. NAME
01007137	Redford, Vincent
01044450	"
98984	Red Line Sports

Sydney Smith
 KPB Finance Department (signature required)

TAX ACCOUNTS/STATUS (TO BE COMPLETED BY KPB)	
YEAR LAST PAID	BALANCE DUE
2020	0
2020	0

11/17/2020 In Compliance Not In Compliance
 Date

SALES TAX ACCOUNTS	
ACCT. NO.	ACCT. NAME
030295	Red Line Sports

Sydney Smith
 KPB Sales Tax Division (signature required)

TAX ACCOUNTS/STATUS (TO BE COMPLETED BY KPB)		
FILED THRU	M/F's	BALANCE DUE
09/2020	0	0

11/17/2020 In Compliance Not In Compliance
 Date

CERTIFICATION: I, Vince Redford the Owner hereby certify that, to the best of my knowledge, the above information is correct as of 11/17/20.

Vince Redford
 Signature of Applicant (Required)

IF ANY BUSINESS IS CONDUCTED OR IS AWARDED A BID WITHIN THE KENAI PENINSULA BOROUGH YOU MUST BE REGISTERED TO COLLECT SALES TAX. THE SALES TAX DEPARTMENT CAN BE REACHED AT (907) 714-2175.

CITY OF KENAI
COST PROPOSAL
KENAI MULTI-PURPOSE FACILITY MANAGEMENT SERVICES

ACKNOWLEDGEMENT

In submitting this proposal, we certify that we have examined the specifications documents, have received Addenda Nos. , and have included their provisions in our proposal.

Item	Description	Cost / Hour	
1	Proposed hourly cost to the City of Kenai for Multi-Purpose Facility Management Services	\$	2020/21
		41.62	
		45.00	2021/22
		50.00	2022/23

SIGNATURE REQUIREMENT

Firm Name Red Line Sports

Address 168 Trumpeter Ave

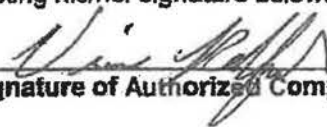
City Soldotna State AK Zip 99669

Telephone 907 262-2734 Fax Same

Representative Vince Redford Title Owner

Email Address redline.sports907@gmail.com

The undersigned has read the foregoing and hereby agrees to the conditions stated therein by affixing his/her signature below:

 10/22/2020
 Signature of Authorized Company Representative Date

Alaska Business License # 922327

Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806

This is to certify that

RED LINE SPORTS

168 TRUMPETER AVENUE, SOLDOTNA, AK 99669

owned by

VINCENT M. REDFORD

is licensed by the department to conduct business for the period

November 30, 2019 to December 31, 2020
for the following line(s) of business:

42 - Trade



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location. It is not transferable or assignable.

Julie Anderson
Commissioner



Mainstream Engineering Corporation
By this Certificate Warrants that
VINCE REDFORD

has shown competency and fitness to practice Refrigerant Recycling, Recovery and Reclamation and has complied with all requirements of the Environmental Protection Agency Clean Air Act; therefore by virtue of the powers vested in Mainstream Engineering Corporation by the U. S. Environmental Protection Agency, Mainstream Engineering Corporation hereby issues this

EPA Section 608 Universal Certification
Certification Number:
P5F31C130E592E240

as Required by 40 CFR Part 82, Subpart F subject to the powers of revocation by the EPA.

[Print Certificate](#)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/13/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER State Farm Insurance Nancy A Field, Agent 35202 Kenai Spur Hwy, Ste 1 Soldotna, AK 99669-7622	CONTACT NAME: Mary Longo PHONE (A/C, No, Ext): 907-262-4440 FAX (A/C, No): 907-262-4449 E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE: HHH INSURER A - State Farm Mutual Automobile Insurance Company NAIC # 25178 INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :
INSURED REDFORD, JAN & VINCENT 168 TRUMPETER AVE SOLDOTNA AK 99669-7913	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SDGR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PRG. <input type="checkbox"/> LOC <input type="checkbox"/> OTHER						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (EA R. OCCURRENCE) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMPROP AGG \$ \$
	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY	X		071 0677-D16-02B	10/15/2020	04/15/2021	COMBINED SINGLE LIMIT (E & OCCUR) \$ BODILY INJURY (Per person) \$ 1,000,000 BODILY INJURY (Per accident) \$ 1,000,000 PROPERTY DAMAGE (Per occurrence) \$ 1,000,000 \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE/OFFICER/SHAREHOLDER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - CA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 The certificate holder/Additional Insured is granted Waiver of Subrogation on the automobile policy as referenced above.

CERTIFICATE HOLDER CITY OF KENAI 210 FIDALGO AVE. KENAI AK 99611-7794	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE: N.A. FIELD 02-6080 AK ALASKA FB3B
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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/22/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Hub International Northwest LLC 35881 Kenal Spur Highway Soldotna, AK 99669	CONTACT NAME: Patty Lowery PHONE (A/C, No, Ext): (907) 262-8947 E-MAIL ADDRESS: patty.lowery@hubinternational.com	FAX (A/C, No): (907) 262-6373
	INSURER(S) AFFORDING COVERAGE	
INSURED Red Line Sports 188 Trumpeter Soldotna, AK 99669	INSURER A: Northland Casualty Company <i>Att</i>	NAIC # 24031
	INSURER B: Alaska National Insurance Company	NAIC # 38733
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD'L SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X X	WSO52178	1/15/2020	1/15/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ UMBRELLA LIAB OCCUR \$ EXCESS LIAB CLAIMS-MADE \$ DED RETENTION \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y N/A	X 20JWW73920	10/3/2020	10/3/2021	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: Ice Rink and Zamboni Maintenance and Operation

CERTIFICATE HOLDER City of Kenal 210 Fidalgo Ave, # 200 Kenal, AK 99611	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Patty Lowery</i>
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Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3418-2024**

AN ORDINANCE ADOPTING THE ANNUAL BUDGET, SALARY SCHEDULE AND EMPLOYEE CLASSIFICATION PLAN FOR THE FISCAL YEAR COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2025 AND COMMITTING \$4,499,039 OF GENERAL FUND, FUND BALANCE FOR FUTURE CAPITAL IMPROVEMENTS.

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

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

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

WHEREAS, through adoption of the document entitled "Annual Budget for the City of Kenai, Alaska July 1, 2024 – June 30, 2025", which includes the City Manager presented table of Authorized Personnel Staffing and Salary Schedules, Council meets its obligation to adopt the Salary Schedule of the City for fiscal year 2025; and,

WHEREAS, adoption of the document entitled "Annual Budget for the City of Kenai, Alaska July 1, 2024 – June 30, 2025", which includes the City Manager presented Employee Classification Plan satisfies the requirement of KMC 23.50.010; and,

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

WHEREAS, in recognition of deferred and ongoing maintenance needs of City facilities and in support of the City's Fiscal Year 2025 – 2029 Capital Improvement Plan (The Plan), Council commits \$4,515,416 towards funding of The Plan for fiscal years 2025-2029.

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

Section 1. That certain document entitled "Annual Budget for the City of Kenai, Alaska July 1, 2024 – June 30, 2025" which is available for examination by the public in the Office of the City Clerk, the City's website and is incorporated herein by reference is hereby adopted as the budget for the City of Kenai for the fiscal year commencing July 1, 2024 and ending June 30, 2025.

Section 2. The following sums of money are hereby appropriated for the operations of the City of Kenai for the fiscal year commencing on the first day of July, 2024, and ending the 30th day of June, 2025, to be expended consistent with and subject to the restrictions, procedures, and purposes set forth in the Code of the City of Kenai and to be expended substantially by line item in the manner shown in the budget adopted by Section 1 hereof:

General Fund	\$ 20,226,392
Enterprise Fund – Congregate Housing Fund	793,714
Internal Service Funds:	
Equipment Replacement Fund	272,476
Fleet Replacement Fund	93,332
Employee Health Care Fund	<u>3,209,541</u>
Total Internal Service Funds	3,575,349
Special Revenue Funds:	
Personal Use Fishery Fund	537,796
Water & Sewer Fund	3,746,439
Airport Fund	3,709,963
Senior Citizen Fund	<u>1,067,727</u>
Total Special Revenue Funds	9,061,925
Permanent Funds:	
Airport Land Sale Permanent Fund	1,090,387
General Land Sale Permanent Fund	<u>151,278</u>
Total Permanent Revenue Funds	1,241,665
Capital Project Funds:	
Park Improvement	150,000
Kenai Senior Center Improvement	50,000
Kenai Public Safety Improvement	150,000
Municipal Roadway Improvement	440,000
Congregate Housing Improvement	215,000
Airport Improvement	125,000
Water & Sewer Improvement	662,000
Water & Sewer vehicle replacements	145,000
Waste Water Treatment Plant Equipment	<u>100,000</u>
Total Capital Project Funds	<u>2,037,000</u>
Debt Service Fund – Library Expansion Bonds	<u>130,750</u>
Total All Funds	<u>\$37,066,795</u>

Section 3. Council hereby commits \$4,499,039 of Unassigned General Fund, Fund Balance for future renovations and improvements to City facilities.

Section 4. Council hereby adopts the Salary Schedule presented by the City Manager and included in the “Annual Budget for the City of Kenai, Alaska July 1, 2024 – June 30, 2025”:

Classified employees excluding those engaged in fire protection activities.

Range	A	B	C	D	E	F	AA	BB	CC	DD	EE
1	\$14.24	\$14.60	\$14.95	\$15.31	\$15.66	\$16.02	\$16.63	\$17.23	\$17.84	\$18.44	\$19.05
2	\$14.95	\$15.32	\$15.70	\$16.07	\$16.45	\$16.82	\$17.46	\$18.09	\$18.73	\$19.36	\$20.00
3	\$15.70	\$16.09	\$16.49	\$16.88	\$17.27	\$17.66	\$18.33	\$18.99	\$19.66	\$20.33	\$21.00
4	\$16.49	\$16.90	\$17.31	\$17.73	\$18.14	\$18.55	\$19.25	\$19.95	\$20.65	\$21.35	\$22.05
5	\$17.30	\$17.73	\$18.17	\$18.60	\$19.03	\$19.46	\$20.20	\$20.93	\$21.67	\$22.40	\$23.14
6	\$18.18	\$18.63	\$19.09	\$19.54	\$20.00	\$20.45	\$21.22	\$22.00	\$22.77	\$23.54	\$24.31
7	\$19.08	\$19.56	\$20.03	\$20.51	\$20.99	\$21.47	\$22.28	\$23.09	\$23.90	\$24.71	\$25.52
8	\$20.43	\$20.94	\$21.45	\$21.96	\$22.47	\$22.98	\$23.85	\$24.72	\$25.58	\$26.45	\$27.32
9	\$21.46	\$22.00	\$22.53	\$23.07	\$23.61	\$24.14	\$25.05	\$25.96	\$26.88	\$27.79	\$28.70
10	\$22.52	\$23.08	\$23.65	\$24.21	\$24.77	\$25.34	\$26.30	\$27.25	\$28.21	\$29.17	\$30.13
11	\$23.63	\$24.22	\$24.81	\$25.40	\$25.99	\$26.58	\$27.58	\$28.59	\$29.59	\$30.60	\$31.60
12	\$24.84	\$25.46	\$26.08	\$26.70	\$27.32	\$27.95	\$29.01	\$30.06	\$31.12	\$32.17	\$33.23
13	\$26.09	\$26.74	\$27.39	\$28.05	\$28.70	\$29.35	\$30.46	\$31.57	\$32.68	\$33.79	\$34.89
14	\$27.39	\$28.07	\$28.76	\$29.44	\$30.13	\$30.81	\$31.97	\$33.14	\$34.30	\$35.47	\$36.63
15	\$28.74	\$29.46	\$30.18	\$30.90	\$31.61	\$32.33	\$33.55	\$34.77	\$35.99	\$37.22	\$38.44
16	\$30.18	\$30.93	\$31.69	\$32.44	\$33.20	\$33.95	\$35.23	\$36.52	\$37.80	\$39.08	\$40.36
17	\$31.72	\$32.51	\$33.31	\$34.10	\$34.89	\$35.69	\$37.04	\$38.39	\$39.73	\$41.08	\$42.43
18	\$33.28	\$34.11	\$34.94	\$35.78	\$36.61	\$37.44	\$38.85	\$40.27	\$41.68	\$43.10	\$44.51
19	\$34.95	\$35.82	\$36.70	\$37.57	\$38.45	\$39.32	\$40.81	\$42.29	\$43.78	\$45.26	\$46.75
20	\$36.68	\$37.60	\$38.51	\$39.43	\$40.35	\$41.27	\$42.83	\$44.39	\$45.95	\$47.51	\$49.06
21	\$38.52	\$39.48	\$40.45	\$41.41	\$42.37	\$43.34	\$44.98	\$46.61	\$48.25	\$49.89	\$51.53
22	\$40.45	\$41.46	\$42.47	\$43.48	\$44.50	\$45.51	\$47.23	\$48.95	\$50.67	\$52.39	\$54.11
23	\$42.45	\$43.51	\$44.57	\$45.63	\$46.70	\$47.76	\$49.56	\$51.37	\$53.17	\$54.98	\$56.78
24	\$44.59	\$45.70	\$46.82	\$47.93	\$49.05	\$50.16	\$52.06	\$53.95	\$55.85	\$57.74	\$59.64
25	\$46.82	\$47.99	\$49.16	\$50.33	\$51.50	\$52.67	\$54.66	\$56.65	\$58.64	\$60.63	\$62.62
26	\$49.19	\$50.42	\$51.65	\$52.88	\$54.11	\$55.34	\$57.43	\$59.52	\$61.61	\$63.70	\$65.79
27	\$51.60	\$52.89	\$54.18	\$55.47	\$56.76	\$58.05	\$60.24	\$62.44	\$64.63	\$66.82	\$69.02
28	\$54.20	\$55.56	\$56.91	\$58.27	\$59.62	\$60.98	\$63.28	\$65.59	\$67.89	\$70.19	\$72.50

Classified employees engaged in fire protection activities.

Range	A	B	C	D	E	F	AA	BB	CC	DD	EE
18	\$23.77	\$24.36	\$24.95	\$25.54	\$26.13	\$26.72	\$27.73	\$28.74	\$29.75	\$30.76	\$31.77
20	\$26.19	\$26.84	\$27.49	\$28.14	\$28.79	\$29.44	\$30.55	\$31.67	\$32.78	\$33.89	\$35.01
21	\$27.52	\$28.21	\$28.90	\$29.59	\$30.28	\$30.97	\$32.14	\$33.31	\$34.48	\$35.65	\$36.82

Department Head service employees

Range	Minimum	Maximum
23	88,296	123,614
24	92,747	129,846
25	97,386	136,340
26	102,315	143,241
27	107,328	150,259
28	112,736	157,830

Temporary employees excluding those engaged in fire protection activities.

Range	A	B	C
	Step		
T1	\$ 14.24	\$ 14.60	\$ 14.95
T2	\$ 14.95	15.32	15.70
T3	\$ 15.70	16.09	16.49
T4	\$ 16.49	16.90	17.31
T5	\$ 17.30	17.73	18.17
T6	\$ 18.18	18.63	19.09
T7	\$ 19.08	19.56	20.03
T8	\$ 20.43	20.94	21.45
T9	\$ 21.46	22.00	22.53
T10	\$ 22.52	23.08	23.65
T11	\$ 23.63	24.22	24.81
T12	\$ 24.84	25.46	26.08
T13	\$ 26.09	26.74	27.39
T14	\$ 27.39	28.07	28.76
T15	\$ 28.74	29.46	30.18
T16	\$ 30.18	30.93	31.69
T17	\$ 31.72	32.51	33.31
T18	\$ 33.28	34.11	34.94
T19	\$ 34.95	35.82	36.70
T20	\$ 36.68	37.60	38.51
T21	\$ 38.52	39.48	40.45
T22	\$ 40.45	41.46	42.47
T23	\$ 42.45	43.51	44.57
T24	\$ 44.59	45.70	46.82
T25	\$ 46.82	47.99	49.16
T26	\$ 49.19	50.42	51.65
T27	\$ 51.60	52.89	54.18
T28	\$ 54.20	55.56	56.91
T29	\$ 56.99	58.41	59.84

Temporary employees engaged in fire protection activities.

Range	A	B	C
T18	\$ 23.77	\$ 24.36	\$ 24.96
T19	\$ 24.96	25.58	26.21
T20	\$ 26.21	26.87	27.52
T21	\$ 27.52	28.21	28.90
T22	\$ 28.91	29.63	30.36

Section 5. Council hereby adopts the Employee Classification Plan presented by the City Manager and included in the “Annual Budget for the City of Kenai, Alaska July 1, 2023 – June 30, 2024”:

Class Code	Class Title	Range
<i>(A) Supervisory and Professional</i>		
101	City Manager**	NG
102	City Attorney**	NG
103	City Clerk**	NG
104	Finance Director*	28
105	Public Works Director*	28
106	Police Chief*	28
107	Fire Chief*	27
112	Airport Director*	25
117	Planning Director*	24
118	Information Technology (IT) Manager	23
119	Assistant to City Manager/Special Projects Coordinator	23
120	Library Director*	23
121	Senior Center Director*	23
122	Parks and Recreation Director*	23
123	Human Resources Director*	23
124	Controller	25
<i>(B) Administrative Support</i>		
203	Administrative Assistant I	13
204	Accounting Technician I	14
205	Accounting Technician II	16
207	Desktop Support Technician	15
210	Administrative Assistant II	14
211	Administrative Assistant III	15
214	Library Assistant	12
218	Library Aide	8
<i>(C) Public Safety</i>		
302	Fire Fighter	18
303	Police Lieutenant	27
304	Police Sergeant	24
305	Police Officer	21
306	Public Safety Dispatcher	15
307	Fire Engineer	20
311	Fire Captain	21
312	Fire Marshal	22
313	Communications Supervisor	18
314	Police Trainee	21/1

315	Deputy Fire Chief	25
316	Chief Animal Control Officer	17
317	Animal Control Officer	14

(D) Public Works/ Airport Operations

400	Capital Project Manager	22
401	Building Official	21
402	Shop Foreman	21
403	Street Foreman	21
404	Utility Foreman I/II	21/22
405	Utility Operator I/II	15/18
407	Equipment Operator	16
408	Shop Mechanic	19
409	Equipment Lead Operator	19
412	Building Maintenance Technician	16
413	Utility Lead Operator	19
417	Airport Operations Specialist	16
418	Airport Operations Supervisor	21
419	Building Maintenance Lead Technician	19

(E) General Services

502	Assistant Parks & Recreation Director	19
503	Recreation Center Attendant	6
504	Parks and Recreation Maintenance Technician	14
505	Parks and Recreation Laborer	6
506	Cook	8
508	Driver	6
509	Kitchen Assistant	6
511	Janitor I/II	6

* Department Head Service

** City Manager, City Clerk, and City Attorney are Council-appointed administrative offices

Section 6. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such 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 7. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect July 1, 2025.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5TH DAY OF JUNE, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: DS

Introduced: May 15, 2024
Enacted: June 5, 2024
Effective: July 1, 2024



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: David Swarner, Finance Director

DATE: May 7, 2024

SUBJECT: **Ordinance 3418-2024 Adopting the FY2025 City of Kenai Annual Budget**

The purpose of this memo is to recommend enactment of Ordinance 3418-224, Adopting the Annual Budget, Salary Schedule and Employee Classification Plan for the year commencing July 1, 2024 and ending June 30, 2025.

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

January 17, 2024 to discuss the Fiscal year 2025 – 2029 Capital Plan. The Capital Plan was approved by Resolution 2024-07 on February 7, 2024.

January 3, 2024 to develop the FY 2025 Budget Goals. The Council established the FY 2025 Budget Goals with the approval of Resolution 2024-03 January 17, 2024.

May 4, 2024 for the Administration to present the draft FY 2025 Annual Budget including the Salary Schedule and Employee Classification Plan. The draft budget document is available for public review on the City's website on the Finance Department page.

Since the last budget work session some adjustments were made to the budget for a total increase of \$30,762 in General Fund expenses due to a \$22,480 increase in the contract for the operations of the visitor center along with salary adjustments for the City Manager, City Clerk, City Attorney, an increase from 20 hours to 24 hours for the Planning and Zoning Admin II position and adjustments to the number of police officers receiving investigator pay.

There were some adjustments to revenue related to PERS for the Airport Fund an increase of \$169, an increase for the General Fund \$298 and an increase of \$5 for the Senior Citizen Fund. There were Revenue adjustments for the Fleet and Equipment Replacement funds, decrease of \$3,206 and an increase of \$34,399 respectively. Attached is the supporting documentation for all funds showing the revised budgets for each fund impacted (General Fund, Special Revenue Fund, Enterprise Funds and Internal Service Funds).

The Administration will be available to answer questions regarding the FY 2025 budget during, or any time prior to, the public hearing on Ordinance 3418-2024.

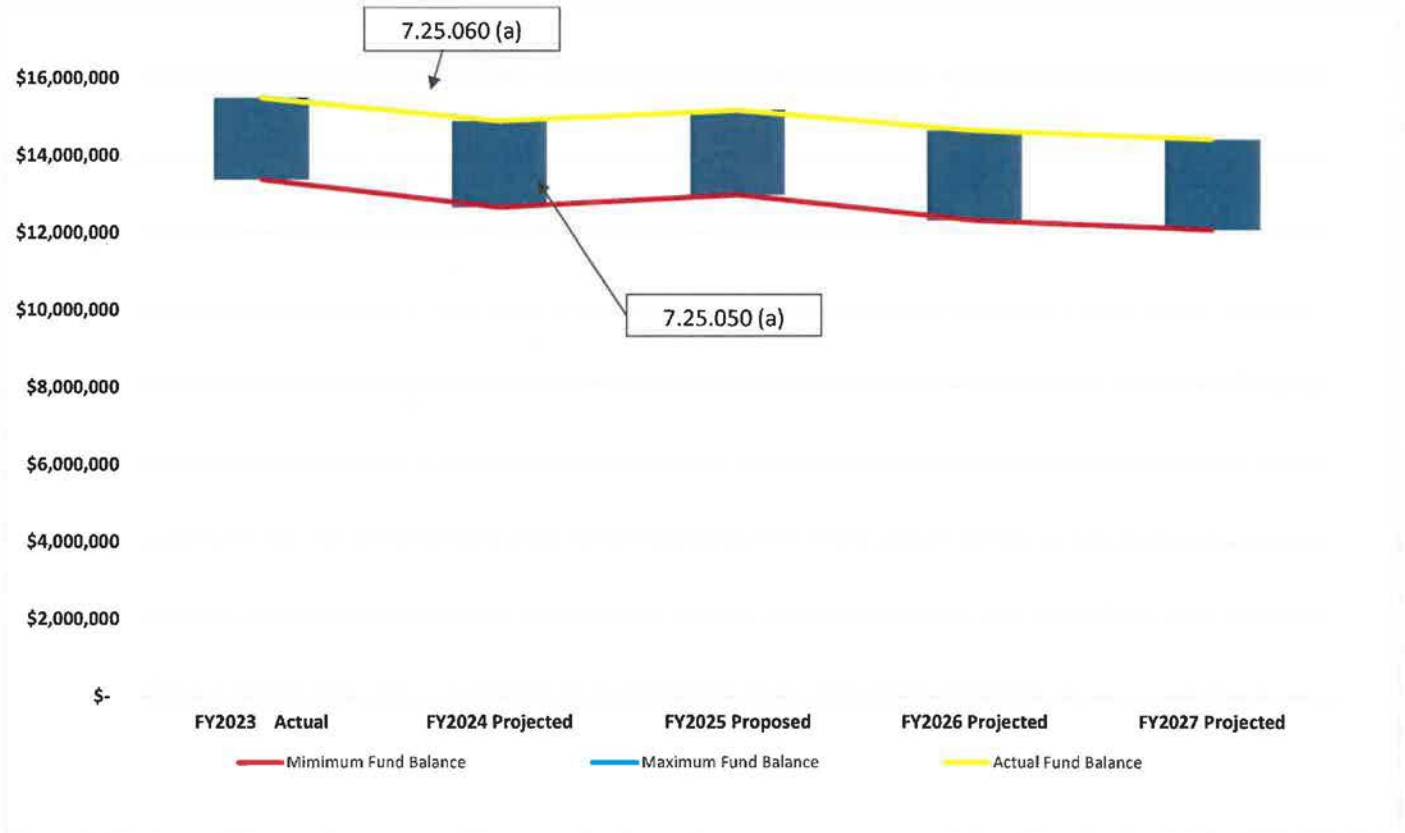
City of Kenai
Fiscal Year 2025 Operating Budget

Combined Revenue and Appropriations All Fund Types

	FY2025 Adopted Budget							
	General Fund	Special Revenue	Enterprise Funds	Internal Service Funds	Permanent Funds	Debt Service Fund	Capital Project Funds	Total All Funds
REVENUES								
Taxes	\$ 14,550,814	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,550,814
Intergovernmental	698,645	625,069	2,897	-	-	-	37,854,385	39,180,996
Interest/Investment Earnings	475,000	200,000	15,000	53,791	1,869,486	-	-	2,613,277
Charges for Service	1,165,645	4,963,267	-	3,248,717	-	-	-	9,377,629
Rents & Leases	232,020	1,248,425	477,403	611,181	-	-	-	2,569,029
Licenses & Permits	158,100	-	-	-	-	-	-	158,100
Fines & Forfeitures	72,950	-	-	-	-	-	-	72,950
Miscellaneous	135,000	299,800	-	64,112	10,000	-	-	508,912
Transfers In	2,060,478	1,327,854	-	-	-	130,750	1,584,126	5,103,208
Total Revenues	19,548,652	8,664,415	495,300	3,977,801	1,879,486	130,750	39,438,511	74,134,915
EXPENDITURES/EXPENSES								
Salaries & Benefits	14,392,264	3,010,473	101,020	-	-	-	-	17,503,757
Supplies	1,049,039	924,948	34,674	10,000	-	-	-	2,018,661
Services	3,672,990	2,362,897	255,774	3,565,349	-	-	-	9,857,010
Debt Service	-	-	-	-	-	130,750	-	130,750
Depreciation	-	-	140,446	-	-	-	-	140,446
Capital Outlay	22,963	245,000	8,000	-	-	-	47,780,194	48,056,157
Transfers	1,089,136	2,518,607	253,800	-	1,241,665	-	-	5,103,208
Total Expenditures	20,226,392	9,061,925	793,714	3,575,349	1,241,665	130,750	47,780,194	82,809,989
Contributions to (from) Fund Balance/Net Assets	(677,740)	(397,510)	(298,414)	402,452	637,821	-	(8,341,683)	(8,675,074)
Add Credit From Depreciation	-	-	140,446	-	-	-	-	140,446
Projected lapse/encumbrances	956,863	379,095	-	-	-	-	-	1,335,958
Adjusted Deficit/Surplus	279,123	(18,415)	(157,968)	402,452	637,821	-	(8,341,683)	(7,198,670)
Beginning Fund Balance/ Net Assets	14,885,738	3,544,764	484,058	7,543,882	31,559,559	-	8,341,683	66,359,684
Ending Fund Balance/ Unrestricted Net Assets	\$ 15,164,861	\$ 3,526,349	\$ 326,090	\$ 7,946,334	\$ 32,197,380	\$ -	\$ -	\$ 59,161,014

General Fund Fund Balance Policy Compliance

	FY2023 Actual	FY2024 Projected	FY2025 Proposed	FY2026 Projected	FY2027 Projected
Ending Fund Balance 6/30/22	\$ 15,484,362	\$ 14,885,738	\$ 15,164,861	\$ 14,641,566	\$ 14,422,609
Nonspendable	\$ -	\$ -	\$ -	\$ -	\$ -
Restricted - Athletics - Daubenspeck Donation	\$ (735,423)	\$ (782,423)	\$ (818,423)	\$ (854,423)	\$ (890,423)
Committed:					
Outstanding Encumbrances	\$ (161,356)	\$ (50,000)	\$ (50,000)	\$ (50,000)	\$ (50,000)
Subsequent Year Expenditures	(1,577,903)	-	-	-	-
Health Insurance Reserve	-	-	-	-	-
Capital Improvement Plan Reserve	(3,550,177)	(4,102,805)	(4,499,039)	(3,363,032)	(3,033,392)
Budgetary Stabilization Reserve	3.8998 (6,349,944)	(6,703,262)	(6,573,240)	(6,990,274)	(7,030,481)
Total Committed	\$ (11,639,380)	\$ (10,856,067)	\$ (11,122,279)	\$ (10,403,306)	\$ (10,113,873)
Assigned -					
Accrued Compensated Absences	\$ (992,856)	\$ (1,012,713)	\$ (1,032,967)	\$ (1,053,626)	\$ (1,074,699)
Operational and Capital Contingencies Reserve	1.300 (2,116,703)	(2,234,535)	(2,191,192)	(2,330,211)	(2,343,614)
Total Assigned	\$ (3,109,559)	\$ (3,247,248)	\$ (3,224,159)	\$ (3,383,837)	\$ (3,418,313)
Unassigned	\$ -	\$ -	\$ -	\$ -	\$ -



**City of Kenai
Fiscal Year 2025 Operating Budget**

**Fund: 019 - Senior Citizens Fund
Department: Title III Summary**

	<u>Actual FY2022</u>	<u>Actual FY2023</u>	<u>Original Budget FY2024</u>	<u>Projection FY2024</u>	<u>Proposed FY2025</u>
Revenues					
State Grants	\$ 283,815	\$ 260,288	\$ 261,497	\$ 294,573	\$ 261,646
Federal Grants	100,000	-	-	-	-
USDA Grant	21,969	22,022	22,000	15,214	22,000
Choice Waiver	65,023	68,496	75,000	96,127	80,000
KPB Grant	169,221	186,143	186,143	186,143	186,143
Other Grants	25,000	-	-	-	-
Rents and Leases	5,531	7,398	7,000	15,054	10,000
Donations	25,456	25,330	35,000	25,798	27,500
Donation - Senior Connection	50,000	100,000	100,000	100,000	100,000
Meal Donations	66,208	87,969	94,650	100,840	97,650
Transfer from General Fund - Operations	220,518	241,562	199,476	173,724	237,467
Other	3	185	300	300	300
Total Revenue	<u>1,032,744</u>	<u>999,393</u>	<u>981,066</u>	<u>1,007,773</u>	<u>1,022,706</u>
Expenditures					
Senior Citizen Access	226,753	219,553	221,833	225,092	233,071
Congregate Meals	286,666	130,016	131,025	145,136	184,526
Home Meals	277,743	459,299	491,082	500,212	433,927
Senior Transportation	94,964	97,583	109,744	109,768	130,479
Choice Waiver	150,127	89,433	71,368	71,406	85,724
Total Expenditures	<u>1,036,253</u>	<u>995,884</u>	<u>1,025,052</u>	<u>1,051,614</u>	<u>1,067,727</u>
Contribution To/(From) Fund Balance:	(3,509)	3,509	(43,986)	(43,841)	(45,021)
Projected Lapse (5%)	-	-	42,435	43,841	45,021
Adjusted (Deficit)/Surplus	(3,509)	3,509	(1,551)	-	-
Beginning Fund Balance	-	(3,509)	-	-	-
Ending Fund Balance	<u>\$ (3,509)</u>	<u>\$ -</u>	<u>\$ (1,551)</u>	<u>\$ -</u>	<u>\$ -</u>

**City of Kenai
Fiscal Year 2025 Operating Budget**

**Fund 008 - Airport Fund
Department:- Airport Fund Summary**

	<u>Actual FY2022</u>	<u>Actual FY2023</u>	<u>Original Budget FY2024</u>	<u>Projection FY2024</u>	<u>Proposed FY2025</u>
Revenues					
State & Federal Grants	\$ 1,391,559	\$ 1,249,807	\$ 26,317	\$ 24,487	\$ 37,700
Usage Fees					
Fuel Sales	19,423	38,298	35,000	46,186	45,000
Fuel Flowage	10,035	16,322	17,000	15,881	17,000
Float Plane	1,002	1,915	1,000	1,000	2,000
Tie Down	9,597	10,015	10,500	12,105	10,500
Landing	420,431	365,551	451,094	385,000	384,855
Plane Parking	18,479	19,166	22,000	11,709	22,000
Total Usage Fees	<u>478,967</u>	<u>451,267</u>	<u>536,594</u>	<u>471,881</u>	<u>481,355</u>
Rents and Leases - Land	<u>562,370</u>	<u>559,207</u>	<u>532,323</u>	<u>543,318</u>	<u>708,089</u>
Miscellaneous					
Penalty and Interest	3,547	5,929	3,000	2,085	3,000
Interest on Investments	(33,781)	80,860	120,000	35,000	120,000
Other	18,625	43,570	148,392	190,410	170,000
Total Miscellaneous	<u>(11,609)</u>	<u>130,359</u>	<u>271,392</u>	<u>227,495</u>	<u>293,000</u>
Terminal Revenue					
Parking Fees	224,144	215,983	225,000	215,432	225,000
Rents and Leases	554,613	690,036	599,087	481,207	522,336
Penalty and Interest	1,496	5,134	5,000	10,081	5,000
Car Rental Commissions	140,025	186,928	180,000	187,413	185,000
Advertising Commissions	27,796	19,086	20,000	26,497	28,000
Miscellaneous	39,583	2,829	3,000	4,243	3,000
Total Terminal Revenue	<u>987,657</u>	<u>1,119,996</u>	<u>1,032,087</u>	<u>924,873</u>	<u>968,336</u>
Transfers In					
Capital Project Fund	1,684,996	286	-	-	-
Airport Land Trust Fund	1,025,736	1,028,478	1,053,635	1,065,618	1,090,387
Total Transfers In	<u>2,710,732</u>	<u>1,028,764</u>	<u>1,053,635</u>	<u>1,065,618</u>	<u>1,090,387</u>
Total Revenues	<u>6,119,676</u>	<u>4,539,400</u>	<u>3,452,348</u>	<u>3,257,672</u>	<u>3,578,867</u>
Expenditures					
Airport Terminal	525,296	568,901	616,724	624,724	693,273
Airport Airfield	1,850,849	1,889,544	2,160,579	2,158,061	2,222,638
Airport Administration	413,484	332,670	368,204	413,222	378,370
Airport Other Buildings and Areas	153,261	165,156	175,605	200,605	224,878
Airport Training Facility	30,803	108,706	207,793	224,293	164,987
Total Expenditures	<u>2,973,693</u>	<u>3,064,977</u>	<u>3,528,905</u>	<u>3,620,905</u>	<u>3,684,146</u>
Transfers					
Transfer to Capital Projects	1,531,833	2,251,842	346,875	796,875	25,817
Transfer to General Fund	-	-	-	-	-
Total Transfers	<u>1,531,833</u>	<u>2,251,842</u>	<u>346,875</u>	<u>796,875</u>	<u>25,817</u>
Total Expenditures & Transfers	4,505,526	5,316,819	3,875,780	4,417,780	3,709,963
Contribution To/(From) Fund Balance:	1,614,150	(777,419)	(423,432)	(1,160,108)	(131,096)
Projected Lapse (6%)	-	-	140,256	145,776	147,813
Adjusted (Deficit)/Surplus			(283,176)	(1,014,332)	16,717
Beginning Fund Balance	<u>2,273,082</u>	<u>3,887,232</u>	<u>4,298,729</u>	<u>3,109,813</u>	<u>2,095,481</u>
Ending Fund Balance	<u>\$ 3,887,232</u>	<u>\$ 3,109,813</u>	<u>\$ 4,015,553</u>	<u>\$ 2,095,481</u>	<u>\$ 2,112,198</u>

**City of Kenai
Fiscal Year 2025 Operating Budget**

**Budget Projection
Fund: 010 - Water and Sewer Fund**

	<u>Actual FY2022</u>	<u>Actual FY2023</u>	<u>Original Budget FY2024</u>	<u>Projection FY2024</u>	<u>Proposed FY2025</u>
Revenues					
PERS Grant	\$ 45,630	\$ 18,073	\$ 22,525	\$ 18,950	\$ 35,719
Usage Fees					
Service Hook-up	7,762	9,030	4,125	9,761	10,152
Residential Water	874,085	967,050	989,748	989,772	1,029,363
Commercial Water	343,557	351,024	381,325	381,335	396,588
Residential Sewer	1,235,894	1,358,476	1,388,566	1,388,600	1,444,144
Commercial Sewer	480,088	475,421	515,265	515,278	535,889
Total Usage Fees	<u>2,941,386</u>	<u>3,161,001</u>	<u>3,279,029</u>	<u>3,284,746</u>	<u>3,416,136</u>
Miscellaneous Revenues					
Penalty and Interest	32,856	41,583	40,950	40,950	42,588
Interest Earnings	(69,134)	78,182	35,000	35,000	75,000
Other	19,810	5,798	5,000	18,901	5,000
Total Miscellaneous Revenues	<u>(16,468)</u>	<u>125,563</u>	<u>80,950</u>	<u>94,851</u>	<u>122,588</u>
Transfer In, Capital Projects	<u>147,303</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Revenues	<u>3,117,851</u>	<u>3,304,637</u>	<u>3,382,504</u>	<u>3,398,547</u>	<u>3,574,443</u>
Expenditures					
Water Department	783,101	889,643	1,273,813	1,273,813	1,127,196
Sewer Department	389,368	453,824	683,559	688,397	759,759
Wastewater Treatment Plant Department	1,031,021	1,073,800	1,268,902	1,268,902	1,237,094
Total Expenditures	<u>2,203,490</u>	<u>2,417,267</u>	<u>3,226,274</u>	<u>3,231,112</u>	<u>3,124,049</u>
Transfers					
Capital Projects	<u>1,520,000</u>	<u>740,000</u>	<u>679,970</u>	<u>679,970</u>	<u>622,390</u>
Total Expenditures & Transfers	<u>3,723,490</u>	<u>3,157,267</u>	<u>3,906,244</u>	<u>3,911,082</u>	<u>3,746,439</u>
Contribution To/(From) Fund Balance:	(605,639)	147,370	(523,740)	(512,535)	(171,996)
Projected Lapse (6%)	<u>-</u>	<u>-</u>	<u>142,146</u>	<u>176,848</u>	<u>169,629</u>
Adjusted (Deficit)/Surplus			(381,594)	(335,687)	(2,367)
Beginning Fund Balance	<u>1,951,658</u>	<u>1,346,019</u>	<u>987,486</u>	<u>1,493,389</u>	<u>1,157,702</u>
Ending Fund Balance	<u>\$ 1,346,019</u>	<u>\$ 1,493,389</u>	<u>\$ 605,892</u>	<u>\$ 1,157,702</u>	<u>\$ 1,155,335</u>

**City of Kenai
Fiscal Year 2025 Operating Budget**

**Budget Projection
Fund: 006 - Personal Use Fishery Fund**

	<u>Actual FY2022</u>	<u>Actual FY2023</u>	<u>Original Budget FY2024</u>	<u>Projection FY2024</u>	<u>Proposed FY2025</u>
Revenues					
State Grant	\$ 2,394	\$ 694	\$ 1,169	\$ 1,169	\$ 1,861
Usage Fees					
Beach Parking	161,580	153,976	177,482	157,839	164,980
Beach Camping	186,387	200,802	191,463	216,085	210,102
Dock Launch & Park	95,105	106,548	110,565	100,609	100,754
Dock Parking Only	10,641	12,540	12,495	12,460	12,495
Participant Drop-off Fee	4,019	4,971	4,707	6,274	4,707
Total Usage Fees	<u>457,732</u>	<u>478,837</u>	<u>496,712</u>	<u>493,267</u>	<u>493,038</u>
Miscellaneous Revenues					
Investment earnings	(4,412)	4,755	750	750	5,000
Other	(11,150)	(11,320)	(11,500)	(11,112)	(11,500)
Total Miscellaneous Revenues	<u>(15,562)</u>	<u>(6,565)</u>	<u>(10,750)</u>	<u>(10,362)</u>	<u>(6,500)</u>
Transfer In, Capital Projects	-	-	-	-	-
Total Revenue	<u>444,564</u>	<u>472,966</u>	<u>487,131</u>	<u>484,074</u>	<u>488,399</u>
Expenditures					
Public Safety	104,368	114,046	178,544	178,544	136,531
Streets	36,602	33,921	39,059	39,059	39,302
Boating Facility	46,963	39,868	47,686	47,686	42,815
Parks, Recreation & Beautification	173,351	204,667	229,212	229,212	244,148
Total Expenditures	<u>361,284</u>	<u>392,502</u>	<u>494,501</u>	<u>494,501</u>	<u>462,796</u>
Transfers					
General Fund	75,000	75,000	-	-	75,000
Capital Projects	21,920	50,000	-	-	-
Total Transfers	<u>96,920</u>	<u>125,000</u>	<u>-</u>	<u>-</u>	<u>75,000</u>
Total Expenditures & Transfers	<u>458,204</u>	<u>517,502</u>	<u>494,501</u>	<u>494,501</u>	<u>537,796</u>
Contribution To/(From) Fund Balance:	(13,640)	(44,536)	(7,370)	(10,427)	(49,397)
Projected Lapse	-	-	18,423	83,327	16,632
Adjusted (Deficit)/Surplus	(13,640)	(44,536)	11,053	72,900	(32,765)
Beginning Fund Balance	<u>276,857</u>	<u>263,217</u>	<u>250,604</u>	<u>218,681</u>	<u>291,581</u>
Ending Fund Balance	<u>\$ 263,217</u>	<u>\$ 218,681</u>	<u>\$ 261,657</u>	<u>\$ 291,581</u>	<u>\$ 258,816</u>

City of Kenai
Fiscal Year 2025 Operating Budget

Budget Projection
Fund: 009 - Congregate Housing Fund

	Actual FY2022	Actual FY2023	Original Budget FY2024	Projection FY2024	Proposed FY2025
Revenues					
PERS Grant	\$ 3,421	\$ 1,314	\$ 1,860	\$ 1,337	\$ 2,897
Rents and Leases	445,806	466,139	454,363	486,502	477,403
Interest on Investments	(12,650)	17,198	4,000	2,000	15,000
Miscellaneous	1,075	502	-	-	-
Total Revenues	437,652	485,153	460,223	489,839	495,300
 Expenses	 498,507	 510,086	 710,195	 642,525	 793,714
Net Income (loss)	(60,855)	(24,933)	(249,972)	(152,686)	(298,414)
Beginning Retained Earnings	843,627	923,218	1,013,889	1,013,889	484,058
Capital Asset Acquisitions	-	(24,842)	(17,330)	(517,591)	-
Allocated to Capital Projects	(510,255)	(585,413)	(718,083)	-	-
Credit for Depreciation	140,446	140,446	140,446	140,446	140,446
Available Retained Earnings	\$ 412,963	\$ 428,476	\$ 168,950	\$ 484,058	\$ 326,090

**City of Kenai
Fiscal Year 2025 Operating Budget**

**Fund: 011 - Employee Health Care Fund
Department: 18 - Health Care Fund Summary**

	<u>Actual FY2022</u>	<u>Actual FY2023</u>	<u>Original Budget FY2024</u>	<u>Projection FY2024</u>	<u>Proposed FY2025</u>
Revenues					
Charge for Services	\$ 2,823,678	\$ 3,046,664	\$ 2,640,656	\$ 3,046,664	\$ 2,825,839
Participant premiums	373,117	369,183	415,545	456,576	422,878
Transfer from Other Funds	-	-	-	-	-
Interest Earnings	(16,402)	27,328	30,000	6,000	30,000
Total Revenues	<u>3,180,393</u>	<u>3,443,174</u>	<u>3,086,201</u>	<u>3,509,240</u>	<u>3,278,717</u>
Expenses					
	<u>2,863,722</u>	<u>2,863,722</u>	<u>3,016,689</u>	<u>3,016,689</u>	<u>3,209,541</u>
Net Income (loss)	316,671	579,452	69,512	492,551	69,176
Beginning Retained Earnings	<u>1,084,437</u>	<u>1,401,108</u>	<u>849,034</u>	<u>1,980,560</u>	<u>2,473,111</u>
Available Retained Earnings	<u>\$ 1,401,108</u>	<u>\$ 1,980,560</u>	<u>\$ 918,546</u>	<u>\$ 2,473,111</u>	<u>\$ 2,542,287</u>
	<u>FY2023</u>	<u>FY2024</u>	<u>FY2025</u>	<u>Difference</u>	<u>% Change</u>
Employer cost per position:					
Full-time	\$ 28,810	\$ 25,209	\$ 26,722	\$ 1,513	6.00%
Part-time	14,405	12,605	13,361	757	6.00%
	<u>Jan 1 - Dec 31 FY2023</u>	<u>Jan 1 - Dec 31 2024</u>	<u>Projected* Jan 1 - June 30 2025</u>	<u>1-Jan-25 Projected Increase</u>	<u>% Increase</u>
Employee monthly premiums: \$3,000/\$6,000 Deductible Plan					
Employee only	152.00	\$ 162.00	\$ 175.00	13.00	8.02%
Employee with child(ren)	277.00	296.00	319.00	23.00	7.77%
Employee with spouse	304.00	325.00	350.00	25.00	7.69%
Employee with family	413.00	444.00	479.00	35.00	7.88%
Part-time employee only	651.00	584.00	761.00	177.00	30.31%
Part-time employee w/Children	1,636.00	1,497.00	1,904.00	407.00	27.19%
Part-time employee w/Spouse	1,879.00	1,723.00	2,148.00	425.00	24.67%
Part-time employee w/Family	2,864.00	2,636.00	3,136.00	500.00	18.97%

* Assumes a 8.50% premium increase for health insurance and a 3.00% increase for dental and an employee cost share of 13%

City of Kenai
Fiscal Year 2025 Operating Budget

Fund: 061 - Equipment Replacement Fund
Department: 59 - Equipment Replacement Fund Summary

	Actual FY2022	Actual FY2023	Original Budget FY2024	Projection FY2024	Proposed FY2025
Revenues					
Rents & Leases	\$ 347,374	\$ 323,938	\$ 422,792	\$ 355,865	\$ 457,191
Interest Earnings	(20,778)	25,441	10,000	31,884	10,000
Other income	20,571	-	33,456	8,359	33,456
Total Revenues	<u>347,167</u>	<u>349,380</u>	<u>466,248</u>	<u>396,108</u>	<u>500,647</u>
Expenses - Depreciation	<u>190,321</u>	<u>205,289</u>	<u>206,907</u>	<u>206,907</u>	<u>272,476</u>
Net Income (loss)	156,846	144,091	259,341	189,201	228,171
Transfers out	-	-	-	-	-
Total net income (loss) and transfers out	156,846	144,091	259,341	189,201	228,171
Beginning Net Position	<u>3,512,068</u>	<u>3,668,914</u>	<u>3,858,342</u>	<u>3,813,005</u>	<u>4,002,206</u>
Ending Net Position	3,668,914	3,813,005	4,117,683	4,002,206	4,230,377
Invested in Capital Assets	<u>(2,283,158)</u>	<u>(2,133,505)</u>	<u>(1,869,571)</u>	<u>(2,151,119)</u>	<u>(1,845,394)</u>
Unrestricted Net Position	<u>\$ 1,370,788</u>	<u>\$ 1,679,500</u>	<u>\$ 2,248,112</u>	<u>\$ 1,851,087</u>	<u>\$ 2,384,983</u>

**City of Kenai
Fiscal Year 2025 Operating Budget**

**Fund: 063 - Fleet Replacement Fund
Department: 59 - Fleet Replacement Fund Summary**

	<u>Actual FY2022</u>	<u>Actual FY2023</u>	<u>Original Budget FY2024</u>	<u>Projection FY2024</u>	<u>Proposed FY2025</u>
Revenues					
Rents & Leases	\$ 150,919	\$ 152,059	\$ 157,196	\$ 151,327	\$ 153,990
Interest Earnings	(6,056)	9,340	13,791	7,294	13,791
Other income	9,465	6,245	30,656	6,344	30,656
Transfer In	-	-	-	-	-
Total Revenues	<u>154,328</u>	<u>167,644</u>	<u>201,643</u>	<u>164,965</u>	<u>198,437</u>
Expenses - Depreciation	<u>61,519</u>	<u>62,268</u>	<u>62,268</u>	<u>68,067</u>	<u>93,332</u>
Net Income (loss)	92,809	105,376	139,375	96,898	105,105
Transfers out	-	-	-	-	-
Total net income (loss) and transfers out	92,809	105,376	139,375	96,898	105,105
Beginning Net Position	<u>773,482</u>	<u>866,291</u>	<u>980,704</u>	<u>971,667</u>	<u>1,068,565</u>
Ending Net Position	866,291	971,667	1,120,079	1,068,565	1,173,670
Invested in Capital Assets	<u>(338,639)</u>	<u>(503,083)</u>	<u>(496,050)</u>	<u>(89,381)</u>	<u>(25,287)</u>
Unrestricted Net Position	<u>\$ 527,652</u>	<u>\$ 468,584</u>	<u>\$ 624,029</u>	<u>\$ 979,184</u>	<u>\$ 1,148,383</u>



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3419-2024**

AN ORDINANCE AMENDING SECTIONS OF KENAI MUNICIPAL CODE TITLE 23 - PERSONNEL REGULATIONS, SECTIONS 23.05.070 - DEFINITIONS, 23.25.070 - ACTING POSITIONS, 23.30.030 - PROBATIONARY PERIOD FOR EMPLOYEES IN THE CLASSIFIED SERVICE, 23.30.110 – TRAVEL EXPENSE, 23.40.040 - TERMINAL LEAVE, 23.55.020 - COMPENSATION STRUCTURE BY GRADE FOR EMPLOYEES IN THE CLASSIFIED SERVICE, 23.55.030 - QUALIFICATION PAY, AND 23.55.080 - LONGEVITY PAY FOR EMPLOYEES IN THE CLASSIFIED SERVICE, TO ENSURE APPROPRIATE COMPENSATION AND BENEFITS TO CITY EMPLOYEES COMPARABLE TO OTHER PLACES OF PUBLIC EMPLOYMENT IMPROVING RECRUITMENT AND RETENTION OF QUALIFIED EMPLOYEES.

WHEREAS, pursuant to KMC 23.15.010, the City Manager prepares and recommends revisions and amendments to the personnel regulations as deemed necessary; and,

WHEREAS, the City and other comparable government employers have experienced workforce challenges in recent years, which have made additional efforts necessary to recruit and retain qualified employees to meet the needs and expectations of the community; and,

WHEREAS, the City contracted with McGrath Human Resources Group to perform a Classification Study and work with the Administration and an internal personnel working group to develop an overall compensation and classification recommendation for the City; and,

WHEREAS, McGrath Human Resources Group presented its Classification, Compensation, and Benefits Study results to the City Council at the April 3, 2024 Kenai City Council Meeting; and,

WHEREAS, the recommendations include an update to the City’s salary structure to add two steps (DD-EE) to the end of the schedule, adjustments to qualification pay, acting pay, longevity pay, probationary period, part-time employee compensation structure, and travel reimbursement; and,

WHEREAS to ensure compensation is competitive for comparable positions in other places of public employment and uniform in application, the City Manager recommends amendments to the personnel regulations necessary to provide an appropriate compensation structure to recruit and retain qualified employees.

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

Section 1. Amendment of Section 23.05.070 of Kenai Municipal Code: That Kenai Municipal Code, Section 23.05.070 – Definitions, is hereby amended as follows:

23.05.070 Definitions.

Probationary Period. An employee appointed to a position in the classified service must serve a probationary period, [NORMALLY SIX (6) MONTHS, EXCEPT FOR POLICE, COMMUNICATIONS AND FIRE,] which is normally twelve (12) months. This period can be extended up to, but no longer than [, TWELVE (12) MONTHS AND] eighteen (18) months[, RESPECTIVELY].

Section 2. Amendment of Section 23.25.070 of Kenai Municipal Code: That Kenai Municipal Code, Section 23.25.070 – Acting positions, is hereby amended as follows:

23.25.070 Acting Positions.

Compensation During Temporary Assignment. An employee who is temporarily assigned to and performs duties of a position with a higher pay range for a period of forty (40) or more consecutive regular work hours for employees not performing fire protection activities and fifty-six (56) or more consecutive regular work hours for employees performing fire protection activities shall be paid [AT THE FIRST STEP OF THE HIGHER PAY RANGE, OR, THE EMPLOYEE SHALL BE GRANTED A ONE (1) STEP PAY INCREASE, WHICHEVER IS HIGHER]an additional ten percent (10%) of the employee’s current range and step, for the period worked in the temporary assignment. An employee who is temporarily assigned to a position with a lower pay range, for any period, shall not receive a reduction in pay. No such temporary assignment shall exceed six (6) months. Such acting appointments shall be in writing and the employee must perform the duties of the position.

Section 3. Amendment of Section 23.30.030 of Kenai Municipal Code: That Kenai Municipal Code, Section 23.30.030 – Probationary period for employees in the classified service, is hereby amended as follows:

23.30.030 Probationary Period for Employees in the Classified Service.

- (a) All original appointments for employees in the classified service including those that result from transfers shall be tentative and subject to a probationary period of not less than [SIX (6) MONTHS CONSECUTIVE SERVICE, EXCEPT FOR POLICE, FIRE, AND COMMUNICATIONS, WHICH SHALL BE NORMALLY] twelve (12) months[, SUBJECT TO MEETING CRITERIA FOR CERTIFICATION WHICH MAY BE ACCOMPLISHED FOLLOWING SIX (6) MONTHS OF SERVICE AND EXCEPT FOR SEASONAL EMPLOYEES WHOSE PROBATIONARY PERIOD IS ESTABLISHED BY THE TERM OF THE FIRST SEASON OF EMPLOYMENT]. Promotional appointment probationary period shall, for all employees in the classified service, be not less than [SIX (6)] twelve (12) months.
- (b) In cases where the responsibilities of a position in the classified service are such that a longer period is necessary to demonstrate an employee’s qualifications, the probationary period may be extended; however, no probationary period shall be extended beyond [TWELVE (12) MONTHS, OR] eighteen (18) months [FOR POLICE, FIRE, AND COMMUNICATIONS, OR ONE (1) ADDITIONAL SEASON FOR SEASONAL EMPLOYEES]. The employee shall be notified in writing of any extension and the reasons therefor.
- (c) Upon completion of the probationary period, employees in the classified service shall be considered as having satisfactorily demonstrated qualifications for the position, shall gain regular status, one (1) step in pay raise, and shall be so informed through his or her supervisor. The employee’s anniversary date shall be the first of the month in which the employee’s original probation ends. Employees who have gained regular status at the effective date of the ordinance codified in this section shall have their anniversary dates changed to the first of the month in which the employee’s present anniversary date falls.
- (d) During the probationary period, a new employee hired in the classified service may be terminated at any time without advance notice, without cause, and without appeal.
- (e) In the case of promotional appointments, the promoted employee may be demoted at any time during the probationary period without appeal; provided, that the probationary employee be reinstated in the class designation from which he or she was promoted, even though this necessitates the layoff of the employee occupying the position.

Section 4. Amendment of Section 23.30.110 of Kenai Municipal Code: That Kenai Municipal Code, Section 23.30.110 – Travel expense, is hereby amended as follows:

23.30.110 Travel Expense.

When employees are required to travel outside the City on City business, reimbursement, subject to advances received, for expenditures incurred shall be determined as follows:

- (a) Prior to traveling outside the City, the employee shall obtain permission for the trip and the mode of travel from the department head.
- (b) Travel on official business outside the City by one (1) individual shall be via public carrier or City-owned vehicle whenever practical. If, for extenuating circumstances, the employee is authorized to use a private vehicle, total mileage shall be paid at the standard IRS mileage rate. This rate includes all travel, insurance and fuel.
- (c) Classified and department head service employees who often use their privately owned vehicle for City business shall be reimbursed thirty dollars (\$30.00) per month or the standard IRS mileage rate, whichever is greater, subject to authorization by the City Manager.
- (d) The authorized per diem rates are [FIFTY DOLLARS (\$50.00)] fifty-nine dollars (\$59.00) per full twenty-four (24) hour day, plus lodging expenses. Part days will be reimbursed for actual costs incurred, up to [FIFTY DOLLARS (\$50.00)] fifty-nine dollars (\$59.00) per day. Claims for lodging expenses will be supported by receipts.

Section 5. Amendment of Section 23.40.040 of Kenai Municipal Code: That Kenai Municipal Code, Section 23.40.040 – Terminal leave, is hereby amended as follows:

23.40.040 Terminal Leave.

Upon separation [DURING INITIAL PROBATION (FIRST SIX (6) MONTHS FOR POLICE, FIRE AND COMMUNICATION), ACCRUED ANNUAL LEAVE SHALL NOT BE GRANTED NOR PAID TO EMPLOYEES IN THE CLASSIFIED SERVICE. IN OTHER SEPARATIONS], accrued leave shall be paid in a lump sum, except for separation during initial probation, in which accrued annual leave shall not be paid in an amount to exceed eighty (80) hours. The salary or hourly rate to be used in computing the cash payment shall be the rate which is being received by the employee on the date the resignation/separation is signed by the employee.

Section 6. Amendment of Section 23.55.020 of Kenai Municipal Code: That Kenai Municipal Code, Section 23.55.020 – Compensation structure by grade for employees in the classified service, is hereby amended as follows:

23.55.020 Compensation Structure by Grade for Employees in the Classified Service.

- (a) Compensation structure by grade for employees in the classified service is hereby established in accordance with the most recent salary schedule effective upon enactment by City Council of the ordinance adopting a budget for the following fiscal year or by resolution.
- (b) On completion of the probationary period, each [PERMANENT FULL-TIME] employee in the classified service [, EXCEPT SEASONAL EMPLOYEES,] shall be advanced one (1) step. At succeeding anniversary dates, subject to an evaluation of "Meets Expectations" or better, the employee [S IN THE CLASSIFIED SERVICE] may be advanced a step increment subject to City Manager approval. The time period normally between steps B to C to D to E to F is one (1) year. The time normally between Steps F to AA to BB to CC to DD to EE is two (2) years.
- [(C) ON COMPLETION OF THE PROBATIONARY PERIOD, EACH PERMANENT PART-TIME EMPLOYEE IN THE CLASSIFIED SERVICE AND SEASONAL EMPLOYEE SHALL BE ADVANCED ONE (1) STEP. AT APPROPRIATE BIENNIAL OR QUADRENNIAL ANNIVERSARY DATES THEREAFTER, SUBJECT TO THE EMPLOYEE’S MOST RECENT ANNUAL EVALUATION BEING “MEETS EXPECTATIONS” OR BETTER, THE EMPLOYEE, INCLUDING SEASONAL EMPLOYEES, MAY BE ADVANCED A STEP INCREMENT. THE TIME PERIOD NORMALLY BETWEEN STEPS B TO C TO D TO E TO F IS TWO (2) YEARS. THE TIME PERIOD NORMALLY BETWEEN STEPS F TO AA TO BB TO CC IS FOUR (4) YEARS.]

Section 7. Amendment of Section 23.55.030 of Kenai Municipal Code: That Kenai Municipal Code, Section 23.55.030 – Qualification pay, is hereby amended as follows:

23.55.030 Qualification Pay.

- (a) In recognition of professional development, personal time, and effort of the individual to achieve same, the following annual recognition entitlement is authorized, payable on a pro rata monthly basis.
- (b) This recognition entitlement, except senior officer pay, investigator pay, certified municipal clerk pay, and driver/operator pay, is not considered when calculating hourly rates for annual leave or holiday pay.

(1) Police Department.

- (i) Certification in accordance with State of Alaska Certification Standards as follows:

[POLICE OFFICER]

Intermediate Certification [\$1,800/YEAR] An additional 2.25% of step A of the Police Officer range. Eligible grades are Police Officer and Police Sergeant.

Advanced Certification [\$3,000/YEAR] An additional 3.75% of step A of the Police Officer range. Eligible grades are Police Officer, Police Sergeant, Police Lieutenant, and Police Chief.

[POLICE SERGEANT]

INTERMEDIATE CERTIFICATION \$1,800/YEAR

ADVANCED CERTIFICATION \$3,000/YEAR

POLICE LIEUTENANT

ADVANCED CERTIFICATION \$3,000/YEAR

POLICE CHIEF

ADVANCED CERTIFICATION \$3,000/YEAR]

- (ii) Recognition Pay for Qualified Senior Officers. Senior officer pay is for police officers who have completed [STEP 21E] five years of service with the City of Kenai subject to an overall evaluation rating of “Meets Expectations” or better, as follows:

[ADVANCE ONE (1) PAY GRADE FROM 21E TO 22E] An additional 5% of the employee’s current range and step.

- (iii) Recognition pay for qualified field training officer personnel for officers temporarily assigned field training officer duties for eligible shifts only as follows:

Five percent (5%) increase of the employee’s current range and step.

- (iv) Recognition pay for qualified “investigator” personnel for temporary assignment as an investigator when the assignment is the employee’s primary assignment and the assignment has been approved by the City Manager or designee as follows:

Five percent (5%) increase of the employee’s current range and step.

(2) Fire Department.

- (i) Recognition entitlement for an associate degree in fire science is four hundred eighty dollars (\$480.00) per year. Eligible grades are fire fighter, engineer, and captain.

(ii) Recognition entitlements for EMT certification for eligible grades of fire fighter, engineer, [AND] captain, Fire Marshal, Deputy Fire Chief, and Fire Chief are as follows:

- EMT I Instructor [\$250/YEAR] An additional .5% of step A of the Firefighter range.
- [EMT II \$500/YEAR]
- EMT III [\$1,000/YEAR (INCLUDES EMT II PAY)] An additional 2.25% of step A of the Firefighter range.
- EMT-Paramedic [\$1,500/YEAR (INCLUDES EMT II AND III PAY)] An additional 3.75% of step A Firefighter range (includes EMT III pay)

(iii) Recognition entitlements for driver/operator qualified personnel for eligible grades of fire fighter are as follows:

- Driver/Operator Qualified [ONE (1) PAY RANGE INCREASE (PAY RANGE 18 TO PAY RANGE 19)] An additional 5% of the employee’s current range and step

(3) Water and Sewer Utility. Certification in accordance with the State of Alaska Certification Standards.

- W & S II \$300/year
- W & S III \$480/year

(4) City Clerk’s Office. Certification in accordance with International Institute of Municipal Clerks.

- Certified Municipal Clerk 2.5% of the employee’s base pay

(5) Building Plans Examiner.

Recognition Pay for certification in accordance with the International Code Council as a Building Plans Examiner beyond the basic requirements of the employee’s position, which provides substantial cost savings or additional benefit to the City, upon recommendation by the Department Head and approval of the City Manager as follows:

An additional 2.25% of step A of the employee’s current range and step.

Section 8. Amendment of Section 23.55.080 of Kenai Municipal Code: That Kenai Municipal Code, Section 23.55.080 – Longevity pay for employees in the classified service, is hereby amended as follows:

23.55.080 Longevity Pay for Employees in the Classified Service.

All regular employees who have received an overall rating of “Meets Expectations” or better in their last performance evaluation and who have been at Step [CC]EE for a period of at least two (2) years as of July 31st shall be paid a longevity bonus of two percent (2%) of his or her annual pay rate (i.e., excluding overtime). The longevity pay shall be paid just once a year on the August payroll, except that the longevity bonus in 2008 shall be paid after the effective date of the ordinance codified in this section but prior to the end of the calendar year 2008. Notwithstanding the above, any employee in the classified service who has received a range increase or a non-cost of living pay increase within their current pay range within the twelve (12) months prior to July 31st is not eligible for a longevity pay bonus.

Section 9. 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 10. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5TH DAY OF June, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced: May 15, 2024
Enacted: June 5, 2024
Effective: July 5, 2024



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager
Scott Bloom, City Attorney

FROM: Stephanie Randall, Human Resources Director

DATE: April 11, 2024

SUBJECT: **Ordinance No. 3419-2024 – Amending Kenai Municipal Code Title 23 Personnel Regulations**

The City contracted with McGrath Human Resources Group (McGrath) to conduct a Classification Study. Working with an internal personnel working group of City employees, McGrath developed an overall compensation and classification recommendation for the City. McGrath and Human Resources Director Stephanie Randall presented the recommendations to the City Council on April 3, 2024. The recommendations encompass several key updates to the City’s salary structure. These include adding two steps (DD-EE) to the end of the schedule, adjustments to qualification/certification pay, acting pay, longevity pay, probationary period, part-time employee compensation structure, and travel reimbursement. These changes, designed to enhance the City’s personnel regulations, are necessary to provide an appropriate compensation structure to recruit and retain qualified employees.

Below is a sectional analysis for the proposed code changes included in the Ordinance.

Section 1. This section amends 23.05.070, which defines the probationary period for employees in the classified service, except for public safety positions, as six months and public safety positions as 12 months, to change the probationary period to 12 months for all positions. City employees are eligible for a one-step pay raise upon satisfactory completion of probation. McGrath recommended extending the City’s pay schedule with the intention that employees would be eligible for step A-F on an annual basis, subject to a satisfactory evaluation. Based on the recommendation of McGrath, to ensure consistency across positions and to align the City with industry standards, an amendment to Section 23.05.070 to make the probationary period 12 months for all positions is recommended.

Section 2. This section amends 23.25.070, which provides acting pay to an employee temporarily assigned to and performing the duties of a position with a higher pay range for 40 or more consecutive regular work hours (56 hours for employees performing fire protection activities). Depending on an employee’s current step placement and whether the employee is acting in the Department Head Service or in the capacity of a position appointed by the City Council, which do

not have a “first step,” acting pay ranges from an additional 2% to, in some cases 40% and, in one case, an almost 96% pay increase. This amendment changes acting pay from the first step of the higher range or a one-step pay increase to a fixed increase to 10% of the employee’s current range and step, providing a fairer compensation approach. Based on the recommendation of McGrath and to ensure a fair and equitable approach to acting pay, the amendment to change acting pay to 10% is recommended.

Section 3. This section amends 23.30.030, which provides for a 6- or 12-month probationary period for employees in the classified service. As described above, an amendment to Section 23.30.030 to make the probationary period 12 months for all positions is recommended to ensure consistency across positions.

Section 4. This section amends 23.30.110, which provides a \$50 per diem rate per day for employees traveling on City business outside of the City. The City’s authorized per diem rate was established in 1977 at \$20 per day plus lodging expenses and increased to \$50 in 2005 to adjust for inflation and has not been adjusted since. Per diem is an allowance paid to employees, City Council members, and Commissioners for meals and incidental expenses incurred when traveling. This allowance is in lieu of paying actual travel expenses, is not part of an employee’s wages, and is not taxable to the employee unless the rate is more than the federal per diem rate, which is set each year. Per diem typically covers lodging, meals, and incidentals, and the standard non-specified rate is \$59 for Meals & Incidentals (M&IE). The reimbursement for employees who habitually use their privately-owned vehicle for City business was set at \$30 per month in 1981 and has not increased since then. Employees who use their privately-owned vehicle more than the set amount have been reimbursed at the standard IRS mileage rate. To ensure employees are adequately reimbursed for travel expenses, an amendment to Section 23.30.110 to increase the per diem from \$50 to \$59 and provide a mileage reimbursement is recommended.

Section 5. This section amends 23.40.040, which prohibits the City from paying an employee accrued annual leave if the employee is terminated before completing probation. Employees are allowed to take leave during the probationary period and may terminate for various reasons beyond the employee’s control. Based on the City’s former policy that employees could not take leave during the probationary period, which has since been abolished, an amendment 23.40.040 to allow employees to be paid up to 80 hours of accrued leave upon separation during the probationary period and reflecting the extended probationary period, is recommended.

Section 6. This section amends 23.55.020, which sets the period when full-time and part-time employees are eligible for step increases. The City’s compensation structure by grade differs for full-time and part-time employees. This is true even when employees hold the same position as a full-time employee but work part-time. While full-time employees are eligible to advance one step annually for steps B-F and every two years for steps AA-CC, part-time employees are only eligible to advance every two years for steps B-F and every four years for steps AA-CC. Based on McGrath’s recommendation to extend the City’s pay schedule additional steps (DD and EE) and recommendation that all positions be paid the same pay range and afforded the same step adjustments at the same time intervals regardless of employment status (part-time or full-time) to ensure fairness and internal equity, an amendment to 23.55.020 to align the eligibility criteria for step increases between full-time and part-time employees is recommended.



Section 7. This section amends 23.55.030, which establishes qualification pay for employees in recognition of professional development, personal time, and effort for Police Department, Fire Department, Water and Sewer Utility, and Clerk's Office employees.

Police Department. Qualification pay for Police positions was established in 1978 and increased to the current amounts in 2020 to address the recruitment and retention of qualified officers. This increase included recognition pay for qualified senior officers, field training officers, and investigators. The pay for Senior Officers was modeled after a one-pay range increase for qualified Driver/Operator positions established in the Fire Department and is based on the employee's step placement. The certification pays for comparable positions in other places of public employment are calculated on an hourly basis or as a percentage of the base or regular hourly rate, which allows the pay to adjust annually based on adjustments to the salary schedule or pay plan. To ensure compensation is competitive for comparable positions in other places of public employment and apply qualification pay uniformly to promote efficiency and economy, an amendment to 23.55.030 to calculate certification pay as a percent instead of a flat rate is recommended. This change to Recognition Pay for Qualified Senior Officers would account for the pay more correctly as Certification Pay rather than change an employee's base pay and classification. There is no additional cost associated with amending Recognition Pay for Qualified Senior Officers because the cost to advance an employee one pay grade from 21E to 22E is the same as an additional 5% of the employee's current range and step. Qualified Senior Officer pay is considered when calculating hourly rates for annual leave and holiday pay. Overtime would also be calculated to include this recognition pay.

Fire Department. Qualification pay for Firefighters was established in 1978 and increased to the current amounts in 1981. In 1981, \$1,000 represented 3% of a firefighter's annual pay. Today, EMT III pay represents 1% of the base hourly rate. In 2013, a one-pay range increase for qualified Driver/Operator was adopted based on a compensation comparison with Engineer positions in neighboring fire departments. The Fire Marshal, Deputy Fire Chief, and Fire Chief positions are not listed in the Code as positions eligible for EMT III pay; however, employees in these positions have received this pay at the recommendation of the Department Head and previous City Administration based on the benefit provided to the City, as these positions are required to participate in fire suppression and other emergency situations. No employees are receiving EMT II pay, as most Fire Department employees are receiving EMT III Pay or have not yet achieved minimum certification requirements. The change to Recognition Pay for Driver/Operator positions would account for the pay more correctly as Certification Pay rather than change an employee's base pay and classification. There is no additional cost associated with amending Driver/Operator pay because the cost to advance an employee one pay grade is the same as an additional 5% of the employee's current range and step. To reflect the increase in compensation since 1981, ensure compensation is competitive for comparable positions in other places of public employment, and apply qualification pay uniformly to promote efficiency and economy, an amendment to 23.55.030 to remove EMT II pay, increase certification pay and calculate pay as a percent instead of a flat rate is recommended,



include all positions required to participate in fire suppression and other emergency situations is recommended.

Building Plans Examiner. To ensure the City meets the terms of its agreement for exemption of plan review and deferral of life safety inspections with the State of Alaska, to encourage employees to pursue certification beyond the basic requirements of their position, and to provide additional benefit to the City, an amendment to 23.55.030 to add a new type of certification pay as an additional 2.25% of step A of the employee's current range and step for employees who obtain certification in accordance with the International Code Council as a Building Plans Examiner, which provides substantial cost savings or additional benefit to the City, upon recommendation by the Department Head and approval of the City Manager is recommended.

Section 8. This section amends 23.55.080, which establishes longevity pay as a lump sum payment of 2% of an employee's base pay for employees who have been at the last step (Step CC) of the City's pay schedule for two years. Longevity Pay was adopted in 2008 to reward employees for their long-term service with the City based on its short pay model, which allowed employees to reach the maximum step in 10-10.5 years. McGrath recommended extending the compensation system to an 11-step model, which allows employees to reach the maximum step in 15 years. Longevity Pay for comparable public employers ranges from lump sum payments of 2-2.5%, with some employers either not having longevity pay or providing an annual bonus to all employees with at least one year's service. Based on the recommendations of McGrath and to ensure compensation is competitive for comparable positions in other places of public employment, an amendment to 23.55.080 to change the last step from CC to EE is recommended. As part of the Administration's proposed implementation of the updated pay schedule to an 11-step model, employees currently eligible for a longevity bonus who would see a non-cost of living pay increase would no longer be eligible for the longevity bonus under the City's Code. To ensure that no employees receive a decrease in annual pay, the longevity bonus amount is considered part of the total annual pay for employees in longevity when placing employees in the new schedule to ensure that the employee moves to the step closest to what they are earning without taking a decrease in pay.

These amendments aim to enhance the City's compensation and classification structure, ensuring fairness, competitiveness, and alignment with industry standards.

Thank you for your consideration.





Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3420-2024**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND AND MUNICIPAL ROADWAY IMPROVEMENTS CAPITAL FUND AND AWARDING A CONSTRUCTION AGREEMENT AND CORRESPONDING PURCHASE ORDER FOR THE 2024 LILAC LANE ROADWAY IMPROVEMENT PROJECT.

WHEREAS, The City of Kenai formally released for construction bids the 2024 Lilac Lane Roadway Improvements Project on April 17, 2024 with bids due on May 7, 2024; and,

WHEREAS, the following bids were received:

Contractor	Base Bid	Alternative Bid
Peninsula Construction, Inc.	\$637,180	\$637,765
Foster Construction, LLC	\$785,843	\$877,000

; and,

WHEREAS, the project includes repair and replacement of severely settled concrete curb and asphalt areas along Lilac Lane from Cook Inlet View Drive to the Kenai Spur Highway, with the difference between the base bid and alternative bid being a complete replacement of all asphalt in lieu of patching effected areas only; and,

WHEREAS, Peninsula Construction, Inc. having successfully provided a low bid within budgeted amounts will be awarded the construction agreement for their alternative bid in the total amount of \$637,765, which includes a \$50,000 contingent sum for unforeseen conditions; and,

WHEREAS, this project is listed in the FY2025-2029 Capital Improvement Plan and was set to receive funding on July 1st during the new fiscal year, however this Ordinance is allowing appropriation of those funds earlier to allow sufficient time to complete the project this construction season; and,

WHEREAS, this project will take place through the summer with substantial completion anticipated for the Fall of 2024.

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

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

General Fund:

Increase Estimated Revenues -	
Appropriation of Fund Balance	<u>\$637,765</u>

Increase Appropriations –	
Transfer to Municipal Roadway Improvements Capital Fund	<u>\$637,765</u>

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

Municipal Roadway Improvements Capital Fund:

Increase Estimated Revenues -
Transfer from General Fund \$637,765

Increase Appropriations –
Construction \$637,765

Section 3. That the City Manager is authorized to execute a construction agreement in the amount of \$637,765 and to issue a corresponding purchase order to Peninsula Construction, Inc. in that same amount.

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5TH DAY OF JUNE, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: DS

Introduced: May 15, 2024
Enacted: June 5, 2024
Effective: June 5, 2024



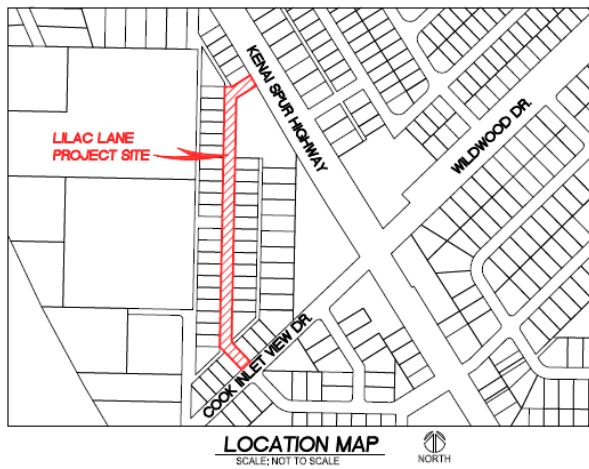
MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Scott Curtin, Public Works Director
DATE: May 8, 2024
SUBJECT: Ordinance 3420-2024

On May 7th, 2024 the Public Works Department received construction bids for the 2024 Lilac Lane Roadway Improvements project, with Peninsula Construction, Inc. determined to have provided the lowest responsive and responsible bid at a total cost of \$637,765. The project has been moving forward within our Capital Improvement Plan for some years now. This Ordinance is being provided now to appropriate the funding a month ahead of our normal fiscal years appropriations to allow more time to complete the project during this construction season.

Lilac Lane is approximately 1600lf in length, located between Cook Inlet View Drive and the Kenai Spur Highway. The roadway is primarily residential with some commercial properties along the highway frontage. Map and photo below of the project area.

The project is anticipated to start in June with completion anticipated for later this fall. Council’s approval of this Ordinance is respectfully requested.





MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Kathy Romain, Senior Center Director
DATE: May 7, 2024
SUBJECT: **Workplan 2024 - Council on Aging**

The Council on Aging convened for work session on February 9 and March 14, 2024, to draft their Workplan for 2024. On April 11, 2024, during their meeting, they voted to proposed their workplan for approval by the City Council. The Administration supports goals 1, 2, and 3, as they are consistent with Kenai Municipal Code and the By-Laws and Rules governing the Council on Aging.

Thank you for your consideration.

INTRODUCTION

This area should include a brief description of the overall purpose of the commission. *Note: Work plans developed by the advisory body will be submitted to the City Council for approval; therefore, it is a good idea to align the goals and objectives with city code, policy and the City of Kenai Comprehensive Plan.*

The Mission of the Council on Aging Commission is to advise the Mayor, the City Council, Senior Center Director, and City of Kenai the needs of the elderly in the area of seniors, support the programs which enable the continued independence of senior citizens and serve as an advisory committee. Duties include advising the Senior Center Director on matters dealing with the budgets for senior programs and programs operated at the Kenai Senior Center (KSC).

Instructions: In the space provided below, create a list of issues and goals (objectives) your commission would like to address in the upcoming year, your list should also include plans on how to address those issues. Each objective listed should include information regarding additional staff resources and/or community volunteers needed; funding resources, are funds available in the budget if not are you proposing council include funding in the upcoming budget cycle; and how long is it expected to obtain the objective. Please prioritize the objectives of your group with number one (1) being the top priority.



Objective No. 1 Objective: Enhance Kenai Senior Center (KSC) Community Outreach and Membership Estimated Time to Complete: 2024

Strategy: *(Provide a summary of tasks which need to be done to obtain the objective.)*

1. Update the Senior Center Webpage on the City of Kenai Website.
2. Provide input for updated KSC flyers with the Senior Center Director that can be conspicuously placed at Kenai City Hall and local businesses.
3. Sponsor a "Bring a Friend to Lunch Day" where KSC members can invite potential new members to lunch at the KSC.

Narrative: *(Describe the benefits to the residents and visitors of the City.)*

The updating of the KSC webpage will provide greater visibility of the programs and activities provided by the City of Kenai for seniors. Simplified navigation to events, calendars, and menus are what seniors need to be able to take advantage of all the services the KSC has to offer seniors in the community. Updated KSC flyers will provide updated information at the Kenai City Hall and at businesses for seniors with no access to computers. The "Bring a Friend to Lunch Day" will provide the community outreach to recruit new KSC members.

Collaboration: *(Who needs to be involved to obtain the objective?)*

The Council on Aging Commission members and KSC staff. This task has been assigned to two Commission members.

Funding: *(Are funds available, or is funding needed in a future budget?)*

The KSC webpage update will be accomplished as part of the City of Kenai Webpage update with no additional funding required.

INTRODUCTION

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Objective No. 2 Objective: Discuss and Research Adding More Seniors Housing for the City of Kenai Estimated Time to Complete: 2024

Strategy: *(Provide a summary of tasks which need to be done to obtain the objective.)*

1. Discuss and research adding more senior housing for the City of Kenai.
 - a. Schedule work sessions and assign research tasks to commission members.
 - b. Compile finds and provide a comprehensive report to the City Council Member representing the Council on Aging Commission.
 - c. Have the City Council Representative report the findings and recommendations to the full Kenai City Council.

Narrative: *(Describe the benefits to the residents and visitors of the City.)*

There is currently a one year waiting list for housing for Vintage Pointe Manor. Research and discussions on the viability and finding sources needs to begin for planning future senior housing.

Collaboration: *(Who needs to be involved to obtain the objective?)*

The Council on Aging Commission members and KSC staff. This task has been assigned to two Commission members.

Funding: *(Are funds available, or is funding needed in a future budget?)*

No funding required.

INTRODUCTION

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Instructions: In the space provided below, create a list of issues and goals (objectives) your commission would like to address in the upcoming year, your list should also include plans on how to address those issues. Each objective listed should include information regarding additional staff resources and/or community volunteers needed; funding resources, are funds available in the budget if not are you proposing council include funding in the upcoming budget cycle; and how long is it expected to obtain the objective. Please prioritize the objectives of your group with number one (1) being the top priority.



Objective No. 3 Objective: Assist the KSC Staff in Researching Topics that can Enrich Senior Programs Estimated Time to Complete: 2024

Strategy: *(Provide a summary of tasks which need to be done to obtain the objective.)*

1. The 2024 research topic will be to explore intergenerational programs that connect high school or college-aged youth with lonely or isolated senior adults.
 - a. Research other programs around the nation that currently offer these intergenerational activities.
 - b. Compile and analyze findings.
 - c. Present findings to KSC staff.

Narrative: *(Describe the benefits to the residents and visitors of the City.)*

The KSC staff needs critical support in research and analysis on intergenerational programs.

Collaboration: *(Who needs to be involved to obtain the objective?)*

The Council on Aging Commission members and KSC staff. This task has been assigned to two Commission members.

Funding: *(Are funds available, or is funding needed in a future budget?)*

No funding required.



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Tyler Best, Parks and Recreation Director
DATE: May 7, 2024
SUBJECT: **Workplan 2024 – Parks and Recreation Commission**

The Parks and Recreation Commission met on May 2, 2024, and voted on its annual work plan goals. The Administration supports goals 1, 3, and 4 but not goal 2.

Goal 2:

Strategy: (Provide a summary of tasks that need to be done to obtain the objective.)

To effectively meet 19.05.010, the Parks & Recreation Commission (Commission) will identify a commissioner who will work with collaborators to develop a systematic and transparent approach for reporting requests or suggestions by the public or from the public through the Commission to collaborators. This commissioner will provide updates at each regularly scheduled Parks & Recreation Commission meeting.

Narrative: (Describe the benefits to the residents and visitors of the City.)

While this does not need to be elaborate in nature and could be as simple as a running log tracked and shared by the Department, it should effectively provide a clear, consistent, and accessible methodology for the public and/or Commission to communicate requests through the Department, Council, and administration.

While the intention behind this strategy is commendable, there are some concerns regarding its potential for creating additional work and redundancy. The Administration is not supportive of this because it is redundant and would generate additional administrative work for the Parks and Recreation Department. The City already has systems in place to record feedback from the public through public meetings and notices. The Parks Department receives daily calls and addresses concerns through its phone systems and email: parks@kenai.city.

INTRODUCTION

This area should include a brief description of the overall purpose of the commission. *Note: Work plans developed by the advisory body will be submitted to the City Council for approval; therefore, it is a good idea to align the goals and objectives with city code, policy and the City of Kenai Comprehensive Plan.*

Instructions: In the space provided below, create a list of issues and goals (objectives) your commission would like to address in the upcoming year, your list should also include plans on how to address those issues. Each objective listed should include information regarding additional staff resources and/or community volunteers needed; funding resources, are funds available in the budget if not are you proposing council include funding in the upcoming budget cycle; and how long is it expected to obtain the objective. Please prioritize the objectives of your group with number one (1) being the top priority.

 GOAL OR OBJECTIVE	 COLLABORATION	 FUNDING RESOURCES	 TIME TO COMPLETE
Objective No. <u>01</u>	Objective: <u>Tour Parks & Trails Twice Annually</u>		Estimated Time to Complete: <u>16 Hours</u>

Strategy: *(Provide a summary of tasks which need to be done to obtain the objective.)*

The Parks & Recreation Commission (Commission) will work with the Parks & Recreation Department (Department) to tour the City's parks, trails, and recreation facilities twice a year (spring and fall). Tours will include highlighting the Department's accomplishments and goals as well as facilitate the opportunity for the Commission to provide recommendations on capital improvements and master plans. Transportation will be provided by the Department, as available.

Narrative: *(Describe the benefits to the residents and visitors of the City.)*

This objective will allow the Commission to effectively support 19.05.010 and 19.05.020 and adequately advise the Council and administration on issues involving the City's parks and recreational facilities.

Collaboration: *(Who needs to be involved to obtain the objective?)*

Parks & Recreation Department

Funding: *(Are funds available, or is funding needed in a future budget?)*

N/A

INTRODUCTION

This area should include a brief description of the overall purpose of the commission. *Note: Work plans developed by the advisory body will be submitted to the City Council for approval; therefore, it is a good idea to align the goals and objectives with city code, policy and the City of Kenai Comprehensive Plan.*

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GOAL OR OBJECTIVE	COLLABORATION	FUNDING RESOURCES	TIME TO COMPLETE
Objective No. <u>02</u>	Objective: <u>Public Requests & Commission Recommendations</u>	Estimated Time to Complete: <u>Ongoing</u>	

Strategy: *(Provide a summary of tasks which need to be done to obtain the objective.)*

In order to effectively meet 19.05.010, the Parks & Recreation Commission (Commission) will identify a commissioner who will work with collaborators to develop a systematic and transparent approach for reporting requests or suggestions by the public or from the public through the Commission to collaborators. This commissioner will provide updates at each regularly scheduled Parks & Recreation Commission meeting.

Narrative: *(Describe the benefits to the residents and visitors of the City.)*

While this does not need to be elaborate in nature, and could be as simple as a running log tracked and shared by the Department, it should effectively provide a clear, consistent, and accessible methodology for the public and/or Commission to communicate requests through the Department, Council, and administration.

Collaboration: *(Who needs to be involved to obtain the objective?)*

Parks & Recreation Department, City Council, and Administration





Funding: *(Are funds available, or is funding needed in a future budget?)*

TBD

INTRODUCTION

This area should include a brief description of the overall purpose of the commission. *Note: Work plans developed by the advisory body will be submitted to the City Council for approval; therefore, it is a good idea to align the goals and objectives with city code, policy and the City of Kenai Comprehensive Plan.*

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GOAL OR OBJECTIVE	COLLABORATION	FUNDING RESOURCES	TIME TO COMPLETE
Objective No. <u>03</u>	Objective: <u>Capital Improvement Plan (CIP) Work Session Twice Annually</u>	Estimated Time to Complete: <u>4 Hours</u>	

Strategy: *(Provide a summary of tasks which need to be done to obtain the objective.)*

The Parks & Recreation Commission (Commission) will work with the Parks & Recreation Department (Department) to hold CIP Work Sessions twice a year (spring and fall) after the parks, trails, and recreation facilities tours. CIP Work Sessions will include a review of the status, progress, and accomplishments on existing capital improvements as well as facilitate the opportunity for the Commission to provide additional recommendations on new or existing capital improvements.

Narrative: *(Describe the benefits to the residents and visitors of the City.)*

This objective will allow the Commission to effectively support 19.05.010 and 19.05.020 and adequately advise the Council and administration on issues involving the City's parks and recreational facilities.

Collaboration: *(Who needs to be involved to obtain the objective?)*

Parks & Recreation Department





Funding: *(Are funds available, or is funding needed in a future budget?)*

N/A

INTRODUCTION

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 GOAL OR OBJECTIVE	 COLLABORATION	 FUNDING RESOURCES	 TIME TO COMPLETE
Objective No. <u>04</u>	Objective: <u>Development of Long-Term Goals</u>		Estimated Time to Complete: <u>TBD</u>

Strategy: *(Provide a summary of tasks which need to be done to obtain the objective.)*

Based on other objectives previously identified by the Parks & Recreation Commission (Commission), and in the support of 19.05.020(a), they will work in collaboration with the Parks & Recreation Department (Department) to identify items that would support future master plans.

Narrative: *(Describe the benefits to the residents and visitors of the City.)*

The Commission serves as an effective intermediary between the public, the Department, Council, and Administration by conveying public feedback in a structured and organized manner. Through this objective, the Commission will more effectively represent and communicate the diverse perspectives of the community, provide expertise and specialization, capitalize on regular communication channels with the Department, serve as an accountable and transparent bridge between the public and Council, and leverage the Commission's capacity to build stronger community engagement.

Collaboration: *(Who needs to be involved to obtain the objective?)*

Parks & Recreation Department

Funding: *(Are funds available, or is funding needed in a future budget?)*

N/A

**KENAI AIRPORT COMMISSION – REGULAR MEETING
APRIL 11, 2024 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR GLENDA FEEKEN, PRESIDING**

ACTION MINUTES

A. CALL TO ORDER

A Regular Meeting of the Airport Commission was held on April 11, 2024, in the Kenai City Council Chambers, Kenai, AK. Chair Feeken called the meeting to order at approximately 6:13 p.m.

1. Pledge of Allegiance

Chair Feeken led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Glenda Feeken, Chair
James Bielefeld
Joshua Daily

Paul Minelga, Vice Chair
James Zirul
Dan Pitts (*electronic participation*)

A quorum was present.

Absent:

Jacob Caldwell

Also in attendance were:

Derek Ables, Airport Manager
Sarah Conley, Airport Administrative Assistant
Henry Knackstedt, City Council Liaison

3. Agenda Approval

Chair Feeken noted a request to remove item F2. Recommending Council Approve Airport Commission 2024 Annual Work Plan.

MOTION:

Commissioner Bielefeld **MOVED** to approve the agenda as revised. Commissioner Daily **SECONDED** the motion.

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

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

1. March 14, 2024

MOTION:

Commissioner Daily **MOVED** to approve the March 14, 2024 Airport Commission minutes. Commissioner Zirul **SECONDED** the motion.

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

E. UNFINISHED BUSINESS - None.

F. NEW BUSINESS

1. **Discussion/Recommendation** - Recommending Council Award a Special Use Permit to Jeremy Mastre, DBA: River Rock Outdoors, LLC for Commercial Operations at the Float Plane Basin.

MOTION:

Commissioner Bielefeld **MOVED** to recommend City Council award a Special Use Permit to Jeremy Mastre, DBA: River Rock Outdoors, LLC for Commercial Operations at the Float Plane Basin. Commissioner Zirul **SECONDED** the motion.

Airport Manager Ables gave a staff report from information provided in the packet.

MOTION TO AMEND:

Commissioner Bielefeld **MOVED** to amend the Special Use Permit as follows:

Page 1, paragraph 1 to read, "Premises. Permittee shall have the [NON-]exclusive right to use float plan base parking spot 9 as described in the attached Exhibit A for the uses identified in this Permit."

Commissioner Daily **SECONDED** the motion.

It was clarified that "Kenai Aviation" on page seven, in paragraph 25 of the Special Use Permit was a technical error that will be corrected on the final permit.

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

MOTION TO AMEND:

Vice Chair Minelga **MOVED** to amend the Special Use Permit as follows:

Page 3, paragraph 7 to read, "Coordination with Airport Management. Permittee shall [COORDINATE ALL ACTIVITIES ON THE AIRPORT WITH AIRPORT MANAGEMENT, OR A DESIGNATED REPRESENTATIVE, AND SHALL] abide by all reasonable decisions and directives of the Airport Management regarding activities and general use of the Airport by Permittee germane to a commercial entity." Commissioner Bielefeld **SECONDED** the motion.

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

VOTE ON THE MAIN MOTION AS AMENDED: There being no objection; **SO ORDERED.**

2. **Discussion/Recommendation** – Recommending Council Approve Airport Commission 2024 Annual Work Plan.

[Clerk's Note: This item was removed from the agenda during the approval of the agenda.]

G. REPORTS

1. Airport Manager – Airport Manager Ables summarized his report as provided in the packet.
2. Commission Chair – No report.
3. City Council Liaison – Council Member Knackstedt reported on recent City Council actions.

H. ADDITIONAL PUBLIC COMMENTS - None.

I. NEXT MEETING ATTENDANCE NOTIFICATION - May 9, 2024

Vice Chair Minelga noted that he might be absent.

J. COMMISSION QUESTIONS AND COMMENTS

Commissioner Bielefeld noted that he would like to review a generic Special Use Permit contract with the City Attorney. He noted that in the past, the Airport Commission had reviewed and recommended updates to airport regulations; he requested to go over them again at the next meeting or to consider it as a goal. He thanked staff for including enplanement data in the packet.

K. ADJOURNMENT

L. INFORMATIONAL ITEMS

1. Airport Administrative Assistant Report, April 2024

There being no further business before the Airport Commission, the meeting was adjourned at 7:07 p.m.

I certify the above represents accurate minutes of the Airport Commission meeting of April 11, 2024.

Meghan Thibodeau
Deputy City Clerk

DRAFT

**KENAI HARBOR COMMISSION – REGULAR MEETING
MAY 6, 2024 - 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR LISA GABRIEL, PRESIDING**

ACTION MINUTES

A. CALL TO ORDER

A Regular Meeting of the Harbor Commission was held on May 6, 2024, in the Kenai City Council Chambers, Kenai, AK. Chair Gabriel called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Chair Gabriel led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Lisa Gabriel, Chair
David Peck
John Coston

Jeanne Reveal, Vice Chair
Matthew Moffis

A quorum was present.

Also in attendance were:

Scott Curtin, Public Works Director
Shellie Saner, City Clerk
Terry Eubank, City Manager
Victoria Askin, City Council Liaison

3. Agenda Approval

MOTION:

Commissioner Peck **MOVED** to approve the agenda as presented. Commissioner Coston **SECONDED** the motion.

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

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

1. February 12, 2024

MOTION:

Vice Chair Reveal **MOVED** to approve the February 12, 2024 Harbor Commission minutes. Commissioner Moffis **SECONDED** the motion.

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

E. UNFINISHED BUSINESS - None.

F. NEW BUSINESS

1. **Discussion/Recommendation** - Recommendation to Council on Enactment of Ordinance No. 3416-2024 - An Ordinance Repealing, Reenacting and Renaming Kenai Municipal Code Chapter 1.90 - Standard Procedures For Boards, Commissions and Committees, Enacting Chapter 1.95 - Standing Advisory Commissions, Repealing Chapters 11.10 - Harbor Commission, Chapter 19.05 Parks And Recreation Commission, Chapter 21.20 Airport Commission, Enacting Section 14.05.050 - Planning and Zoning Commission - Qualifications and Membership, and Approving Amendments to the Council on Aging Commission's By-Laws to Organize Streamline, and Improve the Efficiency of the City's Standing Commissions.

MOTION:

Commissioner Coston **MOVED** to recommend City Council approval of Ordinance No. 3416-2024. Vice Chair Reveal **SECONDED** the motion.

City Clerk Saner summarized the report as provided in the packet, noting that the proposed new code had substantial structural changes; however, the intent of the Commissions February recommendation remained in the new proposed code.

UNANIMOUS CONSENT was requested on the motion.

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

2. **Discussion/Recommendation** - Recommendation to Council on Enactment of Ordinance No. 3417-2024 - An Ordinance Increasing Estimated Revenues and Appropriations by \$12,600 in the General Fund for the Purchase of Approximately 7.8 Acres of Real Property Described as Tract B, Kenai Bluff Stabilization Subdivision from David W. Salter to be Retained by the City for a Public Purpose and Determining that the Public Interest will not be Served by an Appraisal.

MOTION:

Vice Chair Reveal **MOVED** to recommend City Council approval of Ordinance No. 3417-2024. Commissioner Coston **SECONDED** the motion.

City Manager Eubank summarized the report as provided in the packet, noting that owning the property does not create an obligation for the City to start a new Bluff Stabilization Project.

UNANIMOUS CONSENT was requested on the motion.

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

G. REPORTS

1. Public Works Director – Director Curtin reported on the following:
 - Personal Use Fishery scheduled to open July 10, 2024.
 - City Dock is now open.
 - Having the same two Special Use Permit applicants, plus one new one for using the crane at the dock.
 - Bluff Stabilization Project is underway, the contractor was sourcing materials and construction not expected to begin until 2025; the formal ribbon cutting for the project kick off is scheduled for June 11, 2025 at the Kenai Senior Center.

There was discussion regarding the method in which the rock for the Bluff Stabilization Project would be delivered.

2. Commission Chair - Chair Gabriel. No report.
3. City Council Liaison – Council Member Askin provided a summary report on Council actions during April.

H. **ADDITIONAL PUBLIC COMMENTS** - None.

I. **NEXT MEETING ATTENDANCE NOTIFICATION** - June 10, 2024.

Commission Coston indicated he would be attending remotely.

J. **COMMISSION QUESTIONS AND COMMENTS**

Gratitude was expressed by the Commission for the work done on the Ordinance presented for recommendation by the Commission.

K. **ADJOURNMENT**

L. **INFORMATIONAL ITEMS** - None.

There being no further business before the Harbor Commission, the meeting was adjourned at 6:40 p.m.

I certify the above represents accurate minutes of the Harbor Commission meeting of May 6, 2024.

Meghan Thibodeau
Deputy City Clerk

DRAFT

**KENAI PARKS & RECREATION COMMISSION – REGULAR MEETING
MAY 2, 2024 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR GRANT WISNIEWSKI, PRESIDING**

ACTION MINUTES

A. CALL TO ORDER

A Regular Meeting of the Parks & Recreation Commission was held on May 4, 2024, in the Kenai City Council Chambers, Kenai, AK. Chair Wisniewski called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Chair Wisniewski led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Grant Wisniewski, Chair
Michael Bernard
Nigel LaRicca

Sovala Kisena, Vice Chair
Charlie Stephens

A quorum was present.

Absent:

Kyle Graham

Jennifer Joanis

Also in attendance were:

Tyler Best, Parks & Recreation Director
Jenna Brown, Parks & Recreation Assistant Director
Alex Douthit, City Council Member
Shellie Saner, City Clerk

3. Agenda Approval

MOTION:

Commissioner Stephens **MOVED** to approve the agenda as presented. Commissioner LaRicca **SECONDED** the motion.

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

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

1. April 4, 2024 Regular Meeting

MOTION:

Commissioner Bernard **MOVED** to approve the April 4, 2024 Parks & Recreation Commission minutes. Commissioner Stephens **SECONDED** the motion.

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

E. UNFINISHED BUSINESS – None.

F. NEW BUSINESS

1. **Discussion/Recommendation** - Recommending Council Approve the Parks & Recreation Commission Annual Work Plan, Objective 1, Tour Parks & Trails Twice Annually.

MOTION:

Commissioner LaRiccia **MOVED** to recommend City Council approval of Objective #1. Commissioner Stephens **SECONDED** the motion.

City Clerk Saner clarified that the Work Plan Goals and Objectives 1-4 that were amended at the previous meeting are being brought back for final recommendation by the Commission before being forwarded to Council.

UNANIMOUS CONSENT was requested on the motion.

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

2. **Discussion/Recommendation** - Recommending Council Approve the Parks & Recreation Commission Annual Work Plan, Objective 2, Public Requests & Commission Recommendations.

MOTION:

Commissioner Stephens **MOVED** to recommend City Council approval of Objective #2. Vice Chair Kisena **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

3. **Discussion/Recommendation** - Recommending Council Approve the Parks & Recreation Commission Annual Work Plan, Objective 3, Capital Improvement Plan (CIP) Work Session Twice Annual.

MOTION:

Vice Chair Kisena **MOVED** to recommend City Council approval of Objective #3. Commissioner Stephens **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

4. **Discussion/Recommendation** - Recommending Council Approve the Parks & Recreation Commission Annual Work Plan, Objective 4, Development of Long-Term Goals.

MOTION:

Commissioner Stephens **MOVED** to recommend City Council approval of Objective #4. Commissioner Bernard **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

5. **Discussion/Recommendation** - Recommendation to Council on Enactment of Ordinance No. 3416-2024 - An Ordinance Repealing, Reenacting and Renaming Kenai Municipal Code Chapter 1.90 - Standard Procedures For Boards, Commissions and Committees, Enacting Chapter 1.95 - Standing Advisory Commissions, Repealing Chapters 11.10 - Harbor Commission, Chapter 19.05 - Parks And Recreation Commission, Chapter 21.20 Airport Commission, Enacting Section 14.05.050 - Planning and Zoning Commission - Qualifications and Membership, and Approving Amendments to the Council on Aging Commission's By-Laws to Organize Streamline, and Improve the Efficiency of the City's Standing Commissions.

MOTION:

Commissioner LaRiccia **MOVED** to recommend City Council enactment of Ordinance No. 3416-2024.
Vice Chair Kisena **SECONDED** the motion.

City Clerk Saner gave a staff report as provided in the packet.

UNANIMOUS CONSENT was requested on the motion.

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

G. REPORTS

1. Parks & Recreation Director – Director Best reported on the following:
 - Status of slash site for 2024
 - Upcoming Parks & Recreation events including the Kite Festival, Clean-Up Day, and Planting Days.
2. Commission Chair – No report.
3. City Council Liaison – Council Member Douthit reported on recent actions of the City Council.

H. ADDITIONAL PUBLIC COMMENTS – None.**I. NEXT MEETING ATTENDANCE NOTIFICATION – June 6, 2024**

Commissioner Stephens noted that he may be absent.

City Clerk Saner noted that a text-reminder software has been implemented to establish a quorum; asked the Commission for feedback.

J. COMMISSION QUESTIONS AND COMMENTS

Vice Chair Kisena noted the success of the 10V girls hockey team; appreciates the Parks & Recreation department accommodating dry-land practices prior to state tournament.

K. ADJOURNMENT**L. INFORMATIONAL ITEMS – None.**

There being no further business before the Parks & Recreation Commission, the meeting was adjourned at 6:31 p.m.

I certify the above represents accurate minutes of the Parks & Recreation Commission meeting of May 2, 2024

Meghan Thibodeau
Deputy City Clerk



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Derek Ables, Airport Manager
DATE: May 6, 2024
SUBJECT: **Airport Mid-month Report April 2024**

FAA Annual Periodic Inspection- The Airport had its periodic inspection on April 30th. Overall the inspection went well. It was scheduled from April 30th-May 2nd but finished early on May 1st. There were three required corrections from the inspection.

- 139.7 The Airports stock of airport sand observed contained stones that would be considered FOD.
- 139.201(a) the Airport has not been logging wildlife patrol sweeps in which no wildlife is observed as prescribed within the WHMP.
- 139.201(a) Airport did not perform an annual review and evaluation of their WHMP in 2023.

The annual review has already been corrected and closed out.

In-house Activities

- In April the Airport hired a new Airport Operations Supervisor, Michael Beals. He will be replacing Jim Lackey who is retiring at the end of May. The advertisement for the Airport Operations Specialist position closed on May 6, 2024 with 25 applications and we will be trying to complete the hiring process before the end of the month.
- On April 19th the Airport held a tour for Grace Lutheran preschool. This was a fun time to take time out of busy schedule to get kids excited about aviation. I can remember the events that drew my attention to this career field. The ARFF truck was brought out did still the show though.



KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubanks, City Manager
THROUGH: Dave Ross, Police Chief
FROM: Jessica “JJ” Hendrickson, Animal Control Chief
DATE: May 3, 2024
SUBJECT: April 2024 Monthly Report

This month the Kenai Animal Shelter took in **50** animals. Animal intake and disposition:

DOGS:				
	INTAKE	16	DISPOSITION	15
	Waiver	6	Adopted	2
	Stray	7	Euthanized	4
	Impound	1	Claimed	9
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	0
	Other Intakes	2	Other Dispositions	0
CATS:				
	INTAKE	34	DISPOSITION	21
	Waiver	12	Adopted	13
	Stray	19	Euthanized	5
	Impound	0	Claimed	3
	Protective Custody	3	Field Release	0
	Quarantine	0	Transferred	0
	Other Intakes	0	Other Dispositions	0

OTHER ANIMALS:				
INTAKE	0	DISPOSITION	0	
Guinea Pig	0	Rabbit	0	
Rabbit	0	Bird	0	
Other	0	Guinea Pig	0	
DOA:	3	OTHER STATISTICS:		
Dog	2	Licenses (City of Kenai Dog Licenses)	14	
Cat	1	Rabies Clinic	0	
Rabbit	0			

- 2** Animal dropped with After Hours (days we are closed but cleaning and with KPD)
- 29** Field Investigations & patrols
- 12** Volunteer Hours Logged
- 1** Citations
- 0** Educational Outreach
- 0** Microchip
- Total Animal Contacts:
- 9** Animals are *known* borough animals
- 21** Animals are *known* City of Kenai
- 6** Animals are *known* City of Soldotna
- 0** Animals are *unknown* location

- Statistical Data:
- 134** 2022 YTD Intakes
 - 190** 2023 YTD Intakes
 - 148** 2024 YTD Intakes





MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Dave Swarner, Finance Director
DATE: May 6, 2024
SUBJECT: Finance Department Mid-Month Report – April 2024

The department is preparing for the adoption of the City's FY2025 Budget. The budget ordinance 3418-2024 introduction is schedule for the May 15th Council meeting and Budget adoption is scheduled for the June 5th. City code requires adoption by June 10th. The Resolution establishing the 2024 mill rate is also scheduled for adoption on June 5th to coincide with adoption of the FY2025 Budget Ordinance.

The FY23 ACFR is scheduled for presentation to council on June 5th.

Also being prepared for the June 5th meeting is a resolution to amend the City's Schedule of Rates, Charges and Fees. The amendment will include those increases included in the FY2025 Budget.



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: John Harris, Acting Fire Chief

DATE: May 7, 2024

SUBJECT: Fire Department Mid-Month Report – April.

For April, we experienced a -29.4% call volume decrease from the previous year. This was a considerable difference from our annual call volume increase of 8.2%. During the month of April, the Kenai Fire Department experienced six (6) incidents of multiple calls in which at least two (2) rescue units were engaged in simultaneous emergency responses.

September	2023	2024	% change
Month totals	143	101	-29.4%
EMS	90	71	-21.1%
All Other	53	30	-43.4%
Year total	487	527	8.2%

Training:

- All KFD personnel completed their wildland firefighter training (RT-130 Forestry Refresher).
- All KFD members attended QA / Run Reviews with Dr. Michael Levy (4/22).
- All KFD members completed their required ARFF training for April (Emergency Communications).
- 'B' Shift participated in rope rescue training (Skate Block Training).

Projects/Grants:

- All KFD members met with City Manager Terry Eubank, regarding the Classification and Compensation Study (4/22).
- DC Harris attended multiple board meetings – AFCA, KPFCFA, and KPESI (various dates).
- Fire Marshal Jeremiah Hamilton performed 45 inspections (combination of both building and fire inspections).
- DC Harris attended the City Council Work Session regarding a potential study of a new Public Safety Building (4/3).



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Stephanie Randall, Human Resources Director
DATE: May 9, 2024
SUBJECT: **Human Resources Activity – April 2024**

Recruitment

Human Resources worked with the City Manager's office to recruit for a new Fire Chief. The Fire Department is currently recruiting for a firefighter. The Police Department is recruiting for a Dispatcher and the Airport successfully recruited for an Airport Operations Supervisor. We continue to recruit for temporary summer hires in the parks and recreation and police departments.

Safety

Three accidents were reported in April. One resulted in a employee injury. One resulted in damage to a City vehicle. One Workers' Compensation claims was filed in April.

Employee Recognition and Awards

The following Employees received certificates of appreciation in recognition of their years of employment with the City: 5 years: Kimberly Keisling, Bethany McMilin, Elizabeth Kleweno, Christopher Wyne, Robert Flake, Allen Hild; 10 years: John Savely, Ben Nabinger, Randy Dodge; 15 years: Daniel Smith, Jeremiah Hamilton, Tina Williamson, Christine Cunningham and Terry Eubank.

Special Projects

Human Resources worked with our Consultant Malayna Halverson-Maes to present findings from the Classification and Compensation Study to Council and to employees. Human Resources joined the City Manager in meeting with various City departments to discuss the recommendations the Study proposed.




Human Resources continued to work with Administration to prepare legislation for the proposed changes recommended by the Classification and Compensation Study.

Human Resources attended the Kenai Peninsula Job Fair representing the City of Kenai to promote job opportunities highlighting our summer temporary positions.


MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Katja Wolfe, Library Director
DATE: May 6, 2024
SUBJECT: Library Report for April 20

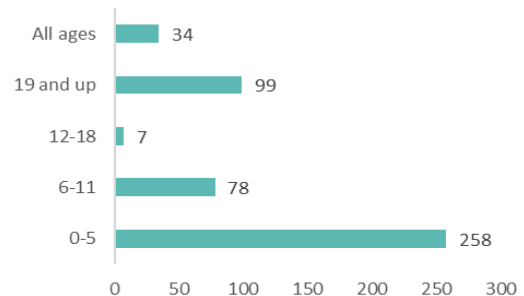
SERVICES

-  **5019** Visitors
58 New Members
-  **535** Computer Sessions
586 AWE Sessions
5855 WiFi Sessions
-  **156** Room Reservations
346 Hours of Use

PROGRAMS AND EVENTS

-  **476** Participants
38 Programs

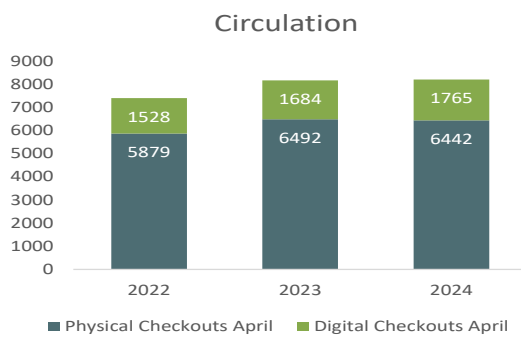
Attendance



Age Group	Attendance
All ages	34
19 and up	99
12-18	7
6-11	78
0-5	258

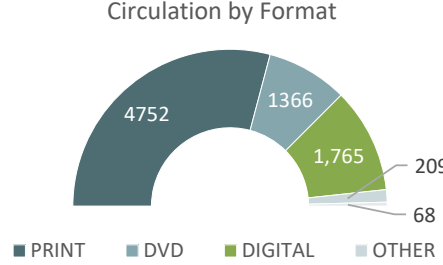
CIRCULATION

Circulation



Year	Physical Checkouts April	Digital Checkouts April
2022	5879	1528
2023	6492	1684
2024	6442	1765

Circulation by Format



Format	Circulation
PRINT	4752
DVD	1366
DIGITAL	1,765
OTHER	209 + 68



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Tyler Best, Parks and Recreation Director
DATE: May, 6th
SUBJECT: **Mid-Month Report-April**

During the month of April, Parks and Recreation closed down the Kenai Recreation Center so the gymnasium wood floors could be refinished. The entire facility was closed for a week while the wood finish was applied. On April 29th, the weight and cardio rooms were reopened, and on May 6th, the whole facility reopened to the public.

On May 11th, in partnership with the Kenai Chamber, the Parks Department will host a clean-up day at the Kenai Green strip from 10 a.m. to noon. During the month of April, the Kenai Rugby Club picked up trash around Millennium Square, and a local neighborhood group picked up the Lawton Extension. Parks and Rec provided trash bags and grabbers to these groups to help them clean up the City. If a group ever wants to pick up areas within the City, the Parks Department will coordinate with them to provide these tools and pick up the trash if they need help to dispose of it.

The first round of interviews for our summer hire positions was conducted in April. All the positions closed at the end of the month, and the second round of interviews took place at the beginning of May.

Kenai Rec. Center Visits-April

Weight Room/Cardio Room	1010
Racquetball	18
Wallyball	61
Shower/Sauna	31
Gymnasium	359
Other	365
Gym Rental Visits	184
Total Number of Visits	2028



Local Neighborhood group picking up trash at the Lawton Extension





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
THROUGH: Linda Mitchell, Planning Director
FROM: Beth McDonald, Planning Assistant
DATE: May 8, 2024
SUBJECT: **Planning and Zoning – April 2024 Monthly Report**

General Information

- Storefront & Streetscape Improvement Program (SSIP) Grant Application Period is now open. The deadline to apply is **Friday, May 17, 2024 at 5 PM**. For brochures, flyers, and application packets, please stop by Planning and Zoning Department or visit <https://www.kenai.city/administration/page/storefront-streetscape-improvement-program>.
- Safe Streets and Roads for All (SS4A): The Kenai Peninsula Borough with partnering cities are developing its first Comprehensive Safety Action Plan (CSAP). In-person public workshops were held this week and a virtual meeting has been scheduled for **Wednesday, May 22, 2024 at 11:30 AM-12:30 PM**. For more information and details, please see attached flyer to the project website or visit <https://www.kenai.city/administration/page/public-workshop-kpb-comprehensive-safety-action-plan>. Please fill out a Community Survey at <https://survey123.arcgis.com/share/c4b1af6ceb7b4dc2ba410545f9672974> before **May 30, 2024**.

Public Inquiry

See attached report.

Application Summary

- Lands - See attached report.
- Leases – See attached report.
- Planning & Zoning – See attached report.

Code Enforcement and Compliance

In April, Planning and Zoning received ten (10) new complaints. One (1) complaint was unfounded, four (4) complaints were on active cases, and two (2) case was closed. There is a cumulative total of 25 open cases.

Staff has started the implementation of the code enforcement solution. A go-live date is anticipated for June 2024.

Planning and Zoning Commission

No public meetings were held in the month of April.



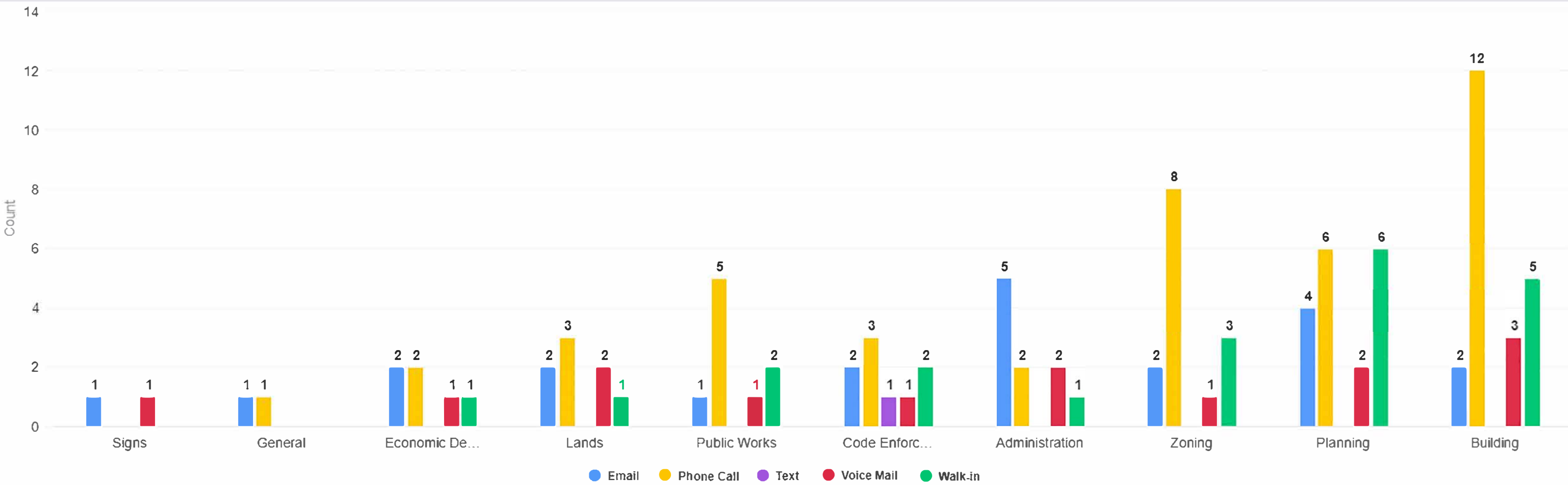
Average Days to Respond to a Public Inquiry

1.922

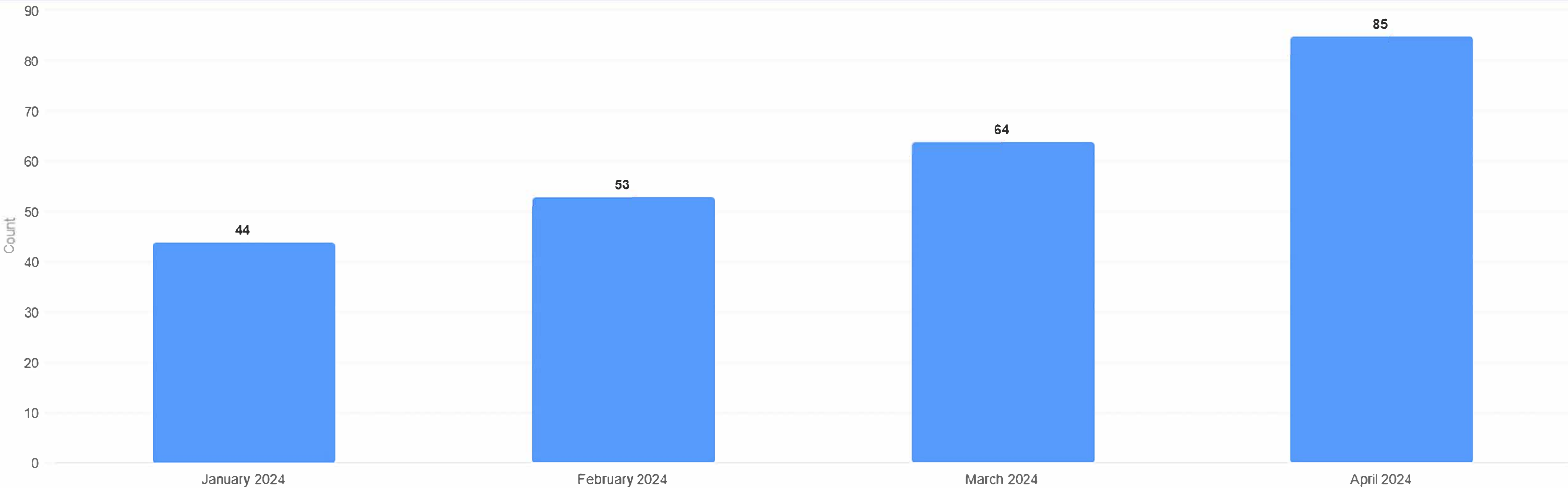
No. of Public Inquiries

85

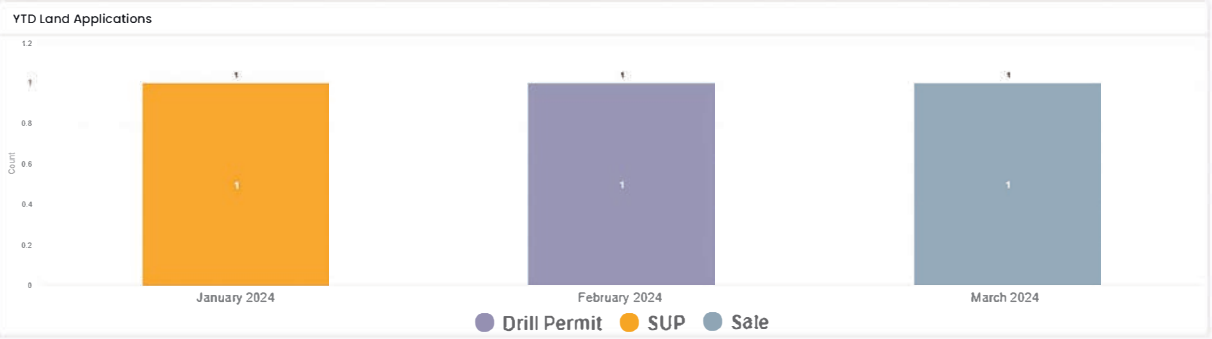
No. of Inquiries by Department/Division and Contact Type



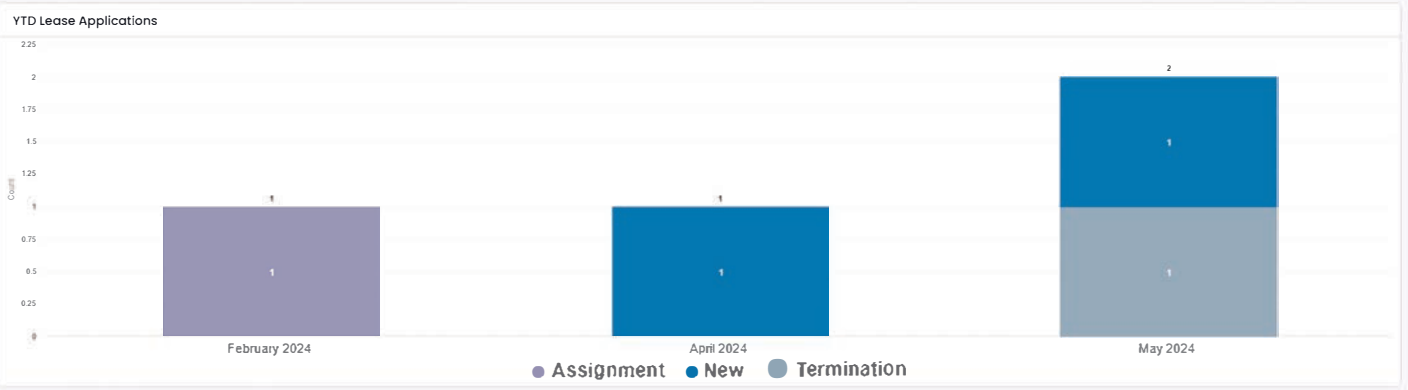
Year-to-Date: No. of Public Inquiries by Month



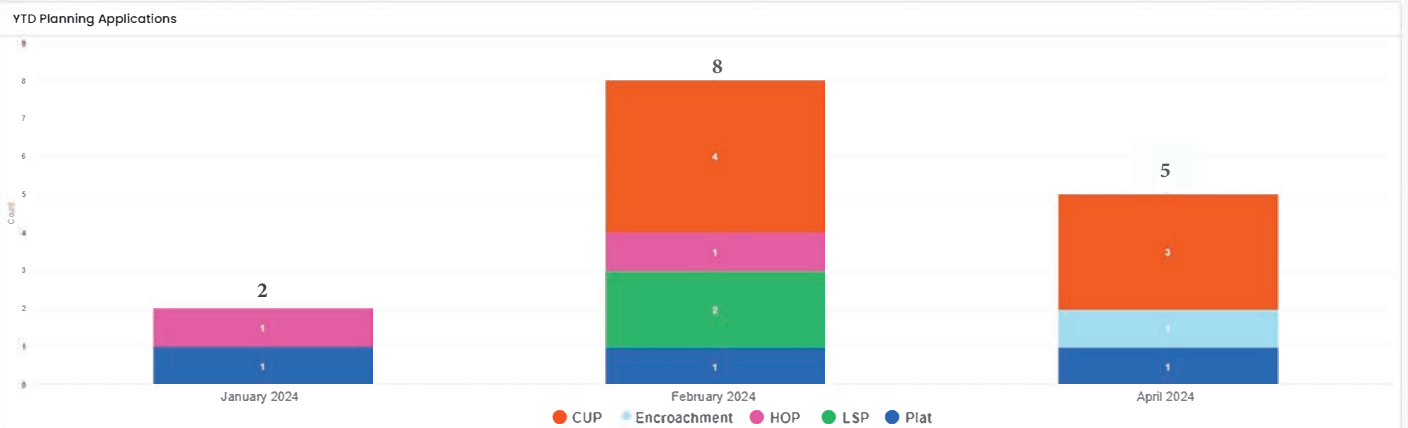
Lands



Leases



Planning Projects





STOREFRONT & STREETSCAPE Improvement Program

YOU ONLY GET ONE CHANCE TO MAKE A FIRST IMPRESSION!

Improved storefront and streetscapes have a measurable impact on business sales and the ability to attract new customers and improve community pride.

The Storefront & Streetscape Improvement Program makes matching funds available to local businesses to aid in the renovation process.



What:

- Fresh Paint
- New Windows
- Better Parking
- Landscaping
- New Signage
- ... and more!

Who:

- Locally Owned Businesses
- Local Franchises
- Projects zoned commercial or Mixed Use
- Structures at least 5 years old
- Projects with at least one eligible improvement
- Storefronts visible to public street or ROW
- Projects where constructions has not begin

When:

SUBMIT APPLICATION before FRIDAY, MAY 17th, 2024 at 5pm.

THE PROCESS

APPLY

REVIEW

AGREEMENT

CONSTRUCTION

MAINTENANCE

REIMBURSEMENT



GET YOUR APPLICATION TODAY!

CITY OF KENAI

PLANNING DEPARTMENT

210 Fidalgo Ave, Kenai, AK 99611
907-283-8237 | planning@kenai.city

www.Kenai.city/planning

KENAI PENINSULA BOROUGH COMPREHENSIVE SAFETY ACTION PLAN

Because everyone deserves to get home safely

ABOUT THE PROJECT

Kenai Peninsula Borough (KPB), with the partner cities Homer, Kenai, Seldovia, Seward and Soldotna, were awarded grant funds to develop a Safe Streets and Roads for All (SS4A) Comprehensive Safety Action Plan (CSAP).

Humans are vulnerable and sometimes make mistakes and our transportation system needs to account for this reality.

WHAT IS A CSAP?

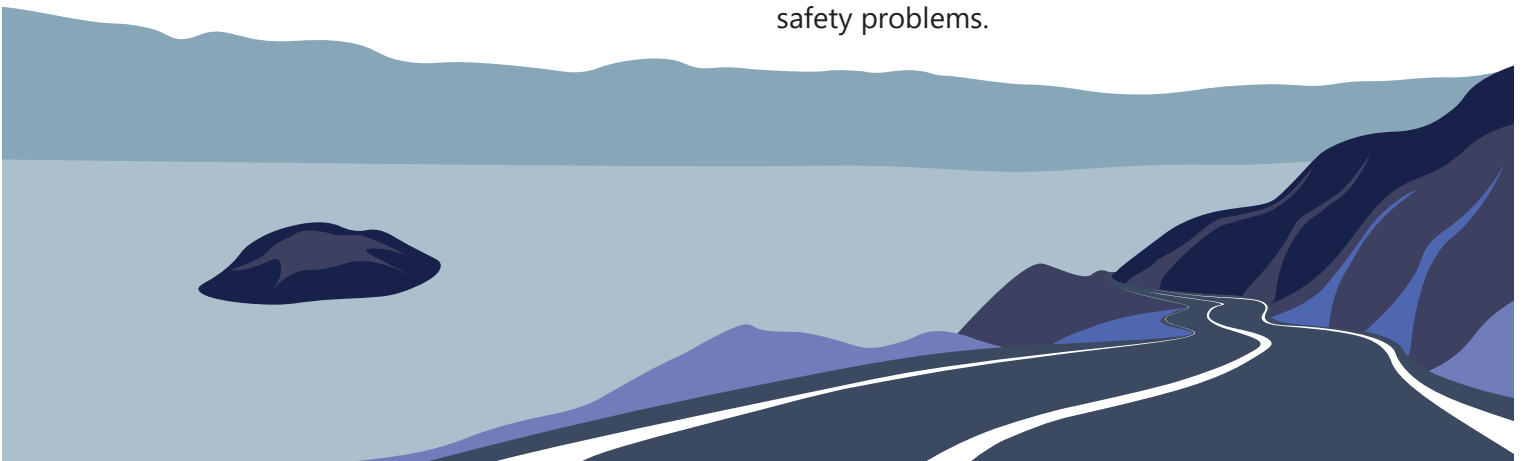
A CSAP is a long-term strategy for enhancing the safety of the borough’s roads through a holistic approach to reduce (and eventually prevent) roadway fatalities and serious injuries borough wide. The CSAP will be structured around the Safe System Approach (SSA) National Roadway Safety Strategy developed by the USDOT.

WHY DO WE NEED A CSAP?

The KPB had **14 non-motorist fatalities** and serious injuries between 2016 and 2021, according to the Alaska Department of Transportation & Public Facilities (DOT&PF) Alaska Vulnerable Road User Safety Assessment. In September 2023, a driver and passenger were killed while slowing in a school zone. In December 2022, a head on collision near Clam Gulch resulted in two fatalities. Also, in December 2022, a pedestrian/vehicle accident resulted in a pedestrian fatality. According to the AKDOT&PF the KPB had 238 fatal or serious injury crashes (both motorist and non-motorist) between 2017 and 2022.

Humans are vulnerable and sometimes make mistakes and our transportation system needs to account for this reality. The CSAP will help the KPB and their partner cities to understand the causes and contributing factors, and recommend countermeasures, creating redundancy and reducing risk. The plan will identify opportunities to improve safety through proactive and systemic programs, policies, processes, partnerships, and projects, especially for areas revealed to be of the highest concern.

A CSAP situates the borough, and partner cities to apply for future grant funds for projects and strategies identified in the plan to address roadway safety problems.



KENAI PENINSULA BOROUGH COMPREHENSIVE SAFETY ACTION PLAN

WHAT IS THE SSA?

The Safe Systems Approach (SSA) is a framework to help agencies prioritize safety policies, programs, and projects. The SSA principles are:

- No fatal or serious injury crashes
- A transportation system that can accommodate errors in human judgment
- A transportation system that limits speed
- Investments that prevent future crashes
- Engagement and coordination from all transportation and safety agencies
- Investments in solutions across the system, not at individual locations



WE WANT TO HEAR FROM YOU!

You are the users of the KPB roadways as pedestrians, bicyclists, public transportation users, motorists, commercial vehicle operators and micromobility and personal conveyance users. Your knowledge and perspectives on issues and opportunities to improve the safety of the transportation system is essential.

Opportunities to participate:

Public Workshop 1

May 7, 2024; 5-7 PM, Homer High School Commons; 600 Fairview Avenue, Homer

May 8, 2024; 5-7 PM, Donald E. Gilman River Center, 514 Funny River Road, Soldotna

May 9, 2024; 5-7 PM, Seward Community Library & Museum, 239 6th Avenue, Seward

Virtual TBD

Public Workshop 2

TBD; Fall 2024

Public Workshop 3

TBD; Winter 2024/25

WHERE DO I FIND MORE INFORMATION?

Questions? Contact:

Beth McKibben, AICP

Lead Planner

bmckibben@rmconsult.com

907.646.9664

Van Le, AICP, Project Manager

vle@rmconsult.com

907.646.9659

Robert Ruffner, Planning Director,

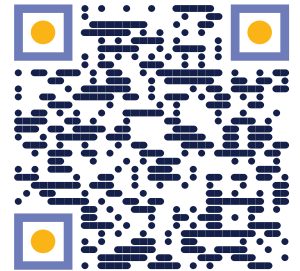
Kenai Peninsula Borough

RRuffner@kpb.us 907.714.2378

Celina Robinson, GIS Specialist,

Kenai Peninsula Borough

crobinson@kpb.us 907.714.2221



Project Website

<https://kpb-ss4a-comprehensive-safety-plan-kpb.hub.arcgis.com/>



KPB COMPREHENSIVE SAFETY ACTION PLAN

Because everyone deserves to get home safely

PUBLIC WORKSHOP

The Kenai Peninsula Borough, with partner cities Homer, Kenai, Seldovia, Seward and Soldotna, is developing its first Comprehensive Safety Action Plan (CSAP) structured around the Safe System Approach (SSA) National Roadway Safety Strategy developed by the USDOT. Humans are vulnerable and sometimes make mistakes and our transportation system needs to account for this reality. The CSAP will help the KPB and their partner cities to understand the causes and contributing factors, and identify opportunities to improve safety, especially for areas of highest concern.

Please join us for this public workshop to learn more about the KPB CSAP and how you can be involved!

CSAP PUBLIC WORKSHOP SCHEDULE

- **Tuesday, May 7, 2024;** 5-7 PM, Homer High School Commons; 600 Fairview Avenue, Homer
- **Wednesday, May 8, 2024;** 5-7 PM, Donald E. Gilman River Center, 514 Funny River Road, Soldotna
- **Thursday, May 9, 2024;** 5-7 PM, Seward Community Library & Museum, 239 6th Avenue, Seward
- **Virtual TBD**

Come and meet our project team, grab a snack, and learn about safety planning, the project schedule, and share your areas of transportation safety concerns.

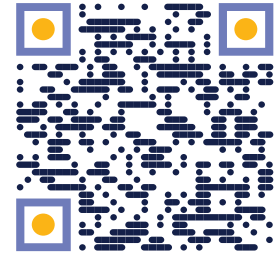
Open house begins at 5 PM and ends at 7 PM. There will be a short presentation at 5:30. Each workshop will follow the same format.



FOR MORE INFORMATION:

Project Website

<https://kpb-ss4a-comprehensive-safety-plan-kpb.hub.arcgis.com/>

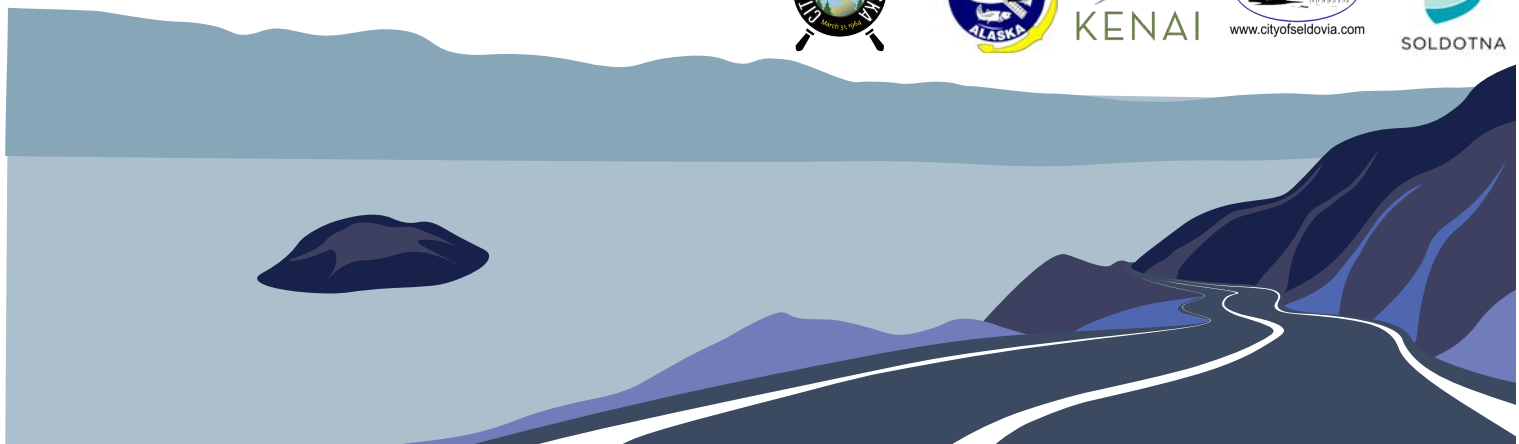


CONTACTS

Beth McKibben
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Celina Robinson
GIS Specialist
Kenai Peninsula Borough
crobinson@kpb.us 907.714.2221





KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: David Ross, Police Chief

DATE: May 6, 2024

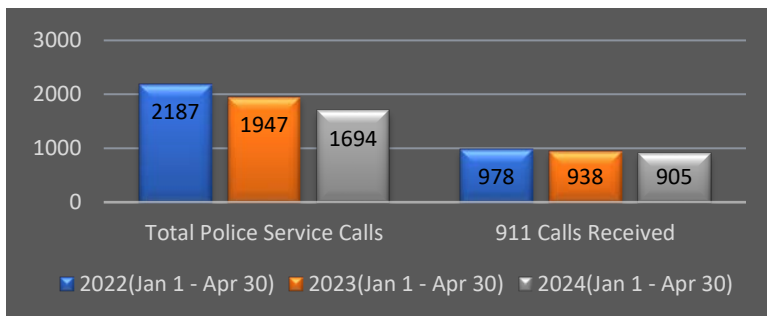
SUBJECT: **Police & Communications Department Activity – April 2024**

Police handled 449 calls for service in April. Officers made 31 arrests. Traffic enforcement resulted in 219 traffic contacts with 49 traffic citations issued and there were 2 DUI arrests. There were 10 reported motor vehicle collisions in April.

The Department has filled the vacant police position with a lateral officer anticipated to start in May. The Department is working to fill two vacant dispatch positions. All five Temporary Enforcement Officers (TEOs) were hired for this summer.

The School Resource Officer (SRO) continued to teach DARE classes at Kaleidoscope Elementary School. The current SRO is Inv. Dan Smith and next year it will transition to Inv. Josh Hall. Time was spent this month preparing the new SRO for the transition.

The dispatch supervisor attended a 2-day Cyber Resilient 911 Symposium in California, hosted by FEMA. One dispatcher and four officers attended a 1-day Mental Health First Aid Training. One dispatcher attended a 3-day training conference in Washington D.C. Five officers attended a local Standardized Field Sobriety Test (SFST) refresher class. One officer attended a week-long Defensive Tactics Instructor course in Colorado. One officer attended a week-long Undercover Techniques class in Anchorage. One police supervisor attended a two-day officer wellness class.



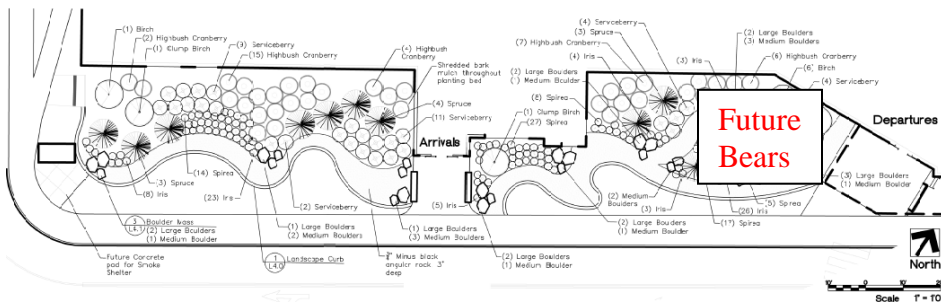


MEMORANDUM

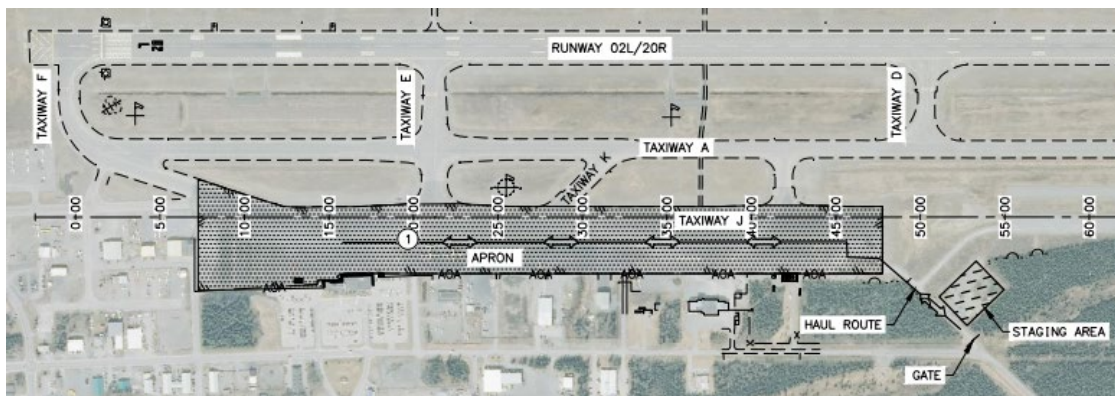
TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Scott Curtin, Public Works Director
DATE: April 2024
SUBJECT: Mid-Month Report; Public Works / Capital Projects

Airport Fund Projects:

- Kenai Municipal Airport Runway Rehabilitation Project – Currently in Preconstruction Design Phase, with HDL Engineering Consultants currently under contract at a total to date cost of \$1,031,833. This project known as Task 4 within HDL Engineering Consultants LLC term service agreement will provide bid ready construction documents to rehabilitate Runway 2L/20R as well as Taxiways A/B/C/D/E/K/L/M under a second construction phase. Work is currently between 35% & 65% design effort. On April 1, 2024 the City received the Environmental Investigation Report conducted by Shannon & Wilson. That document is currently under FAA review. Project continues toward a grant application in 2025 and dependent upon timing of receipt of grant funds ground breaking may not be until spring 2026 for the runway and 2027 for the taxiway.
- Kenai Municipal Airport (KMA) Terminal Landscaping Project – Currently entering construction bid phase. Earthscape LLC currently working under a design agreement at a cost of \$28,255 has completed their contracted efforts. *The project was released for bids on April 30, 2024 with bids due on May 21, 2024. Council should see legislation at the June 5th meeting in support of the project.* Fund raising for the bronze bears will continue and will complement the work if and when they become available.



- Kenai Municipal Airport (KMA) Operations Building HVAC Controls Upgrade & Boiler Replacement Project – Currently entering construction bid phase. This project will replace existing mechanical equipment including boilers, pumps and controls that have reached the end of their intended life cycle. Project was not originally started as being grant eligible, however after coordinations with Airport Managers past and present as well as our FAA counterparts, the project is now grant eligible at a 65% FAA and 35% City of Kenai financial cost share. Project design documents are completed. Grant applications are in process, and once funding is in place the project will be released for bids anticipated within the next 60 days.
- Kenai Municipal Airport (KMA) Apron Crack Seal and Seal Coat Project – Currently awaiting grant funding to enter construction bid phase. HDL Engineering Consultants currently contracted at a total of \$121,730 in support of the project, is now finalizing the construction bid documents. The project is awaiting FAA receipt of their anticipated cost share funding which may be delayed until late summer. Project may be delayed until early spring 2025 for construction bid release with spring/summer 2025 construction. Map below defines the anticipated project area.



- Kenai Municipal Airport (KMA) Master Plan Update – Currently entering the design phase. The City received word from the Federal Aviation Administration that grant funds are now available and final grant application forms are now being executed. Phase 1 work will continue over the next year. HDL Engineering Consultants initial contract to date will be \$727,445. Airport Master Plans are typically updated approximately every ten years to clearly communicate the direction of the airport. Completion of this work allows the City to continue to coordinate and receive federal grant funds in support of airport operations.

General Fund Projects:

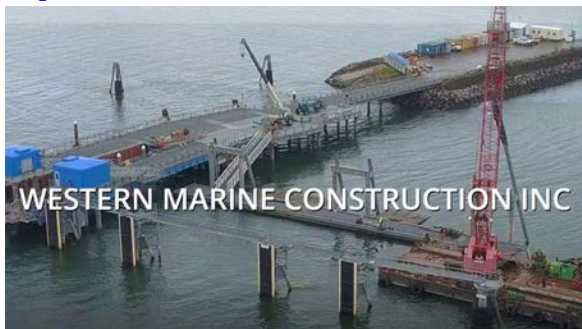
- USACE Kenai Bluff Bank Stabilization Project – *Currently in the construction phase.* This project encompasses approximately 5000 lineal feet of coastal bluff starting at the mouth of the Kenai river extending upriver along the northern river bank. The bluff in this area varies from 55'-70' above the toe. A protective armored rock berm with a crest elevation of approximately 12' in height is planned. The Design and Bid phases have now concluded and



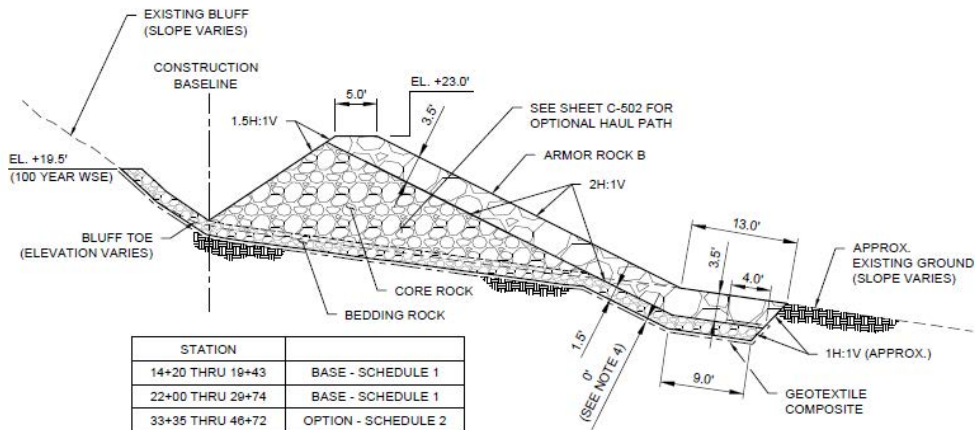
Construction is anticipated to continue through the 2024 & 2025 construction seasons. Milestones to date listed below.

- This project was formally released through USACE for Construction Bids on 11/29/23 with a Pre-Bid Meeting conducted on 12/12/23.
- On February 7th, 2024 the City received word from USACE that Western Marine Construction Inc, based out of Seattle, Washington was awarded a construction contract for \$19,321,000 as a firm fixed price. There is an additional construction element related to an inspection path that was requested, by the City and our design team, to be included within the project. That element will cost \$864,000 and will be funded 100% by the City. The larger amount has a 90/10 cost share split with the City share costing \$1,932,100 + \$864,000 for a total anticipated City share of \$2,796,100, USACE total cost share of \$17,388,900.

<https://www.westernmarineconstruction.com/>



- Western Marine Construction Inc was provided a Notice to Proceed on February 20, 2024.
- Ground Breaking Ceremony scheduled with USACE for June 11, 2024
- Diagram below is from the current set of drawings and represents a typical section of the revetment.
- The Initial Construction Kick-off Meeting took place in Anchorage on March 28, 2024. Project submittals and RFIs have not started. Contractor currently is not anticipated to mobilize to the site until spring 2025.



G11 / C-109
G4 / C-110
F3 / C-111
G6 / C-112
G4 / C-113

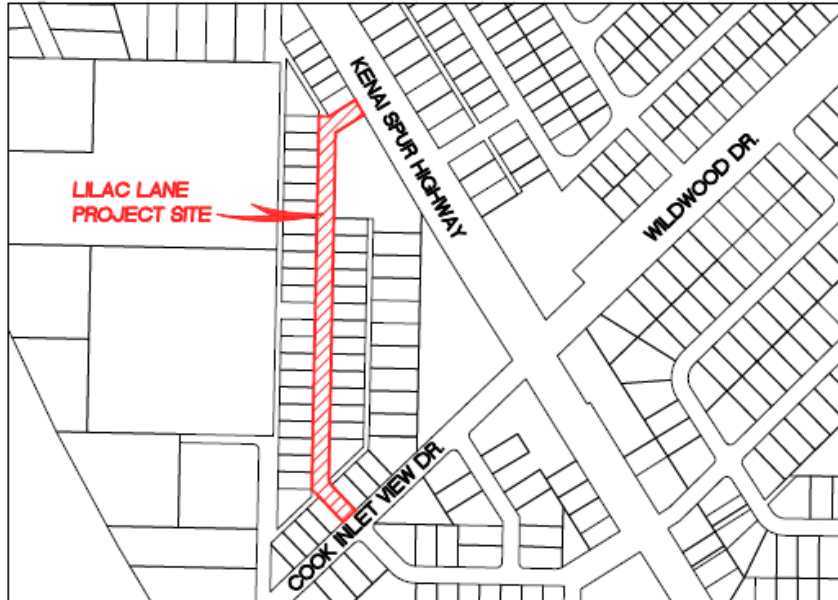
A5 TYPICAL SECTION - REVETMENT
SCALE: NTS



- Community Wildfire Prevention Plan (CWPP) Mitigation Project – *Currently in the construction phase.* This is Phase One of our mitigation efforts. Doug Koch Professional Tree Service was contracted with the City on February 28, 2023 in the amount of \$282,000 to mitigate 105 acres within the no name creek drainage extending from Redoubt Avenue down to the City's North Beach through Municipal Park. To date the project has completed and invoiced \$246,264.45 of work. The project has proceeded well and remains on time and on budget. Final completion is anticipated within the next *30-60 days*. Most of the remaining work involves hand felling of trees in steeper areas near the creek.
- Multi-purpose Facility Project – Currently in the design phase. A Proposal Quote Request (PQR) was released on June 30th, 2023 with quotes due on July 13th. MBA Consulting Engineers was the only respondent at a cost of \$30,580. Design work will cover ventilation, lighting, bleacher radiant heating and will take place through November. Contract documents were fully executed on September 8, 2023. Engineers are back onsite January 12th, 2024. Engineering design report expected toward end of month. MBA Consulting is behind schedule on their deliverables to the City. Draft schematic design and material cut sheets were received on February 28th for the lighting and heating elements, ventilation equipment is not complete at this time. Staff is reviewing the deliverables and will provide comments back to the design team. Final design documents are not likely until late April. *Webex conference is scheduled for May 9th, to discuss ventilation options and completion of bid documents.*
- Cemetery Expansion – *Currently back in design phase.* 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. Staff has successfully surveyed in 64 adult plot sites and 12 infant plot sites. These sites are available through the Clerk's office. Cemetery Phase 2 Fencing was released for bids on July 26th with bids due on August 9th. AAA Fence, Inc was the successful bidder at a cost of \$147,595, their contract was fully executed on September 8, 2023. All fencing materials have now been installed, final closeout docs received and final invoices paid. Staff is coordinating with Parks and Rec and the design team to finalize parking lot paving as well as HEA power being brought into the property. Paving is anticipated to take place in the summer 2024.
- Softball Shelter Dugouts – Larsen Engineering has been awarded the design work for the dugouts. Design requirements are being discussed with the engineer, however this project is moving slowly as staff and engineer are heavily involved in other projects. Project will move forward shortly as staff time becomes available. *Parks & Rec Director and Public Works Director had phone conference with design engineer on April 30th. Draft plans are in progress and expected in May.*



- Lilac Ln. Roadway Improvements Project – Currently in construction bid phase. Nelson Engineering working under a design agreement currently at \$38,840, has now completed the construction bid documents as received by the City on April 8, 2024. *Project was advertised for construction bids on April 17th with bids due on May 7th, 2024. Two bids were received by the City with Peninsula Construction Inc having provided the lowest responsive and responsible bid at a total cost of \$637,765. Ordinance 3420-2024 being introduced at the May 15th council meeting details the project and appropriates capital funding ahead of our new fiscal year. Map below highlights the project area.*



- Cemetery Creek Culvert Replacement – Currently on hold in design phase awaiting grant funding. RFP was released on 8/8/23 for Professional Civil Engineering and CA Services to develop 35% design documents for this project. Proposals are due on 8/28/23. This project is in coordination with the US Fish & Wildlife. Work involves replacement of several aging culverts with fish passage type culverts. 35% design documents will be used to apply for grant funding. Two proposals were received by the Department with PND Engineer's receiving the highest scoring proposal at a total cost of \$29,577. PND is now under contract. 9/28/23 a site meet was conducted with PND, City staff, & US Fish & Wildlife to discuss and review the project. 10/11/23-10/12/23 surveyors are on site developing an existing conditions field survey. Coordination with the USFW on grant funding opportunities is underway. On November 13, 2023 staff received the draft Hydrologic and Hydraulic (H&H) Report from PND Engineers. On December 1, 2023 the complete draft 35% design documents were received. On December 8, 2023 meeting with USFW, Engineering team and PW staff was held to review the documents. USFW have requested some additional information to be included in the design above our contracted scope of work with PND Engineers. On December 12, 2023 we received an amendment request of \$4,838 to cover the costs associated with the additional work. The additional design effort will extend the final deliverable into the mid-January 2024. These documents will be used to apply for grants in the first quarter of 2024. The project is proceeding well and as expected. The costs associated with Amendment 1



will be covered with Silver Salmon derby funds, council will see an appropriation Ordinance in February to acquire these funds. Documents will be provided to the Kenaitze and Salamatof tribes to assist with grant opportunities. On March 1st, 2024 a meeting was held with representatives from the Kenai Watershed Forum, US Fish Wildlife, and the Kenaitze tribe to discuss where project grant applications currently reside. We anticipate hearing about a potential grant opportunity in late April. We are not sure if we will be successful or not with this round of applications.

- Community Wildfire Prevention Plan (CWPP) Mitigation Phase Two – Currently in construction phase. Doug Koch Professional Tree Service was the low bidder on this project that was released for bids on November 1, 2023 with bids due on November 29, 2023. His bid in the amount of \$177,700 to mitigate 84.75 acres within the Cemetery Creek drainage extending from Float Plane Basin down to the Lee Shore Center. Resolution 2023-67 is in the 12/20/23 Council Packet to award the project. Work will continue throughout the next year. Contractor was out of state for some time, Contract was fully executed on January 29, 2024. Contractor is anticipating starting work in February. *Contractor is actively mitigating work areas. As weather allows they will fall back to finish up Phase 1 which has some hand felling in steep areas remaining to be completed as site conditions allow.*
- Public Safety Building Tower Guy Wire System Upgrade – Currently in construction bid phase. This project is intended to replace the existing guy wires with new larger cables and relocating the top two runs to ground anchors in lieu of the current attachments to the building. The project was released for construction bids on January 17, 2024 with bids due on February 6, 2024. Unfortunately, no bids were received by the Department. Staff is reaching back out to the three various firms contacted to determine why. Project was re-released for bids on March 12th with bids due on March 26th. One bid was received by Foster's Construction totaling \$112,888, well over anticipated amounts. The department is researching our options, and may contract pieces of the work ourselves. *Webex meeting with Motorola and Police Chief was held on May 8th. Public Works is working toward contracting out individual components of the work to allow the project to move forward.*
- Recreation Center Flooring Refinishing – *Project is now complete.* This project is intended to refinish the main gymnasium floor and will include replacement of the existing court markings, as well as two racquetball courts. Floors are wood and will be sanded down, sealed, markings applied, and gloss coated. Project was released for bids on January 17, 2024 with bids due on February 6, 2024. One bid was received by Alaskan Industries Inc. at \$24,700 which was below estimated costs. *AK Industries started work as scheduled on April 8th, 2024. Work is expected to take approximately 30 days comprised of two weeks of work and two weeks of cure time. Photo below is from May 7th, 2024, facility is now back fully open and being enjoyed by the community. AK Industries completed the project on time and on budget. Staff would like to thank AK Industries and their team for their support and coordination during the project.*





Water & Sewer Fund Projects:

- Lift Station Renovations – *Currently in design phase.* Resolution 2021-58 awarded HDL Engineering agreement in the amount of \$59,560 to provide bid ready construction documents for three lift stations. 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. 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. Design documents are approaching 95%. Design is finally approaching completion. Challenges with our current SCADA team required some changes to different lift station controllers which has now been resolved. Supplemental funding will be needed to complete these three locations, staff is working on finalizing those estimated costs, with upcoming legislation to be expected. Construction expected for summer 2024. *Resolution 2024-16 in the May 15th council packet is transferring funds in support of this project.*
- Wastewater Plant Digester Blowers Replacements – Currently awaiting finalization of grant application to enter construction bid phase, funds are available. HDL Engineering was



authorized to proceed on design documents for this project through passage of Resolution 2022-29 on May 18, 2022. Design Agreement is currently in the amount of \$382,513 and will provide bid ready construction documents for the replacement of two 40+ year old blowers at the WWTP. The Department received 35% Design Study Report on September 23, 2022 and the project is currently moving toward 65% design documents. A grant for this project has been applied for through Senator Murkowski's office through the Congressional Directed Spending (CDS) program. We are awaiting word on if we were successful in receiving grant funds. This is a high priority project for the department and is anticipated to provide further energy savings similar to the aeration basin blower replacement project completed a few years ago. Final 65% plan reviews are being conducted on site with HDL on 12/19/22, bid documents are expected to be ready 5/1/23 and if funding is in place will be bid immediately, if not will be delayed until funding arrives. Environmental review process is delayed as we are not sure of the grant requirements at this time, and may not know until a future grant is executed. Until then this will be a shovel ready project waiting on funding. May 5th a Community Grants Webinar was held to discuss the pending grant requirements, the Public Works Director and HDL Engineering participated in the webinar. Consultants are reviewing requirements and hope to have the design moving forward shortly. Project will not be able to be bid until funding formally arrives. Design team is actively working with granting agency. Construction expected for summer 2024.

- Water Treatment Plant Pumphouse – *Currently awaiting finalization of grant application to begin design phase, funding is available.* This project will construct a new pumphouse building and provide replacement distribution pumps for the City's Water System. On August 1, 2023 received letter that the State of Alaska Department of Environmental Conservation (ADEC) has awarded the City of Kenai a \$1,200,000 loan through the state's revolving fund program and that the loan would receive 100% forgiveness in support of this project. Resolution 2023-56 was approved by Council at the September 20, 2023 Council Meeting to allow access to these funds. Staff is working on grant application requirements. Ordinance 3384-2023 is being introduced 12/20/23 to move funding into place for the design work to proceed. HDL Engineering Consultant's pending design agreement as detailed within Resolution 2024-14 up for council approval at the April 17, 2024 meeting totals \$187,461.
- WWTP & WTP Electronic Access Gate & Controls – On August 13, 2023 HDL Engineering provided a proposal under their term agreement to begin design work on the Electronic Access Gates projects at both the Water and Wastewater Plants. The project identified as Task 13 under their agreement has a proposed design cost of \$24,902. Design work will continue over the winter months for construction to take place summer 2024. HDL working under purchase order 127771 is now actively working on this project.

Senior Citizens Fund Projects:

- Senior Center Front Entry Modifications – Capital Project Manager is developing scope of work for this project to address operation of automatic entry doors.



Congregate Housing Fund Projects:

- Vintage Pointe Boiler Replacement – A RFP for design services was released on October 6, 2022 with proposals due on November 3, 2022. This project will replace outdated boiler heat systems for the facility as well as providing a direction on backup power generation to support the heating system when grid power is unavailable. No proposals were received, the Department is requesting approval to enter negotiations with RSA Engineering in the hopes of moving the project forward. RSA Engineering is now under contract and is expected to start design in early January 2023. On February 3, 2023 RSA Engineering provided draft 65% Design Documents. Staff is currently reviewing. Engineering has a planned site visit for February 15, 2023 scheduled. We are anticipating bid documents being ready for an April Construction Bid release. 100% Design Documents are were received from the RSA Engineering on April 14th. Council approved Resolution 2023-30 on May 3rd to reallocate funds for the project. Invitation to Bid was released on August 2, 2023 with bids due on August 23, 2023. Council approved Resolution 2023-53 at the September 6, 2023 meeting which awarded construction agreement to Orion Construction in the total amount of \$503,850. Contract has now been executed and submittals are actively in progress in support of the project. Boiler work is not expected to take place until spring when work will be less impactful on residents. Boilers are now in Alaska and work is schedule to begin on April 1st 2024 at the facility. Generator is expected to follow one month behind, approximately May 1st. Staff is coordinating with the contractor and the senior center to minimize impacts to the facility. Temporary boilers will be installed and operated throughout the duration of the demolition and installation of the new equipment. Work is expected to go quickly with all work completed likely by the end of June 2024. *Work is progressing well as of May 7th, 2024. Boiler has been demolished with two new boilers now installed and preparing for startup within the next few days. Concrete pad for new generator is about to be poured with generator planned to be placed the week of May 13th. Project continues on time and on budget*





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Other Projects Information:

- DOT Kenai Spur Highway to Sports Lake Rd – This project continues to wait for appropriation of state funds. Reached out to DOT staff on September 13, 2023, no new information provided 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 30th 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 conducting surveying services in support of the project, crews were in the area on 6/7/22. On June 29, 2022 the City Manager & Public Works Director met with DOT representatives and discussed projects. State funding continues to be an issue. Reached out to DOT staff on September 13, 2023, no new information provided at this time.





KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
THROUGH: Kathy Romain, Senior Center Director
FROM: Astrea Piersee, Administrative Assistant III
DATE: May 6, 2024
SUBJECT: April 2024 Monthly Report

In April, the Kenai Senior Center came alive with a whirlwind of activities. Kicking off the month was the 'March for Meals' James Bond themed fundraiser where staff and volunteers united to create a lively event in support of the KSC's home-delivered meal program. Following this success, the center hosted an after-prom breakfast, extending a warm welcome to the Kenai Central High School students, ensuring their post-prom experience was memorable and nourishing. Additionally, the month saw the return of the Kenai Historical Society's monthly meeting, Thursday evenings acoustic bluegrass sessions, and a captivating book reading by local author Ron Walden. Rounding out the month was the intriguing 'Afternoon Mystery Drive,' promising an adventure for all who participated.

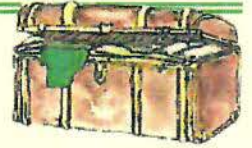
	2024	2023
Home Delivered Meals	2016	1785
Individuals	98	92
Dining Room (Congregate) Meals	1070	987
Individuals	134	167
Transportation (1-way rides)	275	169
Individuals	21	18
Grocery Shopping Assistance	11/23	10/45
Writers Group	23	30
Caregiver Support Group	15	13
Growing Stronger Exercise	272	312
Tai Chi Class	41	44
TOPS Weight Loss Class	80	53
Bluegrass & Music Sessions	43	73
Card Games	68	113
Wii Bowling	17	29
Arts & Crafts	14	26
Total Event Sign-ins *	1869	2103
Individuals *	196	214
Vintage Pointe Manor Vacancies	0	0

* (not including home meals clients)



Bishops Attic

SERVING ALASKA'S KENAI PENINSULA



April 21, 2024

Kenai Senior Center
361 Senior Ct.
Kenai, Alaska 99611
Attn: Kathy Romain

Dear Kathy,

On behalf of the Board of Directors of Peninsula Bishops Attic, I am pleased to present you with a check for \$1,000. It is our hope you may be able to utilize these funds in one of your "Meals Programs". Your in house residents, and those you serve by food delivery are so fortunate to have the Kenai Senior Center there to serve those who may be experiencing food insecurity.

We continue to be blessed by the generosity of local residents and their continued patronage. This enables Bishops Attic to give back to our communities Peninsula wide.

You will be in our prayers as you continue to fulfill your mission of serving our Seniors. We wish many blessings to you and all those involved in your ministry. God Bless!

Sincerely,

Jackie Swanson
Treasurer

"We Rise By Lifting Others"

JS"js
Enclosure