



## Kenai City Council - Regular Meeting

April 20, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

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

### Agenda

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

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

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

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

1. **Kenai Dog Park Friends**, Current Need and Future Expansion of the Kenai Dog Park, Committee Member Crystal Locke.

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

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

1. **Ordinance No. 3277-2022** – Accepting a Grant from the Federal Aviation Administration Under the Coronavirus Response and Relief Supplemental Appropriation Act, 2021 and Appropriating Funds into the Special Revenue Fund. (Administration)
2. **Ordinance No. 3278-2022** – Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing a Professional Services Agreement Amendment to Complete Design Phase Services for the Kenai Municipal Airport Runway Rehabilitation Project. (Administration)
3. **Ordinance No. 3279-2022** – Accepting and Appropriating a State of Alaska Grant Passed through the Southern Region EMS Council, Inc., for Three Scoop Stretchers, Three Adult Vacuum Splints and Three Pediatric Vacuum Splints. (Administration)
4. **Ordinance No. 3280-2022** – Accepting and Appropriating a Volunteer Fire Assistance Grant from the United States Department of Agriculture Forest Service Passed through the State of Alaska Division of Forestry for the Purchase of Forestry Firefighting Equipment. (Administration)
5. **Ordinance No. 3281-2022** – Accepting and Appropriating an American Rescue Plan Act Grant Passed through the State of Alaska Department of Health and Social Services for Kenai Senior Center Expenditures in Support of its Response to the COVID-19 Public Health Emergency. (Administration)
6. **Ordinance No. 3282-2022** – Increasing Estimated Revenues and Appropriations in the Water and Sewer Special Revenue Fund and Wastewater Treatment Plant Improvements Capital

Project Fund to Provide Supplemental Funding for the Sludge Press Replacement Project (Administration)

- 7. Ordinance No. 3283- 2022** – Authorizing a Budget Revision in the Airport Special Revenue Fund and Increasing Estimated Revenues and Appropriations in the Terminal Improvement Capital Project Fund for Design Services for the Terminal Landscaping Project. (Administration)
- 8. Resolution No. 2022-23** – Authorizing the City Manager to Execute an Amendment to the City of Kenai’s Participation Agreement with the Public Employees’ Retirement System (PERS) to Remove the “Program or Project Employee” Category of Employees from Participation Effective July 1, 2022. (Administration)
- 9. Resolution No. 2022-24** – Authorizing a Construction Contract Award for the Mission Avenue Water Main Improvements Project. (Administration)
- 10. Resolution No. 2022-25** – Approving the Fifth Amendment to the City’s Airline Operating Agreement and Terminal Area Lease to Reduce Certain Insurance Requirements for Operators. (Administration)
- 11. Resolution No. 2022-26** – Authorizing the Use of Additional Land at the Daubenspeck Family Park for Expansion of the Dog Park. (Council Member Winger and Vice Mayor Glendening)

**E. MINUTES**

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

**F. UNFINISHED BUSINESS**

**G. NEW BUSINESS**

- 1.** \*Action/Approval - Bills to be Ratified. (Administration)
- 2.** \*Action/Approval - Purchase Orders Over \$15,000. (Administration)
- 3.** \*Ordinance No. 3284-2022 – Accepting and Appropriating Private Donations to the Kenai Animal Shelter for the Care of Animals. (Administration)
- 4.** \*Ordinance No. 3285-2022 – Increasing Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)
- 5.** Action/Approval – Consent to Assignment and Assumption of Lease Agreement, of Lot 5, Block 1, Gusty Subdivision Addition No. 1 Amended, to Forever Business Plaza, LLC. (Administration)
- 6.** Action/Approval – Special Use Permit to Laser Art Alaska, LLC for a four-month term from May 1, 2022 through August 31, 2022 (Administration)
- 7.** Discussion/Action – Setting Budget Work Session Schedule. (Mayor Gabriel)

**H. COMMISSION / COMMITTEE REPORTS**

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

**I. REPORT OF THE MAYOR****J. ADMINISTRATION REPORTS**

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

**K. ADDITIONAL PUBLIC COMMENT**

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

**L. EXECUTIVE SESSION**

1. Possible Donation or Sale of Park View Subdivision Tract A, Kenai Peninsula Borough Parcel #04701018. Pursuant to AS 44.62.310(c)(1) a Matter of which the Immediate Knowledge may have an Adverse Effect Upon the Finance of the City.

**M. PENDING ITEMS****N. ADJOURNMENT****O. INFORMATION ITEMS**

1. Purchase Orders Between \$2,500 and \$15,000
2. Cook Inlet Regional Citizens Advisory Council - Update from the Board of Directors
3. Kenai Peninsula Borough 2022 Reapportionment Committee Final Report

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

**Join Zoom Meeting**

<https://us02web.zoom.us/j/85336877469>

**Meeting ID:** 853 3687 7469 **Passcode:** 983861

OR

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

**Meeting ID:** 853 3687 7469 **Passcode:** 983861



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3277-2022**

AN ORDINANCE ACCEPTING A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION UNDER THE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATION ACT, 2021 AND APPROPRIATING FUNDS INTO THE SPECIAL REVENUE FUND.

WHEREAS, on March 17, 2021 Ordinance 3195-2021 authorized the City Manager to execute grant 3-02-0142-066-2021 accepting Federal Aviation Administration (FAA) grant funds in the amount of \$1,282,840; and,

WHEREAS, under the provisions of the Coronavirus Response and Relief Supplemental Appropriation (CRRSA) Act, the FAA has calculated a reallocation of CRRSA Act funds to primary U.S. airports based on the amount of funds remaining after eligible U.S. airports declined or failed to claim their funds; and,

WHEREAS, the result of the reallocation has caused the FAA to amend the Airport Coronavirus Relief Grant Program (ACRGP) Grant Agreement, referenced above, to increase the maximum obligation of the ACRGP grant to the Kenai Municipal Airport; and,

WHEREAS, this amendment commits the FAA, acting for and on behalf of the United States of America, to increase the maximum obligation of the United States by \$137 (from \$1,282,840.00 to \$1,282,977.00); and,

WHEREAS, this constitutes Amendment No. 1 to the above-referenced ACRGP Grant Agreement; and,

WHEREAS, all other terms and conditions of the CRRSA Grant Agreement remain in full force and effect; and,

WHEREAS, keeping the Airport in reliable, safe operation 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 accept additional grant money in the amount of \$137 for operational expenses.

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

Airport Fund:

Increase Estimated Revenues - Federal Grants	<u>\$137</u>
Increase Appropriations - Administration – Contingency	<u>\$137</u>

**Section 3.** That the City Manager is authorized to accept grant funding for \$137 from the Federal Aviation Administration and to execute grant agreements and to expend grant funds to fulfill the purpose and intent of this ordinance.

**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 20<sup>TH</sup> DAY OF APRIL, 2022.

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

ATTEST:

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

Approved by Finance: 

Introduced: April 6, 2022  
Enacted: April 20, 2022  
Effective: April 20, 2022



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Eland Conway, Airport Manager  
**DATE:** March 23, 2022  
**SUBJECT:** **Ordinance 3277-2022 – Additional Kenai Airport CRRSA Grant Funds**

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On March 17, 2021 Ordinance 3195-2021 provided legislative action designating authority for execution of Federal Assistance in the Coronavirus Response and Relief Supplemental Appropriation (CRRSA) Act:

FAA Grant 3-02-0142-066-2021 in the amount of \$1,282,840 to provide funding for operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments.

On August 17, 2021 Grant 3-02-0142-066-2021 was amended, Amendment No.1, by the FAA on behalf of the United States of America, to increase the maximum obligation of the United States by \$137.00 (from \$1,282,840.00 to \$1,282,977.00).

Ordinance 3277-2022 provides legislative action designating authority to accept the additional \$137.00.

The additional \$137.00 is a result of a reallocation of CRRSA Act funds to primary U.S. airports based on the amount of funds remaining after eligible U.S. airports declined or failed to claim their funds.

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3278-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT SPECIAL REVENUE AND AIRPORT IMPROVEMENTS CAPITAL PROJECT FUNDS AND AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT AMENDMENT TO COMPLETE DESIGN PHASE SERVICES FOR THE KENAI MUNICIPAL AIRPORT RUNWAY REHABILITATION PROJECT.

WHEREAS, on March 16, 2020 HDL Engineering was awarded a term service agreement for Professional Engineering Services on Kenai Municipal Airport Capital Improvement Projects; and,

WHEREAS, on May 13, 2021 an agreement was executed with HDL Engineering to provide services identified as Task 4, in the amount of \$250,000, to perform preliminary Engineering services on the assessment of the current runway conditions, performed in coordination with the Federal Aviation Administration (FAA); and,

WHEREAS, the condition assessment determined that moving forward with formal design to provide for the complete rehabilitation of the runway was appropriate at this time; and,

WHEREAS, this Ordinance covers Task 8 under HDL Engineering's agreement which takes the preliminary assessment and associated design work to date from a 35% conceptual design to completed bid ready construction documents for the proposed fee of \$781,833; and,

WHEREAS, the total proposed design fee will be \$1,031,833 and shall cover all work from initial inception through the bid phase; and,

WHEREAS, current construction cost estimates for the project as detailed within the current Capital Improvement Plan total \$22,790,000; and,

WHEREAS, additional funding of \$25,000 to cover City Administrative Services as well as \$25,000 in contingency to cover any additional unanticipated costs are also requested with this Ordinance; and,

WHEREAS, all of the costs associated with this Ordinance are anticipated to be grant eligible from the FAA with the normal 93.75% FAA / 6.25% City share cost split, to be included within one grant once construction documents and refined cost estimates have been completed; and,

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

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

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

Airport Special Revenue Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$831,833</u>

Increase Appropriations –	
Transfer to Airport Improvement Capital Project Fund	<u>\$831,833</u>

Airport Improvement Capital Project Fund:

Increase Estimated Revenues – Transfer from Airport Special Revenue Fund	<u>\$831,833</u>
Increase Appropriations: KMA Runway Rehabilitation Project	<u>\$831,833</u>

**Section 2.** That the City Manager is authorized to execute a Contract Amendment with HDL Engineering in the amount of \$806,833 and increase their existing Purchase Order 122479 by that same amount.

**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 20<sup>TH</sup> DAY OF APRIL, 2022.

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

ATTEST:

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

Approved by Finance: 

Introduced:	April 6, 2022
Enacted:	April 20, 2022
Effective:	April 20, 2022





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin, Director of Public Works  
**DATE:** March 30, 2022  
**SUBJECT:** Ordinance 3278-2022

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Ordinance 3278-2022 provides for the continued Design progression to bid ready construction documents for the rehabilitation of the Kenai Municipal Airport Runway. The runway, originally constructed in 1965 at a length of 5000', was extended to 7500' in 1968. In 1988 geotextile fabric was installed and the runway was overlaid with 2" of Hot Mix Asphalt. In 2007 the runway underwent a 2" mill and overlay of the runway surface with the application of surface grooving, it was also extended by another 280 feet to the north at this time.

Since 2007, through normal wear and tear and multiple Alaska winters, the existing pavement is experiencing extensive transverse and longitudinal cracking. Rehab projects typical to the 2007 project are expected to provide 10 years of useful life and we are well beyond that today.

The runway and airport is integral to the City of Kenai and the Kenai Peninsula Borough at large. The facility is a City owned public use 14 CFR Part 139 Class 1 Airport receiving more than 100k+ enplanements per year. Completion of this work will allow this asset to continue to operate for years to come.

The project will provide a new runway surface, drainage improvements, modernized lighting as well as updated markings. Completion of this work is in the best interest of the City. Council's support is respectfully requested.





Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3279-2022**

AN ORDINANCE ACCEPTING AND APPROPRIATING A STATE OF ALASKA GRANT PASSED THROUGH THE SOUTHERN REGION EMS COUNCIL, INC., FOR THREE SCOOP STRETCHERS, THREE ADULT VACUUM SPLINTS AND THREE PEDIATRIC VACUUM SPLINTS.

WHEREAS, the Kenai Fire Department has been awarded a Code Blue Phase 22 Grant from the Southern Region EMS Council (EMS Council), Inc.; and,

WHEREAS, the EMS Council will provide the City with three scoop stretchers, three adult vacuum splints and three pediatric vacuum splints; and,

WHEREAS, the cost for the scoop stretchers are \$2,951, the adult vacuum splits are \$1,122 and the pediatric vacuum splits are \$1,149, of which the Fire Department will provide 10% matching funds from its operating budget to the EMS Council; and,

WHEREAS, the Fire Department has within its budget, the funds available to meet the required 10% matching funds: and,

WHEREAS, it is in the best interest of the City to accept grant funding to purchase this equipment.

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

**Section 1.** That the City Manager is authorized to accept a grant in the amount of \$4,699.80 from the State of Alaska passed through the Southern Regions EMS Council, Inc. for three scoop stretchers, three adult vacuum splints and three pediatric vacuum splints.

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

General Fund:

Increase Estimated Revenues –	
State Grants - Fire	<u>\$4,699.80</u>

Increase Appropriations – Fire Department	
Small Tools	<u>\$4,699.80</u>

**Section 3.** That the City Manager is authorized to execute a grant agreement and to expend the grant in compliance with grant conditions and this ordinance.

**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.

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Brian Gabriel Sr., Mayor

ATTEST:

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Michelle M. Saner, MMC, City Clerk

Approved by Finance:



Introduced:

April 6, 2022

Enacted:

April 20, 2022

Effective:

April 20, 2022



# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Tony Prior, Fire Chief

**DATE:** March 31, 2022

**SUBJECT:** **Ordinance 3279-2022 Southern Region EMS Council Code Blue Grant**

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The City of Kenai Fire Department was successful in receiving a grant from the State of Alaska Southern Region EMS Council for their Code Blue, Phase 22 cycle. We applied for a grant to purchase immobilization equipment to be placed on our ambulances for medical treatment of patients suffering trauma. The items approved in our grant submission were items we identified as needing to be replaced from our current inventory of equipment.

The grant total was for \$4,699.80, with a 10% match requirement for a total expenditure of \$5,222.00. We have within our budget the funds available to provide the 10% match to purchase these items, and we are requesting approval to accept this grant.

Your consideration of accepting this grant is greatly appreciated.



1010 W Northern Lights Blvd, Anchorage, AK 99503  
 (907) 562-6449 FAX: (907) 562-9893 www.sremsc.org

March 21, 2022

Mark Andersen  
 Kenai Fire Department  
 105 S Willow St.,  
 Kenai, AK 99611

RE: Code Blue Phase 22

Dear Mr. Andersen:

The Code Blue Phase 22 equipment request submitted by your agency for consideration has gone through a rigorous review process. There have been multiple review steps along the way, which include Southern Region staff, Board of Directors Equipment Review Committee, the Southern Region Board of Directors, and finally the Statewide Code Blue Steering Committee.

During these steps, items have been considered based on many established criteria, including whether they are essential EMS equipment as defined in the statewide Code Blue manual (e.g., items for patient care/transport, EMS education, etc.), whether they meet minimum criteria, the reasonableness of the request, application to the community setting, documentation of need, costs, how they fit into regional and statewide priorities, medical direction, and a host of others. In addition, there are always more requests than can ultimately be funded, so some simply do not make the list, or their funding is capped.

The portion of funding we receive from the State via the Governor's Capital Equipment bill is currently pending in the legislative process. Once we have been notified, we will be contacting you to see if you still need the items and if you still have the community match available.

If your item is listed below as **Approved**, your project(s) are on the State Code Blue Equipment list and pending grant processes. If it is **Changed**, it was altered within the review process and an explanation will be detailed below. If it is listed as **Not Funded**, it will not be considered in this Code Blue phase and an explanation will be detailed below.

Item	Status	Local Match	STATE	UNMET	Total
Scoop Stretcher (3ea.)	Approved	\$295.10	\$2,655.90	\$0*	\$2,951
Vacuum Splint (3ea.)	Approved	\$112.20	\$1,009.80	\$0*	\$1,122
Vacuum Splint – Peds (3ea.)	Approved	\$114.90	\$1,034.10	\$0*	\$1,149

\*Your service is responsible for both the local match and any unmet funds.

Thank you for all you do for EMS in Alaska. At Southern Region, we are working hard to support you in every way that we can.

Sincerely,

Michael M. Forcier, CEO

CC: Ryon Turley, Subregional Coordinator



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3280-2022**

AN ORDINANCE ACCEPTING AND APPROPRIATING A VOLUNTEER FIRE ASSISTANCE GRANT FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE PASSED THROUGH THE STATE OF ALASKA DIVISION OF FORESTRY FOR THE PURCHASE OF FORESTRY FIREFIGHTING EQUIPMENT.

WHEREAS, the City of Kenai Fire Department is a cooperator with Division of Forestry and has contracted personnel and equipment on major fire incidents on the Kenai Peninsula; and,

WHEREAS, grant funding will be used to purchase personal protective equipment (PPE) for our personnel, to be used while responding to Forest Fire Incidents; and,

WHEREAS, additional equipment will be purchased to improve response capabilities in our service area to assist the Division of Forestry on incidents as a cooperator; and,

WHEREAS, the State of Alaska Division of Forestry has provided a grant in the amount of \$4,864.50 to assist the City of Kenai Fire Department in purchasing forestry firefighting gear, and,

WHEREAS, appropriation of this grant for its intended purpose is in the best interest of the City and its residents.

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

**Section 1.** That the City Manager is authorized to accept a grant from the United States Department of Agriculture Forest Service passed through the State of Alaska Division of Forestry in the amount of \$4,864.50 for the purchase of forestry firefighting equipment and is authorized to execute a grant agreement and to expend the grant 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 Grant – Fire	<u>\$4,864.50</u>
Increase Appropriations –	
Fire – Small Tools/Minor Equipment	<u>\$4,864.50</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.

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Brian Gabriel Sr., Mayor

ATTEST:

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Michelle M. Saner, MMC, City Clerk

Approved by Finance:



Introduced: April 6, 2022  
Enacted: April 20, 2022  
Effective: April 20, 2022



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Tony Prior, Fire Chief

**DATE:** March 23, 2022

**SUBJECT:** **Ordinance 3280-2022 – Volunteer Fire Assistance Grant**

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The City of Kenai Fire Department has been awarded a Volunteer Fire Assistance (VFA) grant in the amount of \$4,864.50 for the purchase of forestry firefighting gear from the United States Department of Agriculture Forest Service through State of Alaska Division of Forestry. The grant will fund the purchase of forestry firefighting Personal Protective Equipment (PPE), along with equipment to place on our designated forestry response apparatus. This gear and equipment will enable us to respond appropriately with tools needed on forestry incidents.

Your consideration is appreciated.





Division of Forestry

550 West 7<sup>th</sup> Avenue, Suite 1450  
Anchorage, AK 99501-3561  
Main: 907.269-8463  
Fax: 907-269-8931

March 15, 2022

Dear Volunteer Fire Department:

Thank you for applying for the 2022 Volunteer Fire Assistance (VFA) grants. Forty (40) volunteer fire departments applied for a VFA grant requesting a total of \$188,493 in assistance. All forty (40) VFDs will receive some level of funding. A total of \$186,091 was awarded. This letter is the official notification.

The enclosed spreadsheet lists all applicants and amount requested/amount awarded. If a fire department was awarded a grant, the amount awarded will be listed in the column titled "Amount Awarded". If a VFD did not receive any funding or will be receiving a partial award, please contact your respective DOF Fire Management Officer with any questions you may have.

- Checks will be distributed electronically by association with the VFD's SOA vendor number and the SOA electronic payment agreement. Electronic disbursements are expected by May 2022.
- To be eligible for a 2023 VFA grant, compliance documentation, such as copies of receipts for 2022 grant expenditures, must be submitted to your nearest Forestry office at the time of, or prior to, submitting a 2022 application.
- Volunteer Fire Assistance is an award of Federal Financial Assistance with funding from the USDA Forest Service. Prime and sub-recipients to this award are subject to OMB guidance in sub-parts A through F of 2 CFR Part 200 as adapted and supplemented by the USDA in 2 CFR Part 400. Adaption by USDS of the OMB guidance in 2 CFR 400 gives regulatory effect to OMB guidance in 2 CFR 200 where full text may be found.
- The brochure, Complying with Civil Rights, FS-850, can be found at:  
[www.fs.usda.gov/internet/fse\\_documents/fseprd526908.pdf](http://www.fs.usda.gov/internet/fse_documents/fseprd526908.pdf)
- The OMB Circulars are available on the internet at [www.ecfr.gov](http://www.ecfr.gov).

If an application was not fully successful do not be discouraged and continue to apply every year by submitting a completed online application package by the deadline.

Sincerely,

Sarah Saarloos, Fire Staff Officer

## 2022 VFA Grant Awards

Fire Department	Amount Requested	Amount Awarded	Division of Forestry Office
Delta Junction VFD	\$4,454.59	\$4,454.59	Delta Area Office
Rural Deltana VFD	\$5,000.00	\$5,000.00	Delta Area Office
Chena-Goldstream Fire & Rescue	\$5,000.00	\$5,000.00	Fairbanks Area Office
City of Anderson	\$5,000.00	\$5,000.00	Fairbanks Area Office
McKinley VFD	\$4,599.00	\$4,599.00	Fairbanks Area Office
North Pole FD	\$5,000.00	\$5,000.00	Fairbanks Area Office
North Star VFD	\$4,431.60	\$4,431.60	Fairbanks Area Office
Salcha Fire & Rescue	\$4,297.50	\$4,297.50	Fairbanks Area Office
Steese Area VFD	\$5,000.00	\$5,000.00	Fairbanks Area Office
Tri-Valley VFD	\$4,976.00	\$4,976.00	Fairbanks Area Office
Bear Creek Fire/EMS Department	\$4,370.76	\$4,370.76	Kenai Kodiak Area Office
Central Emergency Services	\$4,209.57	\$4,209.57	Kenai Kodiak Area Office
Cooper Landing VFD	\$4,968.00	\$4,968.00	Kenai Kodiak Area Office
Homer VFD	\$4,717.80	\$4,717.80	Kenai Kodiak Area Office
Kachemak Emerg. Services	\$4,981.50	\$4,981.50	Kenai Kodiak Area Office
Kenai FD	\$4,864.50	\$4,864.50	Kenai Kodiak Area Office
Lowell Point VFD	\$5,000.00	\$5,000.00	Kenai Kodiak Area Office
Nikiski FD	\$4,406.40	\$4,406.40	Kenai Kodiak Area Office
Seward FD	\$4,765.80	\$4,765.80	Kenai Kodiak Area Office
Western Emergency Services Area	\$5,000.00	\$5,000.00	Kenai Kodiak Area Office
Womens Bay VFD	\$4,170.95	\$4,170.95	Kenai Kodiak Area Office
Caswell Lakes FSA #135	\$4,999.99	\$4,999.99	Mat Su Area
Chickaloon Fire Service, Inc.	\$4,995.00	\$4,995.00	Mat Su Area
Girdwood Vol. Fire & Rescue, Inc.	\$4,755.98	\$4,755.98	Mat Su Area
Houston FD	\$4,815.00	\$4,815.00	Mat Su Area
Mat-Su Borough-West Lakes FSA	\$3,910.77	\$3,910.77	Mat Su Area
Palmer Fire and Rescue	\$5,000.00	\$5,000.00	Mat Su Area
Talkeetna VFD	\$5,000.00	\$5,000.00	Mat Su Area
Willow VFD	\$4,999.99	\$4,999.99	Mat Su Area
Gustavus VFD	\$4,778.44	\$3,946.14	Southeast Alaska
Ketchikan International Airport FD	\$5,000.00	\$5,000.00	Southeast Alaska
Sitka FD	\$3,384.00	\$3,384.00	Southeast Alaska
Thorne Bay VFD	\$4,547.25	\$4,547.25	Southeast Alaska
Yakutat VFD	\$4,905.65	\$4,905.65	Southeast Alaska
Tok VFD	\$4,066.64	\$2,496.59	Tok Area Office
Gakona VFD	\$4,905.00	\$4,905.00	Valdez-Copper River Area Office
GlennRich Fire Rescue	\$5,000.00	\$5,000.00	Valdez-Copper River Area Office
Kennicott/McCarthy VFD	\$4,973.00	\$4,973.00	Valdez-Copper River Area Office
Kenny Lake VFD	\$4,743.00	\$4,743.00	Valdez-Copper River Area Office
Valdez FD	\$4,499.99	\$4,499.99	Valdez-Copper River Area Office
<b>GRAND TOTAL</b>	<b>\$188,493.67</b>	<b>\$186,091.32</b>	



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3281-2022**

AN ORDINANCE ACCEPTING AND APPROPRIATING AN AMERICAN RESCUE PLAN ACT GRANT PASSED THROUGH THE STATE OF ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR KENAI SENIOR CENTER EXPENDITURES IN SUPPORT OF ITS RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY.

WHEREAS, on March 11, 2021, the American Rescue Plan Act of 2021 (ARPA) was signed into law to provide additional support services to older adults and people with disabilities in the community affected by the COVID-19 Public Health Emergency; and,

WHEREAS, the State of Alaska, Department of Health and Social Services, Division of Senior and Disabilities Services received ARPA funds to provide additional support for costs incurred due to the increased demand for services due to the impacts of the COVID-19 Public Health Emergency on elders and care provider services; and,

WHEREAS, as the Kenai Senior Center is a current grantee under the State of Alaska, Department of Health and Social Services, Division of Senior and Disabilities Services, it has been awarded a \$45,721.74 amendment to the FY22 Nutrition, Transportation, and Services (NTS) grant for services offered beginning March 1, 2022 – June 30, 2022; and,

WHEREAS, acceptance of these funds 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 accept a grant in the amount of \$ 45,721.74 from the State of Alaska, Department of Health and Social Services, Division of Senior and Disabilities Services for Kenai Senior Center expenditures in support of its response to the COVID-19 Public Health Emergency.

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

Senior Citizen Fund:

Increase Estimated Revenues –  
Federal Grants \$45,721.74

Increase Appropriations –  
Operating and Repair Supplies \$45,721.74

**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 20<sup>TH</sup> DAY OF APRIL, 2022.

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

ATTEST:

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

Approved by Finance: 

Introduced:	April 6, 2022
Enacted:	April 20, 2022
Effective:	April 20, 2022



# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Kathy Romain, Senior Center Director  
**DATE:** March 29, 2022  
**SUBJECT:** Ordinance 3281-2022 – NTS Grant Amendment

---

The State of Alaska, Department of Health and Social Services, Division of Senior and Disabilities Services received American Rescue Plan Act (ARPA) funds to provide additional support for costs incurred due to the increased demand for services as a result of the COVID-19 Public Health Emergency.

The Kenai Senior Center receives a yearly grant from the State of Alaska, under the Title III Nutrition, Transportation, and Services (NTS) Program. We have been given an additional amount of \$45,721.74 for FY22. These funds will be utilized to provide additional operating supplies for home and congregate meals.

Your support for Ordinance 3276-2022 is greatly appreciated.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3282-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE WATER AND SEWER SPECIAL REVENUE FUND AND WASTEWATER TREATMENT PLANT IMPROVEMENTS CAPITAL PROJECT FUND TO PROVIDE SUPPLEMENTAL FUNDING FOR THE SLUDGE PRESS REPLACEMENT PROJECT.

WHEREAS, the Design Phase for the Sludge Press Replacement Project is nearing completion with an anticipated Invitation to Bid for Construction planned for June 2022; and,

WHEREAS, this is the priority one project for the Department to replace a 40+ year old piece of equipment which staff continues to regularly perform excess maintenance on to ensure its continued operation; and,

WHEREAS, during the design phase, the engineering team identified multiple code required issues which need to be addressed to allow for the equipment replacement to take place; and,

WHEREAS, these additional issues require additional funding in the amount of \$840,000, bringing the total funding to date for the project to \$2,040,000; and,

WHEREAS, completion of this work is essential for the continued safe operation of the facility within regulatory requirements.

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

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

Water and Sewer Special Revenue Fund:

Increase Estimated Revenues –  
Appropriation of Fund Balance \$840,000

Increase Appropriations –  
Transfer to Wastewater Treatment Plant Improvements Capital Project Fund \$840,000

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

Wastewater Treatment Plant Improvements Capital Project Fund:

Increase Estimated Revenues –  
Transfer from Water and Sewer Fund \$840,000

Increase Appropriations –  
Construction \$840,000

**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 20<sup>TH</sup> DAY OF APRIL, 2022.

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

ATTEST:

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

Approved by Finance:



Introduced:	April 6, 2022
Enacted:	April 20, 2022
Effective:	April 20, 2022



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

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

**DATE:** March 30, 2022

**SUBJECT:** **Ordinance 3282-2022 – Sludge Press Supplemental Funding**

---

Ordinance 3282-2022 provides supplemental funding for the Wastewater Treatment Plant Sludge Press Replacement Project. The Public Works Department separated the press equipment procurement from the Construction Bid. The new Andritz screw press is currently scheduled to be delivered to Kenai in July 2022. We are anticipating an early June 2022 release for Construction bids to complete the installation along with the other required work for a successful installation. This Ordinance is in preparation for the upcoming bid release to ensure sufficient funding is available to comply with our purchasing requirements.

During the design process several other problem areas came to light that we are required to address now. The largest being the WWTP Process Room is not in compliance with the National Electrical Code (NEC). Without upgrades to the building's ventilation system, all new equipment located in the process room would need to comply with NEC Class 1, Division 1 requirements. This would require extensive additional costs to make sure all equipment and connections within the area are essentially explosion proof from the threat of sewer gas.

Working with the design team to find a cost effective solution that complies with code requirements, it was determined that installation of new ventilation equipment to increase the number of air exchanges per hour, within the space, was the most cost effective and practical solution.

Additional items also being addressed now include replacement of two existing Sludge Feed Pumps, modifications to the polymer feed system, and installation of a new wash water booster pump. All of the above are to ensure the successful operation of the new press, and are replacing 40+ year old pieces of process equipment.

In order to account for these additional expenditures, the Public Works Department is requesting to alter the current Capital Improvement slightly by modifying the upcoming requested Pump House project for the Water Treatment Plant by phasing the project from \$1,500,000 in FY23 to \$400,000 for Design in FY23 and \$1,100,000 for Construction in FY24. This will allow the Department to continue to effectively manage the fund balance while completing our highest



priority project for the Utility. Finance and Administration is in support of this change. Council's support and approval is respectfully requested.





# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

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

**DATE:** April 8, 2022

**SUBJECT:** Ordinance 3282-2022 Requested Amendment

The purpose of this memo is to request an amendment to Ordinance 3282-2022. The original ordinance does not include the additional professional services necessary to address the identified code related deficiencies.

The following amendment is respectfully requested.

### Motion

Replace the Fourth WHEREAS with the two WHEREAS below that read:

WHEREAS, a contract amendment to HDL Engineering in the amount of \$87,144 is needed to complete the additional scope of work within the design; and

WHEREAS, the additional code issues and design contract amendment require additional funding in the amount of \$840,000, bringing the total funding to date for the project to \$2,040,000; and,

Replace Section 3 with:

**Section 3.** The City Manager is authorized to execute a contract amendment with HDL Engineering in the amount of \$87,144 and increase the existing Purchase Order 121735 by the same amount.

And renumber the remaining sections accordingly.

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3283-2022**

AN ORDINANCE AUTHORIZING A BUDGET REVISION IN THE AIRPORT SPECIAL REVENUE FUND AND INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE TERMINAL IMPROVEMENT CAPITAL PROJECT FUND FOR DESIGN SERVICES FOR THE TERMINAL LANDSCAPING PROJECT.

WHEREAS, Ordinance 3037-2018 authorized the City Manager to accept Federal Aviation Administration Grant 3-02-0142-060-2018 to rehabilitate the Kenai Municipal Airport terminal; and,

WHEREAS, the Terminal Rehabilitation Project could not be completed without removing all existing landscaping and irrigation systems; and,

WHEREAS, per 49 USC § 47110(f), planting can only be funded to the extent that it is a cost associated with an Airport Improvement Project (AIP) and required for erosion control, state and/or local construction practices or for noise mitigation; and,

WHEREAS, any ineligible AIP work, where the sponsor desires to include landscaping for aesthetic effect with a project, the costs must be broken-out from the grant funded part of the project; and,

WHEREAS, annually as many as 180,000 passengers may pass through the Kenai Municipal Airport; and,

WHEREAS, the Kenai Municipal Airport is the Kenai Peninsula's primary air transportation hub; and,

WHEREAS, the Kenai Municipal Airport is the first and last impression visitors have of the City of Kenai; and,

WHEREAS, to appropriately bid the landscaping project in fiscal year 2023 a professional landscaping scope and design is required, 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 following budget revision is authorized:

Airport Special Revenue Fund	
Decrease expenditures –	
Airfield - utilities	<u>\$(15,000)</u>
Increase expenditures –	
Terminal – transfer to other funds	<u>\$15,000</u>

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

Terminal Improvement Capital Project Fund:	
Increase Estimated Revenues –	
Transfer from Airport Special Revenue Fund	<u>\$15,000</u>

Increase Appropriations –  
Terminal landscaping - construction

\$15,000

**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 20<sup>TH</sup> DAY OF APRIL, 2022.

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

ATTEST:

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

Approved by Finance: 

Introduced: April 6, 2022  
Enacted: April 20, 2022  
Effective: April 20, 2022



# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Eland Conway, Airport Manager  
**DATE:** March 1, 2022  
**SUBJECT:** **Ordinance 3283-2022 Airport Terminal Landscaping Design Services**

---

The FAA grant funded, Kenai Municipal Airport – Terminal Rehabilitation Project completed in 2020 removed all previous landscaping and irrigation.

This Ordinance will appropriate \$15,000 to hire a professional landscape architect to design the landscaping plan in FY22, allowing construction on the project in early FY23 with completion before the next winter.

Landscaping is not eligible for FAA grant funding and was therefore deferred.

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2022-23**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CITY OF KENAI'S PARTICIPATION AGREEMENT WITH THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS) TO REMOVE THE "PROGRAM OR PROJECT EMPLOYEE" CATEGORY OF EMPLOYEES FROM PARTICIPATION EFFECTIVE JULY 1, 2022.

---

WHEREAS, City employees participate in the Alaska Public Employees Retirement System (PERS) unless specifically removed by plan amendment; and,

WHEREAS, the City has amended its participation agreement a total of six times to remove designated categories of employees from participation in PERS, including All Elected Officials, Recreation Center Worker, Visitor Center Worker, and Janitor; and,

WHEREAS, the City wishes to remove the "Program or Project Employee" category of employee from PERS; and,

WHEREAS, because the City has never employed a "Program or Project Employee," removing this category of employees from participation in PERS will ensure a termination study is not required should a position under this category later be eliminated and creates no ongoing PERS liability to 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 the seventh amendment to the City of Kenai participation agreement with the Public Employees Retirement System (PERS) effective July 1, 2022, to read as follows:

The political subdivision agrees that all eligible employees except in the following designated categories will participate in the Retirement System:

All Elected Officials  
Recreation Center Assistant  
Visitor Center Assistant  
Janitor  
All Program or Project Employees

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 20<sup>TH</sup> DAY OF APRIL, 2022.

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

ATTEST:

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



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Christine Cunningham, Human Resources Director

**DATE:** April 8, 2022

**SUBJECT:** **Resolution 2022-23 Authorizing an Amendment to the City of Kenai Public Employees Retirement System (PERS) Participation Agreement**

---

At its meeting on April 6, 2022, the City Council enacted Ordinance No. 3275-2022 to add a new category of temporary employees titled "Program or Project Employee" and establish benefits for this new employee category. The Ordinance included language that a resolution amending the City of Kenai's Public Employees Retirement System (PERS) participation Agreement with the State of Alaska would be necessary to allow the City to hire employees under this category.

If an employer participating in PERS wishes to exclude an eligible position or class of employees from PERS, it is recommended by the State of Alaska Division of Retirement and Benefits that the employer pass a resolution to exclude the position and amend its PERS participation agreement prior to hiring the employee.

Resolution 2022-23 authorizes the seventh amendment to the City's PERS participation agreement, removing the new "Program or Project Employee" category of employees from participation by plan amendment. Previously excluded positions or classifications from participation include All Elected Officials, Recreation Center Worker, Visitor Center Worker, and Janitor.

Removing the "Program or Project Employee" category of employees from participation in PERS will ensure a termination study is not required should a position hired under this category later be eliminated and creates no ongoing PERS liability to the City.

If Council passes Resolution 2022-23, the first example of how this new category might be utilized would be proposed by the Administration as part of the annual budget for the fiscal year 2023. It would allow the City to hire a full-time Grant Writer to provide the necessary support to pursue grants for the Bluff Stabilization Project and the funding opportunities available through the Federal Infrastructure Bill for a pre-established period exceeding six months without creating a permanent position and avoiding the cost of a termination study to later remove the position.

Your consideration is appreciated.

# PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Division of Retirement and Benefits  
PO Box 110203 Juneau, AK 99811-0203  
Phone: (907) 465-4460  
Fax: (907) 465-3086

PARTICIPATION AGREEMENT AMENDMENT NO.   7  

The Public Employees' Retirement System (PERS) Participation Agreement entered into between the State of Alaska (hereafter referred to as the State) and the City of Kenai on July 1, 1969, and approved by the State on July 1, 1969 is amended effective July 1, 2022, by changing subparagraph 2 on page 2 to read as follows:

The political subdivision agrees that all eligible employees except in the following designated categories will participate in the Retirement System:

- All Elected Officials
- Recreation Center Worker
- Visitor Center Worker
- Janitor
- All Program or Project Employees

\_\_\_\_\_  
Authorized Representative Signature

\_\_\_\_\_  
Authorized Representative Name (please type/print)

\_\_\_\_\_  
Authorized Representative's Title

**Approved:**

\_\_\_\_\_  
Administrator

\_\_\_\_\_  
Date





Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2022-24**

A RESOLUTION AUTHORIZING A CONSTRUCTION CONTRACT AWARD FOR THE MISSION AVENUE WATER MAIN IMPROVEMENTS PROJECT.

WHEREAS, a formal Invitation to Bid was released on March 10, 2022 for the Mission Avenue Water Main Improvements Project which is intended to isolate a section of water main that is nearing the bluff's edge due to ongoing erosion; and,

WHEREAS, bids were due on March 31, 2022, and the following three bids were received by the Public Works Department:

Contractor	Bid
Foster's Construction	\$125,600
Peninsula Construction	\$189,350
Endries Company	\$322,000

; and,

WHEREAS, Foster's Construction was determined to have provided the lowest responsive and responsible bid; and,

WHEREAS, sufficient funding resides within the Water & Sewer Capital Project Fund, Project Code 296, to cover these costs as well as a \$10,000 contingency detailed below; and,

WHEREAS, the Public Works Department recommends award to Foster's Construction 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 Construction Agreement with Foster's Construction in the amount of \$125,600 and to issue a Purchase Order in that same amount with an additional \$10,000 project contingency for the processing of potential change orders.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 20<sup>TH</sup> DAY OF APRIL, 2022.

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

ATTEST:

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

Approved by Finance 



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

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

**DATE:** April 8, 2022

**SUBJECT:** Resolution 2022-24 Mission Avenue Water Main Improvements Project

---

The Public Works Department has been monitoring infrastructure at risk of incurring damages to the ongoing bluff erosion along the river and inlet frontages. Mission Avenue is a high priority area that has become very near the bluffs edge and is at risk of freezing due to a growing lack of pipe coverage.

This project will remove from service the section of main most at risk as indicated within the photo below. Several new valves will be installed to allow for the abandonment of the line with two new fire hydrants being placed into service to allow for flushing of the pipelines in this area.

Completion of this work now allows the Department to manage this work in a controlled manner, and will avoid potentially serious and extensive erosion in the event the line fails while still under pressure. Completion of this work is necessary for the continued effective management of the utility. Council's support is respectfully requested.





Sponsored by: Legal

**CITY OF KENAI  
RESOLUTION NO. 2022-25**

A RESOLUTION APPROVING THE FIFTH AMENDMENT TO THE CITY'S AIRLINE OPERATING AGREEMENT AND TERMINAL AREA LEASE TO REDUCE CERTAIN INSURANCE REQUIREMENTS FOR OPERATORS.

---

WHEREAS, the City of Kenai is the owner and operator of the Kenai Municipal Airport; and,

WHEREAS, a recommendation of the 2007 Supplemental Planning Assessment was to update the City's airline operating agreement and terminal lease; and,

WHEREAS, Council approved Resolution No. 2008-27 establishing a new airline operating agreement and terminal lease to modernize the airport airline terminal leasing procedures and policies and increase airport operating revenue effective June 1, 2008 for a sixty-month period; and,

WHEREAS, Council approved Resolution No. 2013-31 approving the First Amendment to the airline operating agreement and terminal area lease effective July 1, 2013 for a sixty-month period; and,

WHEREAS, Council approved Resolution No. 2018-43 approving the Second Amendment to the airline operating agreement and terminal area lease effective July 1, 2018 for a period of twelve months in consideration of the terminal rehabilitation project; and,

WHEREAS, Council approved Resolution No. 2019-24 approving the Third Amendment to the airline operating agreement and terminal area lease effective July 1, 2019 for an additional twelve months due to delays in the terminal rehabilitation project; and,

WHEREAS, Council approved Resolution No. 2020-35 approving the Fourth Amendment to the airline operating agreement and terminal lease that extended the term through June 30, 2025; and,

WHEREAS, a Fifth Amendment is now recommended to address changes in the airline insurance market to reflect current market conditions affecting available policies.

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

**Section 1.** That the Kenai City Council approves the Fifth Amendment to the Airline Operating Agreement and Terminal Area Lease form as shown in Exhibit D.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 20<sup>TH</sup> DAY OF APRIL, 2022.

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

ATTEST:

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

New Text Underlined: [DELETED TEXT BRACKETED]



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Scott Bloom, City Attorney

**DATE:** April 14, 2022

**SUBJECT:** **Resolution 2022-25 Fifth Amendment to Airline Lease Agreement and Terminal area lease**

---

The City was notified by its newest airline operator that it was unable to obtain an insurance policy meeting the City's requirements in the airline operating agreement. The City reached out to its airport consultant, insurance broker and Ted Stevens International Airport and learned that its current insurance requirements for aircraft with 9 or fewer seats is no longer commercially available, is higher than Anchorage's limit and that our consultant does not oppose lowering it.

Administration recommends lowering the required limit for Airline Liability Insurance and Comprehensive General Liability for aircraft with 9 or fewer seats from \$5 million to \$ 2 million as shown in Exhibit D.

Your consideration is appreciated.

## EXHIBIT D

### AIRLINE AND AFFILIATE INSURANCE REQUIREMENTS

#### A. Airline Liability Insurance and Comprehensive General Liability Insurance

Insurance limits of liability for Airline and each of its individual Affiliates shall be determined by the capacity in passenger seats of the largest aircraft in Airline's and its Affiliate's fleet as follows:

1. Not less than one hundred fifty million dollars (\$150,000,000) per occurrence for airlines operating aircraft of one hundred (100) seats or more;
2. Not less than one hundred million dollars (\$100,000,000) per occurrence for airlines operating aircraft of between sixty (60) and ninety-nine (99) seats;
3. Not less than fifty million dollars (\$50,000,000) per occurrence for airlines operating aircraft of between twenty (20) and fifty-nine (59) seats;
4. Not less than twenty million dollars (\$20,000,000) per occurrence for airlines operating aircraft of nineteen (19) or fewer seats;
5. Not less than [FIVE] **two** million dollars [(\$5,000,000)] **(\$2,000,000)** per occurrence for airlines operating aircraft of nine (9) or fewer seats;
6. Passenger personal injury not less than [TWENTY-FIVE MILLION DOLLARS (\$25,000,000)] **two hundred and fifty thousand dollars (\$250,000)** per occurrence and in the annual aggregate with respect to non-passenger personal injury.

#### B. Hangar Keepers Liability Insurance (If Applicable)

Hangar keepers liability insurance in an amount adequate to cover any non-owned property in the care, custody and control of Airline or any of its individual Affiliates on the Airport, but in any event in an amount not less than five million dollars (\$5,000,000).

#### C. Automobile Liability Insurance

Automobile liability insurance in an amount adequate to cover automobile insurance while on Airport premises in an amount not less than one million dollars (\$1,000,000) per person per occurrence.

#### D. Workers' Compensation and Employers' Liability Insurance

Statutory coverage and liability limits are required.



Sponsored by: Council Member Winger  
and Vice Mayor Jim Glendening

**CITY OF KENAI  
RESOLUTION NO. 2022-26**

A RESOLUTION AUTHORIZING THE USE OF ADDITIONAL LAND AT THE DAUBENSPECK FAMILY PARK FOR EXPANSION OF THE DOG PARK.

---

WHEREAS, Resolution 2018-52 designated land within the Daubenspeck Family Park for the development of an off-leash dog park; and,

WHEREAS, since that time a group of volunteers have worked on fundraising and construction of the dog park; and,

WHEREAS, Ordinance 3211-2021 (Substitute) provided \$25,000 in the FY2022 Operating Budget for funding from the City’s General fund for the Kenai Community Dog Park (dog park); and,

WHEREAS, Ordinance No 3265-2021 provided \$63,000 in funding from the City’s General Fund for capital projects for the dog park; and,

WHEREAS, despite the prior appropriation of land, additional land to the south is needed to properly complete the project; and,

WHEREAS, the park will be the first of its kind in the city and will provide new recreational opportunities for residents and visitors; and,

WHEREAS, the group of volunteer’s spearheading the project has requested city assistance in making sure they have an adequate land footprint needed for a successful project.

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

**Section 1.** That an additional .52 acre of land south of the current dog park be designated for the Kenai Community Dog Park Project.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 20<sup>TH</sup> DAY OF APRIL, 2022.

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

ATTEST:

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



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Teea Winger, Council Member and Jim Glendening, Vice Mayor

**DATE:** April 13 2022

**SUBJECT:** Resolution 2022-26 Kenai Dog Park Additional Land Donation

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This Resolution designates an additional .52 acres of land south of the current dog park to support completion of the Kenai Dog Park which would bring it to a more appropriate size of 1.43 acres. The dog park committee has worked closely with the Parks and Recreation Director to have a conceptual drawing to plan the park and fundraising needs. The conceptual drawing does not match the current size of land and more land is required. The City will be obtaining a survey of this land soon and designating the additional land is needed prior to the survey. It's important that the City of Kenai continues to work with the volunteers to get this project completed this year. Completion of the dog park will provide new recreational opportunities for residents and visitors.

Your consideration is appreciated.

**KENAI CITY COUNCIL – REGULAR MEETING  
APRIL 6, 2022 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
VICE MAYOR JIM GLENDENING, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai City Council was held on April 6, 2022, in City Hall Council Chambers, Kenai, AK. Vice Mayor Glendening called the meeting to order at approximately 6:00 p.m.

**1. Pledge of Allegiance**

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

**2. Roll Call**

There were present:

Brian Gabriel, Mayor ( <i>video conference</i> )	James Baisden
Teea Winger	Deborah Sounart
Jim Glendening, Vice Mayor	Henry Knackstedt

A quorum was present.

Absent: Glenese Pettey

Also in attendance were:

\*\*Silas Thibodeau, Student Representative  
 Paul Ostrander, City Manager  
 Scott Bloom, City Attorney  
 Dave Ross, Police Chief  
 Tony Prior, Fire Chief  
 Kathy Romain, Senior Center Director  
 Christine Cunningham, Human Resources Director  
 Shellie Saner, City Clerk

**3. Agenda Approval**

Vice Mayor Glendening noted the following additions to the packet:

- |                  |   |
|------------------|---|
| Add to item D.3. | <b>Public Hearing – Ordinance No. 3276-2022</b> |
|                  | • Amendment Memo                                |

**MOTION:**

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

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



#### 4. Consent Agenda

##### **MOTION:**

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

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

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

**UNANIMOUS CONSENT** was requested.

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

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

##### **B. SCHEDULED PUBLIC COMMENTS**

###### **1. Jeff Dolifka, Boys & Girls Club, Plans for Kenai Club**

Jeff Dolifka, Board President of the Boys and Girls Club of the Kenai Peninsula, gave a presentation on the plans for a new club. He provided a history of the organization and its mission; explained the current shared space model; reported that the organization was looking to purchase their own facility to expand; noted that the Peninsula Community Care Center (PCCC) building would soon be available for sale and requested the Council consider donating the four-acre property adjacent to the PCCC contingent upon the purchase.

##### **C. UNSCHEDULED PUBLIC COMMENTS**

Ryan Tunseth spoke in support of the Boys and Girls Club request; thanked the City for temporarily waiving the Gym Rental Fee; and invited the Council to attend the upcoming tournament.

David Haeg updated the Council regarding the importance of the Alaska Grand Jury; explained the purpose of the recent demonstration at the Kenai Courthouse; and provided documentation to the Council regarding the judicial system.

Barbara Ralston reminded everyone that the Bike Rodeo would be on Friday May 3, 2022; she noted that they are still looking for helmet donations or funds for helmet purchases.

Sheryl Main addressed the Council regarding the need for speed bumps within the Central Heights neighborhood; the need for a stop sign on Walker near McDonalds; the trash from McDonald; the need for neighborhood watch signs and signs against human trafficking.

Marion Nelson reminded everyone that the Kenai Fine Art Center, Annual Student Art Show opened on Thursday, April 7, 2022 starting at 4:30; and noted that the next show would be watercolor art.

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

- 1. Ordinance No. 3274-2022 – Increasing Estimated Revenues and Appropriations in the General Fund Parks, Recreation and Beautification Department, and Authorizing an Increase to the Multi-Purpose Facility Management Services Purchase Order to Red Line Sports for Additional Ice Maintenance Services. (Administration)**

**MOTION:**

Council Member Winger **MOVED** to enact Ordinance No. 3274-2022. Council Member Baisden **SECONDED** the motion.

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

Clarification was provided that increased ice rink usage had generated additional revenues exceeding the projections by approximately ten-percent; and expenditures would also increase by approximately \$6,500.

**VOTE:**

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

NAY: None

\*\*Student Representative Thibodeau: YEA

**MOTION PASSED UNANIMOUSLY.**

2. **Ordinance No. 3275-2022** – Amending Kenai Municipal Code, Chapter 23.05 – General Provisions, to Add a New Category of Temporary Employee Titled “Program or Project Employee” and Chapter 23.40 – Benefits, to Establish Benefits for this Category and Make Housekeeping Changes. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3275-2022. Council Member Sounart **SECONDED** the motion.

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

Clarification was provided that City Code establishes a six-month limit for temporary employees; temporary employees are exempt from the Public Employees’ Retirement System; and creation of this new category would extend the time allowed for temporary employees beyond six-months.

**VOTE:**

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

NAY: None

\*\*Student Representative Thibodeau: YEA

**MOTION PASSED UNANIMOUSLY.**

3. **Ordinance No. 3276-2022** – Accepting and Appropriating a Grant Under the American Rescue Plan Act of 2021 Passed through the Alaska Community Foundation. (Administration)

**MOTION FOR INTRODUCTION:**

Council Member Knackstedt **MOVED** to introduce Ordinance No. 3276-2022. Council Member Sounart **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

**VOTE ON INTRODUCTION:** There being no objection: **SO ORDERED.**

It was reported that this Ordinance was brought forward for introduction and enactment at the same meeting so that the grand funds could be spent before the end of FY2021.

**MOTION FOR SECOND READING:**

Council Member Knackstedt **MOVED** to hold a second reading of Ordinance No. 3276-2022. Council Member Sounart **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

**VOTE ON SECOND READING:** There being no objection: **SO ORDERED.**

**MOTION FOR ENACTMENT:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3276-2022. Council Member Winger **SECONDED** the motion.

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

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend Ordinance No. 3276-2022 as follows:

- Amend the fourth and sixth Whereas clauses changing June 20, 2022 to June 30, 2022; and,
- Amend Section 2, the second subparagraph, decreasing supplies by \$10,285 and increasing equipment by \$10,285 for an overall supplies total of \$56,715 and an overall equipment total of \$43,285.

**UNANIMOUS CONSENT** was requested.

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

**VOTE ON MOTION TO ENACTMENT AS AMENDED:**

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

NAY: None

\*\*Student Representative Thibodeau: YEA

**MOTION TO ENACT AS AMENDED PASSED UNANIMOUSLY.**

4. **Resolution No. 2022-20** – Authorizing the City Manager to Enter into an Airline Operating Agreement and Terminal Area Lease with Kenai Aviation. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-20. Council Member Sounart **SECONDED** the motion.

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

Support was expressed for Kenai Aviation expanding their business; it was noted that they recently acquired a new aircraft that holds up to nine passengers; and there was discussion on the benefits of additional flights in and out of Kenai.

**UNANIMOUS CONSENT** was requested.

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

5. **Resolution No. 2022-21** – Approving a Sole Source Purchase through Motorola Solutions for the Phase Two Radio Upgrades to the Kenai Dispatch Center, Utilizing Appropriated Department of Homeland Security Grant Funds and City Capital Funds. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-21. Council Member Baisden **SECONDED** the motion.

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

Clarification was provided that this is a two-phase project and to properly integrate the second phase the equipment must be the same as used what was used in the first phase; and the Police Department had a good service relationship with Motorola.

**UNANIMOUS CONSENT** was requested.

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

6. **Resolution No. 2022-22** – Authorizing a Budget Transfer in the General Fund, Police Department for Anticipated Fuel Cost Increases for the Remainder of FY22. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-22. Council Member Winger **SECONDED** the motion.

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

Clarification was provided that the Kenai Police Department uses Tesoro Fleet cards; further involved stations being used, discounts and exemption from state tax.

**UNANIMOUS CONSENT** was requested.

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

**E. MINUTES**

1. \*Regular Meeting of January 5, 2022. (City Clerk)

Approved by the consent agenda.

**F. UNFINISHED BUSINESS** – None.

**G. NEW BUSINESS**

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

Approved by the consent agenda.

2. \***Action/Approval** - Purchase Orders Over \$15,000. (Administration)

Approved by the consent agenda.

3. \***Action/Approval** – Liquor License Renewals for The White Moose, New Peking Restaurant and Jersey Subs. (City Clerk)

Approved by the consent agenda.

4. \***Ordinance No. 3277-2022** – Accepting a Grant from the Federal Aviation Administration Under the Coronavirus Response and Relief Supplemental Appropriation Act, 2021 and Appropriating Funds into the Special Revenue Fund. (Administration)

Introduced by the consent agenda and Public Hearing set for April 20, 2022.

5. \***Ordinance No. 3278-2022** – Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing a Professional Services Agreement Amendment to Complete Design

Phase Services for the Kenai Municipal Airport Runway Rehabilitation Project.  
(Administration)

Introduced by the consent agenda and Public Hearing set for April 20, 2022.

6. **\*Ordinance No. 3279-2022** – Accepting and Appropriating a State of Alaska Grant Passed through the Southern Region EMS Council, Inc., for Three Scoop Stretchers, Three Adult Vacuum Splints and Three Pediatric Vacuum Splints.  
(Administration)

Introduced by the consent agenda and Public Hearing set for April 20, 2022.

7. **\*Ordinance No. 3280-2022** – Accepting and Appropriating a Volunteer Fire Assistance Grant from the United States Department of Agriculture Forest Service Passed through the State of Alaska Division of Forestry for the Purchase of Forestry Firefighting Equipment. (Administration)

Introduced by the consent agenda and Public Hearing set for April 20, 2022.

8. **\*Ordinance No. 3281-2022** – Accepting and Appropriating an American Rescue Plan Act Grant Passed through the State of Alaska Department of Health and Social Services for Kenai Senior Center Expenditures in Support of its Response to the COVID-19 Public Health Emergency. (Administration)

Introduced by the consent agenda and Public Hearing set for April 20, 2022.

9. **\*Ordinance No. 3282-2022** – Increasing Estimated Revenues and Appropriations in the Water and Sewer Special Revenue Fund and Wastewater Treatment Plant Improvements Capital Project Fund to Provide Supplemental Funding for the Sludge Press Replacement Project. (Administration)

Introduced by the consent agenda and Public Hearing set for April 20, 2022.

10. **\*Ordinance No. 3283- 2022** – Authorizing a Budget Revision in the Airport Special Revenue Fund and Increasing Estimated Revenues and Appropriations in the Terminal Improvement Capital Project Fund for Design Services for the Terminal Landscaping Project. (Administration)

Introduced by the consent agenda and Public Hearing set for April 20, 2022.

11. **Action/Approval** – Special Use Permit to State of Alaska, Department of Natural Resources, Division of Forestry for Aircraft Loading and Parking. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to approve the Special Use Permit to the State of Alaska, Department of Natural Resources, Division of Forestry. Council Member Baisden **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested.

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

**12. Discussion/Action** – Scheduling Special Meeting(s) for Individual Council Employee Personnel Evaluations to be conducted between April 20 – April 26. (Mayor Gabriel)

It was reported that evaluations for the City Manager, City Attorney and City Clerk are conducted annually by the Council; and the three employees will be submitting a letter to Council outlining their goals and accomplishments prior to the evaluations.

The City Attorney and Clerks Evaluation was scheduled for 5:00 p.m. on April 25, 2022; the City Manager Evaluation was scheduled for 5:00 p.m. on April 26, 2022.

**H. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging – No report. Next meeting April 14, 2022.
2. Airport Commission – No report. Next meeting April 14, 2022.
3. Harbor Commission – April 11, 2022 meeting was cancelled, next meeting May 9, 2022.
4. Parks and Recreation Commission – No report. Next meeting on April 7, 2022 will be a Work Session.
5. Planning and Zoning Commission – Vice Mayor Glendening reviewed the actions of the March 23, 2022. Next meeting April 13, 2022.
6. Beautification Committee – No report. Next meeting May 10, 2022.
7. Mini-Grant Steering Committee – No report.

**I. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Thanked Vice Mayor Glendening for chairing the meeting.
- Thanked everyone for the thoughts and prayers for his family.
- Reported traveling to Juneau with City Manager Ostrander on March 22-23, 2022 where they advocated for General Obligation Bond Package.
- Attended the Senior Center, March for Meals Fundraiser, noting it was great fun.
- Congratulated Deputy Clerk Thibodeau on receiving a scholarship to attend the Northwest Clerk's Institute.

**J. ADMINISTRATION REPORTS**

1. City Manager – City Manager Ostrander reported on the following:
  - May 2<sup>nd</sup> the McKinley Group will share the results of Kenai Waterfront Revitalization public visioning session that took place in February; and on May 3<sup>rd</sup> the concepts workshop will begin at 8:00 a.m.
  - Still working on the National Flood Insurance Program and the number of parcels impacted are not yet known.
  - Meeting with members from the hockey community to better understand the ice needs at the Multipurpose Facility; and August 2<sup>nd</sup> is the projected date for having the ice back in.
  - Meeting with the Department of Transportation (DOT) Commissioner to discuss using rock from a quarry on state land for the Bluff Erosion Project; additionally, working with the Kenai Peninsula Borough (KPB) to potentially use one of the KPB quarries.

- Reported Fire Chief Prior will be taking the lead the best use federal funds received for spruce bark beetle mitigation and collaboration efforts with the KPB and State of Alaska Division of Forestry.
  - A kickoff meeting with the DOT for the Bridge Access Road Pathway Project.
  - Commended the Parks and Recreation Department for clearing snow off of the high school sports fields at Kenai Central and Nikiski.
  - Reported that Don Hendrickson was promoted to Building Inspector and that Randi Broyles had been hired as the Assistant to the City Manager.
2. City Attorney – No report.
  3. City Clerk – City Clerk Saner reported on the following:
    - Reported that as a scholarship recipient, Deputy Clerk Thibodeau will attend the Northwest Clerk’s Institute at the University of Puget Sound in June.
    - Coordinating with the State of Alaska Division of Elections for the upcoming primary special election; reported that Kenai City Hall will be an absentee voting station from May 27<sup>th</sup> through June 10<sup>th</sup>, and an in-person absentee station on Election Day (June 11<sup>th</sup>).

#### **K. ADDITIONAL PUBLIC COMMENT**

1. Citizens Comments (*Public comment limited to five (5) minutes per speaker*)

April Orth stated that she had received voter mailers that were not hers and recommended options be identified for the public who receive errant mailers.

Marion Nelson thanked Public Works Director Curtin for attending the Kenai Fine Art Center Board meeting to discuss building improvements; reported they would be applying for a Rasmussen grant; and discussed other building projects.

2. Council Comments

Vice Mayor Glendening noted his attendance at the Senior Center Pie Auction; commented on a common theme in recent discussions related to the idea of providing opportunities for youth; and expressed his hopes for the opportunity to utilize the State of Alaska and KPB quarries for the Bluff Erosion Project.

Council Member Knackstedt stated his appreciation for the opportunity to utilize the State quarry for materials, and thanked Vice Mayor Glendening for chairing the meeting.

Council Member Winger thanked everyone who made purchases to support the sixth-grade camp fundraiser; thanked Senior Center Director Romain for the great time at the Senior Center Pie Auction; noted upcoming Easter events at the Library; and thanked Hilcorp for the donation of sweatshirts given to the Soldotna Whalers Wrestling Club.

Council Member Sounart thanked Senior Center Director Romain for the Senior Center Pie Auction event and everyone who donated and purchased cakes.

Student Representative Thibodeau stated he was glad to be back; reported Kenai Central High School’s Prom would be during the upcoming weekend; thanked the City for clearing the sports fields; and provided an update on band events, stating they would be the first in state to play a newly composed song called “Kiev 2022.”

#### **L. EXECUTIVE SESSION** – None.

M. **PENDING ITEMS** – None.

N. **ADJOURNMENT**

O. **INFORMATION ITEMS**

1. Purchase Orders Between \$2,500 and \$15,000
2. Kenai Historical Society March Newsletter

There being no further business before the Council, the meeting was adjourned at 8:54 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of April 6, 2022.

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Michelle M. Saner, MMC  
City Clerk

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



**PAYMENTS OVER \$15,000.00 WHICH NEED COUNCIL RATIFICATION  
COUNCIL MEETING OF: APRIL 20, 2022**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPARTMENT</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
PERS	PERS	VARIOUS	LIABILITY	93,660.46
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	100,520.65
ENSTAR NATURAL GAS	GAS USAGE	VARIOUS	UTILITIES	26,892.31
REBORN AGAIN JANITORIAL	MARCH SERVICES	AIRPORT	REPAIR & MAINTENANCE	4,231.25

**INVESTMENTS**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>MATURITY DATE</b>	<b>AMOUNT</b>	<b>Effect. Int.</b>
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## PURCHASE ORDERS OVER \$15,000.00 WHICH NEED COUNCIL APPROVAL

COUNCIL MEETING OF: APRIL 20, 2022

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
ARCTIC REFRIGERATION	REPLACE MECHANICAL SYSTEMS IN WALK-IN COOLER & FREEZER	SENIOR CENTER	MACHINERY & EQUIPMENT	30,285.23
CRAIG TAYLOR EQUIPMENT	COMMERCIAL Z-TRAK ZERO TURN MOWER	RECREATION	MACHINERY & EQUIPMENT	24,000.00

**INCREASE OF EXISTING PURCHASE ORDER**

VENDOR	DESCRIPTION	P.O. # - DEPT.	REASON	AMOUNT	TOTAL PO AMT
SADLER PROPERTY MGMT.	FY22 CONTRACTOR'S FEE	122863 - CONGREGATE HOUSING	SNOWFALL /CABLE TRANSFER	3,500.00	74,318.00
YUKON FIRE PROTECTION	FY22 ANNUAL INSPECTIONS	124095 - BUILDINGS	CORRECT DEFICIENCIES	13,540.00	28,000.00



# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Kathy Romain, Senior Center Director  
**DATE:** April 11, 2022  
**SUBJECT:** **Purchase Order to Arctic Refrigeration**

---

The purpose of this memo is to request approval of a purchase order in excess of \$15,000 to Arctic Refrigeration for the replacement of the walk-in cooler and walk-in freezer condensing units at the Senior Center.

The Senior Center received a grant from the American Rescue Plan Act of 2021 through the Alaska Community Foundation. This grant was accepted and appropriated on April 6, 2022.

A portion of this grant was requested to replace these condensing units and after soliciting three quotes for this project, Arctic Refrigeration was the lowest for a total cost of \$30,285.23.

Thank you for your consideration.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Brad Walker, Parks and Recreation Director  
**DATE:** April 15, 2022  
**SUBJECT:** **Purchase Order – Craig Taylor**

---

This memo is requesting Council's approval of a purchase order in excess of \$15,000 to Craig Taylor for the purchase of a commercial John Deere Z-Trak Zero Turn Mower. This mower is currently in stock at the local Craig Taylor dealership. This mower will be replacing two mowers currently in our inventory, a year 2000 Grasshopper riding mower, and a garden style John Deere tractor. The new Z-Trak mower will be the primary piece of lawn maintenance equipment for Parks and Recreation and is well suited for the City's needs.

Previously, Council had approved a purchase order to Totem Equipment for a different mower in the amount of \$33,663.60. Totem Equipment can no longer provide the mower for the agreed upon price, nor can they give any accurate estimation on when the equipment would be available. That purchase order will be cancelled.

Your consideration is appreciated.



# KENAI

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

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Kathy Romain, Senior Center Director

**DATE:** April 11, 2022

**SUBJECT:** Purchase Order Increase to Sadler Property Management

The purpose of this memo is to request a change order to purchase order #122663 to Sadler Property Management for the FY22 Contractor’s Fee for Vintage Pointe Manor.

Due to the increased amount of snowfall during the winter months and the extra time spent during the transfer from cable television to the internet, the purchase order requires additional funds in the amount of \$3500.00. This amount would be broken down as follows:

Emergency Repairs and Parts	\$1,480.19
<u>Contractor’s Fee</u>	<u>2,019.81</u>
Total	\$3,500.00

The total amount of purchase order #122663 would be \$74,318.00.

Thank you for your consideration.



# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin, Director of Public Works  
**DATE:** April 8, 2022  
**SUBJECT:** Purchase Order – Yukon Fire Protection Services

---

The purpose of this memo is to request Council’s approval to increase Yukon Fire Protection Services existing Purchase Order 124095 from \$14,460 to \$28,000. Yukon Fire is operating under a term services contract to provide annual inspections on all City facilities. They are currently working under year two of that agreement.

During the annual inspection, deficiencies were identified within several of our facilities, this purchase order increase will provide for correction of those items. Items identified for repairs include replacement of outdated smoke detectors and pull stations, heat detectors, sprinkler system pressure gauges, signage, etc. as example.

Completion of this work is necessary to remain in compliance with current fire codes and standards. Replacement of the aging equipment will provide for the continued safe operation of our facilities, protecting both community members and staff.

Funding for this work is included within the current Buildings Department budget within account 001-434-4531 Buildings Professional Services. Completion of this work is in the best interest of the City. Council’s approval is respectfully requested.





Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3284-2022**

AN ORDINANCE ACCEPTING AND APPROPRIATING PRIVATE DONATIONS TO THE KENAI ANIMAL SHELTER FOR THE CARE OF ANIMALS.

WHEREAS, the Kenai Animal Shelter recently received monetary donations from a number of donors totaling \$591.38, and those funds are intended to support the care of animals at the shelter; and,

WHEREAS, the animal control chief has identified equipment modification needs for the utilization of the donated funds; and,

WHEREAS, acceptance of these donations to further the mission of the Animal Shelter is in the best interest of the City and its residents.

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

**Section 1.** That the City Manager is authorized to accept these donated funds and to expend them as authorized by this ordinance and in line with the intentions of the donors.

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

General Fund:

Increase Estimated Revenues –	
Donations – Animal Control	<u>\$591.38</u>

Increase Appropriations –	
Animal Control – Repair & Maintenance	<u>\$591.38</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 4<sup>TH</sup> DAY OF MAY, 2022.

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

ATTEST:

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

Approved by Finance: 

Introduced: April 20, 2022  
Enacted: May 4, 2022  
Effective: May 4, 2022





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** David Ross, Police Chief

**DATE:** April 5, 2022

**SUBJECT:** Ordinance No. 3284-2022 Donations to the Kenai Animal Shelter

---

The Kenai Animal shelter received a number of unsolicited private donations recently totaling \$591.38. The individual donors include: Sara & Glenn Lockwood, James Spalding, Shan Tanttila, Gerald Johanson, Barbara Dilly, a Petfinder donation, and an anonymous donation. The Animal Control Chief has identified improvements to be made at the shelter with these funds that will improve the care of animals. The improvement being pursued will allow staff to replace some current dog kennel latches that no longer function properly. This will help ensure the safety of both dogs, staff and volunteers.

I am respectfully requesting consideration of the ordinance accepting and appropriating those donated funds to assist in the care of animals as they were intended.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3285-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND – POLICE DEPARTMENT AND ACCEPTING A GRANT 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 AK HIDTA initiatives; and,

WHEREAS, overtime expense that are eligible for reimbursement from July of 2021 through the end of March, 2022 is \$12,090.59; and,

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

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

**Section 1.** That the City Manager is authorized to accept these funds from the AK HIDTA in the amount of \$12,090.59 and to expend those funds to fulfill the purpose and intent of this ordinance

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

General Fund:

Increase Estimated Revenues –	
Federal Grants – Police	<u>\$12,090.59</u>

Increase Appropriations –	
Police – Overtime	<u>\$12,090.59</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 4<sup>TH</sup> DAY OF MAY, 2022.

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

ATTEST:

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

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

Introduced:	April 20, 2022
Enacted:	May 4, 2022
Effective:	May 4, 2022



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** David Ross, Police Chief

**DATE:** April 8, 2022

**SUBJECT:** **Ordinance No. 3285-2022, Accepting HIDTA Grant Funds**

---

The Kenai Police Department participates in the regional drug task force. Between July of 2021 and March of 2022 certain overtime worked in conjunction with the regional drug task force was eligible for reimbursement through the Alaska High Intensity Drug Trafficking Area (AK HIDTA), which receives its funding through Federal appropriation. The Police Department requested reimbursement for \$12,090.59 in overtime expenditures.

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



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Ryan Foster, Planning Director

**DATE:** April 12, 2022

**SUBJECT:** **Action/Approval - Consent to Assignment and Assumption of Lease Agreement, of Lot 5, Block 1, Gusty Subdivision Addition No. 1 Amended, to Forever Business Plaza, LLC**

---

Aaron Swanson has submitted an application and application fee for an Assignment and Assumption of Lease Agreement from Don Moffis and Joann Doyle, Assignor to Forever Business Plaza, LLC, Assignee. The applicant notes that they propose no new improvements and current uses will remain. Any changes in use would require a lease amendment. The applicant intends to use any remaining space to add more business tenants. A map of the parcel is attached to this memorandum.

The original Lease of Airport Lands was executed by the City of Kenai, Lessor, and Patrick J. Doyle and Mary J. Doyle, Lessee, on November 16, 1983, for Lot 5, Block 1, Gusty Subdivision and recorded on December 12, 1983, in Book 225 at Pages 376-394. The subject Lease of Airport Lands is for a term of 99 years, and expires on June 30, 2082.

Mary Jane Doyle entered into an Agreement for Purchase and Sale of Real Property to Don Moffis and Joann Doyle on May 7, 2019, for the business and leasehold interest in the property. The Lessee is in compliance with the terms and conditions of the lease.

Section D, paragraph 3 of the Lease of Airport Lands stipulates that “Lessee with City’s written consent, which will not be unreasonably denied, may assign for other than collateral purposes, in whole or in part, its rights as lessee hereunder.”

If City Council approves the consent to Assignment and Assumption of Lease Agreement the City Manager will be authorized to sign the Consent to Assignment.

Thank you for your consideration.

### Attachments

- Application for Lease Assignment
- Map of 11568 Kenai Spur Highway
- Draft Consent to Assignment



**City of Kenai  
Land Lease Application**

Application for:	<input type="checkbox"/> New Lease
<input type="checkbox"/> Amendment	<input type="checkbox"/> Extension
<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Renewal
Application Date:	4/6/2022

**Applicant Information**

Name of Applicant:	Aaron Swanson						
Mailing Address:	37190 Aspenwood Ct.	City:	Soldotna	State:	AK	Zip Code:	99669
Phone Number(s):	Home Phone: 907 252 3069		Work/ Message Phone:				
E-mail: (Optional)	aaronswanson907@gmail.com						
Name to Appear on Lease:	Forever Business Plaza LLC						
Mailing Address:	37190 Aspenwood Ct.	City:	Soldotna	State:	AK	Zip Code:	99669
Phone Number(s):	Home Phone: 907 252 3069		Work/ Message Phone:				
E-mail: (Optional)							
Type of Applicant:	<input type="checkbox"/> Individual (at least 18 years of age) <input type="checkbox"/> Partnership         Corporation         Government <input checked="" type="checkbox"/> Limited Liability Company (LLC) <input type="checkbox"/> Other _____						

**Property Information and Term Requested**

Legal description of property (or, if subdivision is required, a brief description of property):  
 Gusty Sub Addn No 1 Amd Lot 5 Block 1  
 11568 Kenai Spur Hwy

Does the property require subdivision? (if Yes, answer next questions)  YES  NO  
 Subdivision costs are the responsibility of the applicant unless the City Council determines a subdivision serves other City purposes:

1. Do you believe the proposed subdivision would serve other City purposes?  YES  NO

2. If determined it does not, applicant is responsible for all subdivision costs. Initials \_\_\_\_\_

If an appraisal is required to determine the minimum price on the land, applicant is responsible for the deposit to cover costs associated with appraisal. If a sale is approved, the cost of the appraisal will be either refunded or credited to the applicant. Initials AS

It is the responsibility of the applicant to cover recording costs associated with lease. Initials AS

Do you have or have you ever had a Lease with the City? (if Yes, answer next question)  YES  NO

1. Legal or brief description of property leased:

Request a Lease with an Option to Purchase once development requirements are met?  YES  NO

Requested term for Initial Lease or Renewal (based on Term Table, not to exceed 45 years):

Requested term for Lease Extension (based on Term Table, not to exceed a total of 45 Years):

Requested Starting Date: ASAP

Proposed Use and Improvements

Proposed Use (check one): | Aeronautical | Non-Aeronautical

Do you plan to construct new or additional improvements? (if Yes, answer next five questions) L YES  NO

1. Will the improvement change or alter the use under an existing lease?  YES  NO

2. What is the proposed use of the improvement?

3. What is the estimated value of the improvement?

4. What is the nature and type of improvement?

No new improvements. I do intend to make repairs to many deferred maintenance items in the building

5. What are the dates construction is estimated to commence and be completed?

(generally, construction must be completed within two years)

Estimated Start Date:

Estimated Completion Date:

Describe the proposed business or activity intended:

current use has dog grooming business and hair salon. Both to remain. I intend to use the remaining space to add more business tenants

How does the proposed lease support a thriving business, residential, recreational, or cultural community?

current lease has two businesses that will remain. My intention is to utilize the remaining space to add business tenants

Lease Assignment Only: What is the name of the individual or legal entity the lease is to be assigned?

Forever Business Plaza LLC

Lease Renewal Only

Renewal of an Existing Lease (at least one year of term remaining): Requires new development.

Lease Term based on: Estimated cost of new improvements and | | Purchase Price (optional)


Renewal of an Expiring Lease (less than one year of term remaining): Does not require new development.

Lease Term based on:  Purchase Price | | Professional Estimate of Remaining Useful Life

Fair Market Value appraisal and/or  Estimated cost of new improvements (optional)

Requested Term for Renewal Based on Term Table, not to exceed 45 Years:

Submitting an application for a lease does not give the applicant a right to lease or use the land requested in the application. The application shall expire twelve (12) months after the date the application has been made if the City and the applicant have not, by that time, entered into a lease, unless the City Council for good cause grants an extension for a period not to exceed six (6) months. The City has no obligation to amend, renew or extend a lease and may decline to do so upon making specific findings as to why a lease renewal, extension, or amendment is not in the best interest of the City

Signature:		Date:	4/6/2022
Print Name:	Aaron Swanson	Title:	owner

For City Use Only:

General Fund

Airport Reserve Land

Airport Fund

Outside Airport Reserve

Account Number:

Date Application Fee Received:

Date Application Determined Complete:

30-Day Notice Publication Date:

City Council Action/Resolution:



# Application for Lease Assignment 11568 Kenai Spur Highway Parcel 04327015



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



**CITY OF KENAI**

**CONSENT TO ASSIGNMENT**

The Assignment of that certain Lease of Airport Lands entered into on November 16, 1983, and recorded in Book 225 at Page 376 - 394, on December 12, 1983, in the Kenai Recording District, from JOANN DOYLE whose address is 2241 Beaver Loop Road, Kenai, AK 99611, to FOREVER BUSINESS PLAZA, LLC, whose address is 37190 Aspenwood Court, Soldotna, AK 99669, covering the following-described property:

Lot 5, Block 1, GUSTY SUBDIVISION ADDITION NO. 1, AMENDED, according to the official plat thereof, filed under Plat No, 84-183, in the records of the Kenai Recording District, Third Judicial District, State of Alaska,

is hereby ACKNOWLEDGED AND CONSENTED TO, subject to the same terms and conditions as contained in the above-described original Lease of Airport Lands, and any and all amendments thereto.

This Consent is given by the City of Kenai without waiving any right or action, or releasing the Assignor from any liability or responsibility under the aforementioned Lease, and does not relieve the Assignee from the condition requiring the City's approval for any subsequent sublease or assignment.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2022.

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

ACKNOWLEDGEMENT

STATE OF ALASKA                    )  
  ) ss  
THIRD JUDICIAL DISTRICT            )

THIS IS TO CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, Paul Ostrander, City Manager of the City of Kenai, Alaska, being personally known to me or having produced satisfactory evidence of identification, appeared before me and acknowledged the voluntary and authorized execution of the foregoing instrument on behalf of said City.

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

Approved as to form:

\_\_\_\_\_  
Scott Bloom, City Attorney

After Recording, Return to:

City of Kenai  
210 Fidalgo Avenue  
Kenai, AK 99611



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Eland Conway, Airport Manager  
**DATE:** April 7, 2022  
**SUBJECT:** **Action/Approval – Special Use Permit Laser Art Alaska, LLC.**

---

Riley Updike, owner of Laser Art Alaska, LLC is requesting a Special Use Permit for a four-month term from May 1, 2022-August 31,2022.

The permit is to rent terminal space to display and sell *My Alaskan Gifts* products as well as consignment of other Alaskan products. The glass space (suite 120), consisting of approximately 341 square feet, has been empty for many years.

Mr. Updike is proposing to pay 20% commission based on actual selling price of any sales while displayed at the Airport, plus applicable sales tax.

*My Alaskan Gifts* will an additional boost in airport revenue, create additional foot traffic benefiting the Brothers' Café, the Upper Deck Lounge, and visitors the opportunity to have a last minute keepsake or gift.

Does Council authorize the City Manager to approve a Special User Permit to Laser Art Alaska, LLC?

Thank you for your consideration.

attachments

## SPECIAL USE PERMIT 2022

The CITY OF KENAI (City) grants to Riley Updike with Laser Art Alaska, LLC (Permittee), whose address is 48655 Prairie Ave. Soldotna, AK 99669 a Special Use Permit (Permit) for displaying laser artwork and Alaskan gifts for sale in the Kenai Municipal Airport terminal building subject to the requirements and the conditions set forth below.

1. **Premises.** Permittee shall have the exclusive right to use suite 120, the area described in the attached diagram (Exhibit A) for the uses identified in this Permit.
2. **Term.** The term of this Permit shall be for four months commencing on May 1, 2022 and ending on August 31, 2022. Regardless of the date of signature, this Permit shall be effective as of May 1, 2022.
3. **Permit Fees.** Permittee shall pay the following fees for the privileges extended to Permittee under this Permit: In-terminal Concession Certified Activity Report attached. (Exhibit B)

Permittee shall pay a twenty (20) percent commission based on actual selling price of any sales while displayed at the Airport, plus applicable sales tax.

Payment shall be directed to City of Kenai, ATTN: Finance Department, 210 Fidalgo Avenue, Kenai, AK 99611 and a courtesy notice of payment provided to Airport Administration at 305 North Willow Street, Suite 200, Kenai, AK 99611. Failure to timely make the payment is grounds for termination of this Permit.

4. **Use.** City authorizes Permittee's exclusive use of the Premises for the following purpose(s):

Office space, Suite 120, consisting of approximately 341 square feet, located on the first floor, terminal building, Kenai Municipal Airport, and as more particularly set forth on Exhibit A to this Permit (the Premises).

Permittee is authorized to use the Premises for the following purposes only:

Display and sale of My Alaskan Gifts by Laser Art Alaska and consignment of other Alaskan products

Use of the Premises by Permittee is subject to the reasonable administrative actions of the City of Kenai for the protection and maintenance of the Premises and of adjacent and contiguous lands or facilities and is further subject to the following conditions:

Permittee acknowledges that the use granted herein is subject to the Kenai Municipal Code and municipal regulations governing the Kenai Municipal Airport and as those laws and regulations may be amended from time to time.

Solicitation of donations or operation of a business or other commercial enterprise not contemplated by this Permit is prohibited without the written consent of City.

**5. Airport Operations.** Permittee shall ensure that the Permittee, its employees, and guests, and anyone else acting by, on behalf of, or under the authority of Permittee on the Airport, that perform any repairs or activities authorized under this Permit act in a manner that ensures the safety of people and the Airport, the protection of public health and the environment, and the safety and integrity of the Airport and any premises on the Airport. Permittee shall employ qualified personnel and maintain equipment sufficient for the purposes of this provision. The Permittee shall immediately notify City of any condition, problem, malfunction, or other occurrence that threatens the safety of the Airport, the safety of persons using the Airport, the public health or the environment, or the safety or integrity of any premises on the Airport.

**6. Inspection.** The Federal Aviation Administration (FAA) and/or City shall have the right and authority to inspect, at any time for any purpose whatsoever, the Premises as well as any and all equipment used by the Permittee under this Permit.

**7. 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 general use of the Airport by Permittee.

**8. Insurance.** Permittee shall secure and keep in force adequate insurance, as stated below, to protect City and Permittee. Where specific limits are stated, the limits are the minimum acceptable limits. If Permittee's insurance policy contains higher limits, City is entitled to coverage to the extent of the higher limits.

**A.** Commercial General Liability insurance, including premises, all operations, property damage, personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit. The policy must include an endorsement under which the insurer extends coverage to Permittee's fuel handling activities. The policy must name the City as an additional insured.

**B.** Worker's compensation insurance with coverage for all employees engaged in work under this Permit or at the Premises as required by AS 23.30.045. Permittee is further responsible to provide worker's compensation insurance for any

subcontractor who directly or indirectly provides services to Permittee under this Permit.

C. Commercial Automobile Coverage with not less than \$1,000,000 combined single limit per occurrence. This insurance must cover all owned, hired, and non-owned motor vehicles the Permittee uses on the Airport. The policy must name the City as an additional insured.

D. All insurance required must meet the following additional requirements:

- i. All policies will be by a company/corporation currently rated "A-" or better by A.M. Best.
- ii. Permittee shall submit to the City proof of continuous 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.
- iii. Permittee shall request a waiver of subrogation against City from Permittee's insurer and the waiver of subrogation, where possible, shall be provided at no cost to City.
- iv. Provide the City with notification at least 30 days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.
- v. Evidence of insurance coverage must be submitted to City by May 1, 2022. The effective date of the insurance shall be no later than May 1, 2022.

City may increase the amount or revise the type of required insurance on written demand without requiring amendments to this Permit. City will base any increase or revision on reasonable and justifiable grounds. Within two weeks of the written demand, Permittee shall submit to City evidence of insurance coverage that meets the requirements of the City.

**9. Assumption of Risk.** Permittee assumes full control and sole responsibility as between Permittee and City for the activities of Permittee, its personnel, employees, and persons acting on behalf of or under the authority of the Permittee anywhere on the Airport. Permittee shall provide all proper safeguards and shall assume all risks incurred in its activities on and access to the Kenai Municipal Airport and its exercise of the privileges granted in this Permit.

**10. Indemnity, Defend, and Hold Harmless Agreement.** Permittee agrees to fully indemnify, defend, and hold harmless, the City of Kenai, its officers, agents, employees, and volunteers from and against all actions, damages, costs, liability, claims, losses, judgments, penalties, and expenses of every type and description, including any fees and/or costs reasonably incurred by the City's staff attorneys and outside attorneys and any fees and expenses incurred in enforcing this provision (hereafter collectively referred to as "Liabilities"), to which any or all of them may be subjected, to the extent such Liabilities are caused by or result from any negligent act or omission or willful misconduct of the Permittee in connection with or arising from or out of Permittee's activities on or use of the Premises, Permittee's access to the Kenai Municipal Airport, and/or Permittee's exercise of the privileges granted in this Permit. This shall be a continuing obligation and shall remain in effect after termination of this Permit.

**11. No Discrimination.** Permittee shall not discriminate against any person because of the person's race, creed, color national origin, sex, age, or handicap. Permittee recognizes the right of City to take any action necessary to enforce this requirement of the Permit. Permittee will furnish services provided under this Permit on a reasonable, and not unjustly discriminatory, basis to all users of the Airport and shall charge reasonable, and not unjustly discriminatory, prices for each product or service provided at the Airport.

**12. Licenses and Permits.** Permittee shall obtain and maintain all required federal, state, and local licenses, certificates, and other documents required for its operations under the Permit. Permittee shall provide proof of compliance to City upon request by the City.

**13. Compliance with Law/Grant Assurances.** This Permit, and Permittee's activities conducted under this Permit, is subject to all executive orders, policies and operational guidelines and all applicable requirements of federal, state, and City statutes, ordinances, and regulations in effect during the term of this Permit. Further, Permittee shall comply with all applicable requirements imposed on the Airport by federal law to ensure that the Airport's eligibility for federal money or for participation in federal aviation programs is not jeopardized. This Permit is subordinate to the City's grant assurances and federal obligations.

**14. No Exclusivity.** The privileges granted under this Permit are not exclusive to Permittee. City has the right to grant to others any right or privilege on the Airport.

**15. Assignment.** The privileges granted under this Permit are personal to Permittee and may not be assigned by Permittee.

**16. No Joint Venture.** City shall not be construed or held to be a partner or joint venturer of Permittee in the conduct of its business or activities on the Premises or elsewhere at the Kenai Municipal Airport.

**17. No Waiver.** Failure to insist upon a strict compliance with the terms, conditions, and requirements herein contained, or referred to, shall not constitute or be construed as a waiver or relinquishment of the right to exercise such terms, conditions, or requirements.

**18. Personalty.** Permittee shall remove any and all personal property, including all vehicles, from the Premises at the termination of this Permit (or any renewal thereof). Personal property placed or used upon the Premises will be removed and/or impounded by the City, if not removed upon termination of this Permit and when so removed and/or impounded, such property may be redeemed by the owner thereof only upon the payment to the City of the costs of removal plus storage charges of \$25 per day. The City is not responsible for any damage to or theft of any personalty of Permittee or of its customers.

**19. Termination; Default.** This Permit may be terminated by either party hereto by giving fourteen (14) days advance written notice to the other party. City may terminate the Permit immediately, or upon notice shorter than fourteen (14) days, to protect public health and safety or due to a failure of Permittee to comply with conditions or terms of this Permit which failure remains uncured after notice by City to Permittee providing Permittee with a reasonable time period under the circumstances to correct the violation or breach.

**20. Definitions.** As used in this Permit, "Permittee" means Riley Updike with Laser Art Alaska, LLC and where the context reasonably indicates, its officers, agents, and employees. "Airport" means the Kenai Municipal Airport.

**18. Janitorial and Cleaning Services.** Permittee will provide, at its own expense, the day-to-day janitorial cleaning services and supplies necessary to maintain the premises in a clean, neat, and sanitary condition.

**19. Security.** Permittee will adhere to all applicable responsibilities of the federal airport security program set out in Federal Aviation Regulations Part 107 and the Airport Master Security Program. Permittee will procure any required identification badges should it be necessary to access the premises or Permittee's operations authorized under this Permit.

**20. Smoking.** Neither the Permittee employees, nor customers may smoke in or around the terminal except in designated smoking areas.



21. **Employee Parking.** Employees may use non-exclusive employee vehicle parking spaces at no charge. All employees must register their vehicle(s) in the Airport Manager’s office to receive a vehicle-parking permit to park while on the job. Permittee shall be held accountable for Permittee’s employees’ use of designated vehicle parking facilities and assure that employees comply with all Airport directives.

22. **Signs.** Permittee may, after consent by the Airport Manager, install signs at its premises identifying its business. Permittee will request the Airport Manager’s advance written approval before installation of any signage.

**CITY OF KENAI**

By: \_\_\_\_\_  
Paul Ostrander Date

**RILEY UPDIKE, LASER ART  
ALASKA, LLC**

By: \_\_\_\_\_  
Riley Updike Date

STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2022, the foregoing instrument was acknowledged before me by Paul Ostrander, City Manager, of the City of Kenai, an Alaska municipal corporation, on behalf of the City.

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

STATE OF ALASKA )  
 ) ss.

THIRD JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2022, the foregoing instrument was acknowledged before me by Riley Updike, Owner, Laser Art Alaska, LLC.

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

Approved as to form:

\_\_\_\_\_  
Scott Bloom  
City Attorney

DRAFT

V:\wcb\KENAI CERT MANUAL\EXHIBITS A - B\EXCLUSIVE USES\2019 revisions exhibit a-b\rev exhibit a-b exclusive space.dwg

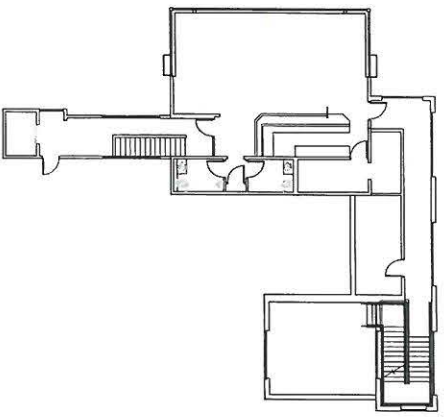
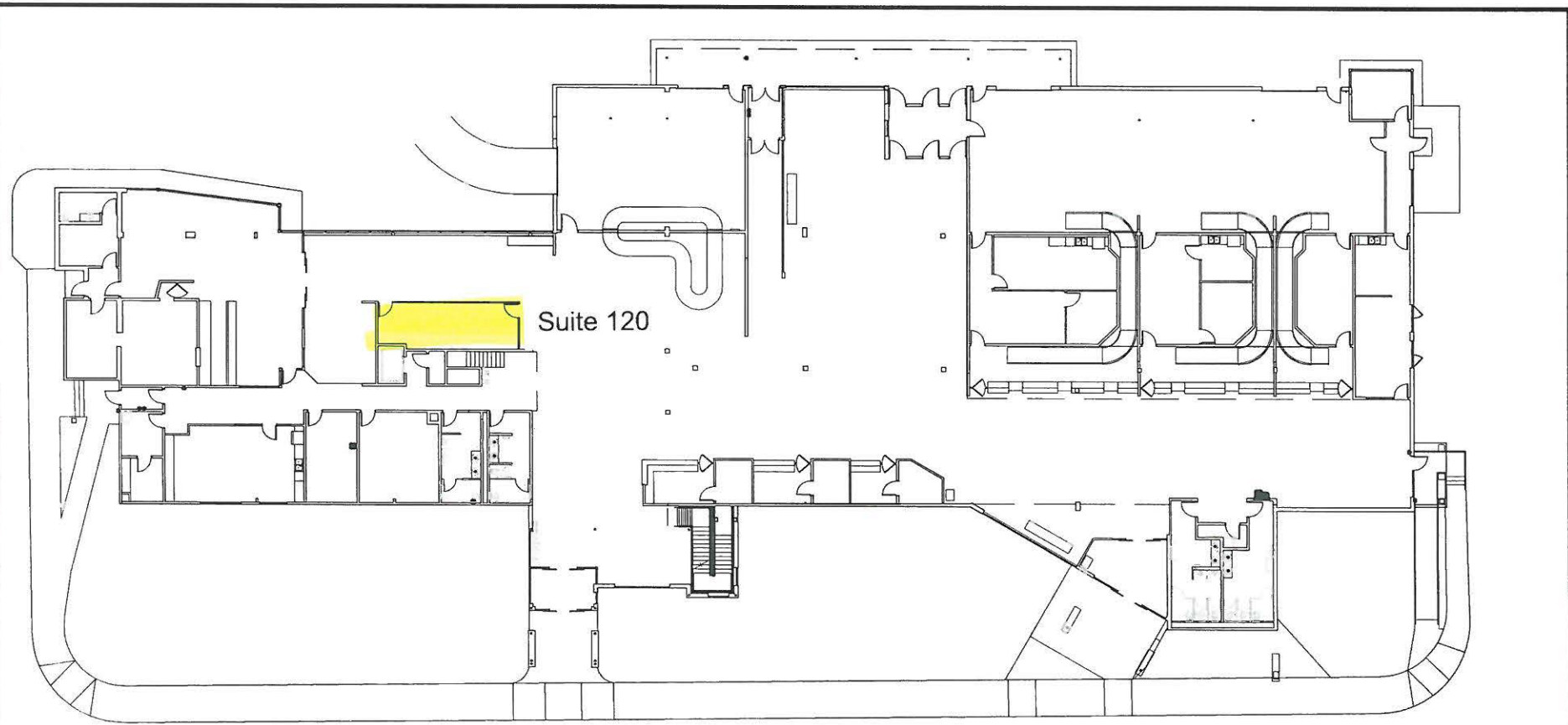


Exhibit A

THIS DRAWING IS NOT TO SCALE

WINCE-CORTHELL-BRYSON

JOB NO.	REVISED: Picted: 11/06/19
---------	---------------------------

KENAI MUNICIPAL AIRPORT  
KENAI, ALASKA

Kenai Municipal Airport  
IN-TERMINAL CONCESSION  
CERTIFIED ACTIVITY REPORT

For the Month of \_\_\_\_\_, 20\_\_

Date prepared \_\_\_\_\_

**Monthly Sales:** \$ \_\_\_\_\_

The Concessionaire will pay the City of Kenai the percentage fee (20%):

**Monthly Gross Sales:** \$ \_\_\_\_\_ x 20% = \$ \_\_\_\_\_ \$ \_\_\_\_\_

**Subtotal:** \$ \_\_\_\_\_

**Sales Tax:** (6% or \$30 whichever is less) \$ \_\_\_\_\_

**Total Amount Due:** (Must be paid by the 15<sup>th</sup> of the month) \$ \_\_\_\_\_

Remit to: City of Kenai  
210 Fidalgo Ave.  
Kenai, AK 99611

**Other Information:**

**Gross Sales Attributed to a DBE:** \$ \_\_\_\_\_

**Certification:**

I hereby certify that the above is a true statement from the records of the following business:

Business: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_

Phone No.: \_\_\_\_\_



### City of Kenai Special Use Permit Application

Application Date: **03/29/22**

#### Applicant Information

Name of Applicant:	<b>Riley Updike</b>						
Mailing Address:	<b>4865h prairie ave</b>	City:	<b>Soldotna</b>	State:	<b>AK</b>	Zip Code:	<b>99669</b>
Phone Number(s):	Home Phone: ( <b>907-252-5237</b> )		Work/ Message Phone: ( <b>907-206-3630</b> )				
E-mail: (Optional)	<b>Riley@laserartalaska.com</b>						
Name to Appear on Permit:	<b>Laser Art Alaska LLC</b>						
Mailing Address:	<b>same</b>	City:	<b>same</b>	State:	<b>same</b>	Zip Code:	<b>same</b>
Phone Number(s):	Home Phone: ( ) <b>same</b>		Work/ Message Phone: ( ) <b>same</b>				
E-mail: (Optional)	<b>same</b>						
Type of Applicant:	<input type="checkbox"/> Individual (at least 18 years of age) <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Government <input checked="" type="checkbox"/> Limited Liability Company (LLC) <input type="checkbox"/> Other _____						

#### Property Information

Legal or physical description of the property: **air port unit 720**

Description of the proposed business or activity intended: **my alaskan gifts owned by laser art alaska LLC**  
**CONSIGNMENT SHOP**

Is the area to be used in front of or immediately adjacent to any established business offering the same or similar products or services upon a fixed location?     YES     NO

Would the use under this permit interfere with other businesses through excessive noise, odor, or other nuisances?     YES     NO

If you answered yes to any of the above questions, please explain:

What is the term requested (not to exceed one year)? **april - august**

Requested Starting Date: **april 21st 2022**

Signature:		Date:	<b>03/29/2022</b>
Print Name:	<b>Riley Updike</b>	Title:	<b>owner</b>

<input checked="" type="checkbox"/> General Fund <input type="checkbox"/> Airport Fund	<input type="checkbox"/> Airport Reserve Land <input type="checkbox"/> Outside Airport Reserve	Date Application Fee Received: _____ City Council Action/Resolution: _____ Account Number: _____
---	---	--



# MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Eland Conway, Airport Manager  
**DATE:** April 11, 2022  
**SUBJECT:** Kenai Municipal Airport (ENA) Mid-Month Report

---

### Additional Airline Tenant

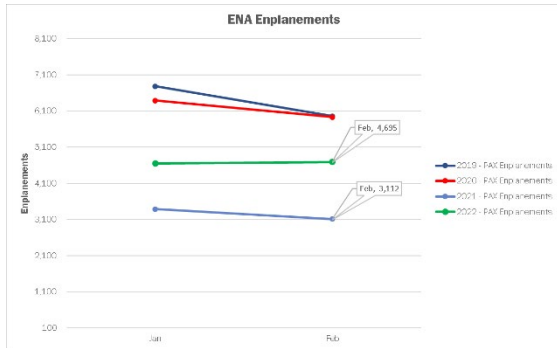
Beginning May 2, 2022 travelers to and from Kenai Municipal Airport will have a third airline to choose from. Kenai Aviation is flying roundtrip to Ted Stevens Anchorage International Airport, Monday through Friday—Also providing service from Anchorage to Homer, and Valdez.

Kenai Aviation will operate the Tecnam P2012 “Traveler” in a nine-passenger configuration. The twin engine aircraft designed and manufactured in Italy will be the first of its kind in Alaska. Kenai Aviation took delivery on April 5 at the Sun ‘n Fun Aerospace Expo in Lakeland, Florida.



### Enplanements

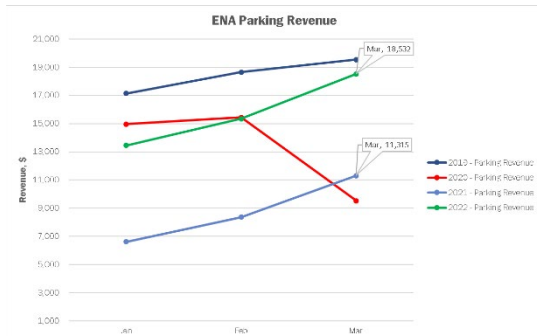
2022 passenger enplanements continue to trend toward upward – up 44% YTD compared to 2021.



	2021	2022	Sum of Enplanements	%
Jan	PAX Enplanements 3,389	PAX Enplanements 4,646	8,035	37.09%
Feb	PAX Enplanements 3,112	PAX Enplanements 4,695	7,807	50.87%
<b>Grand Total</b>	<b>6,501</b>	<b>9,341</b>	<b>15,842</b>	<b>43.69%</b>

### Parking Revenue

2022 parking revenue continues to trend upward to pre-pandemic numbers – up 80% YTD compared to 2021.



	2021	2022	% Δ
Jan	Parking Revenue 6,626	Parking Revenue 13,448	103%
Feb	Parking Revenue 8,373	Parking Revenue 15,338	83%
Mar	Parking Revenue 11,315	Parking Revenue 18,532	64%
<b>Grand Total</b>	<b>26,314</b>	<b>47,318</b>	<b>80%</b>





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**THROUGH:** Ben Langham, Police Lieutenant

**FROM:** Jessica “JJ” Hendrickson, Animal Control Chief

**DATE:** April 5, 2022

**SUBJECT:** March 2022 Monthly Report

This month the Kenai Animal Shelter took in **39** animals. Animal intake and disposition:

DOGS:				
	INTAKE	17	DISPOSITION	12
	Waiver	8	Adopted	4
	Stray	8	Euthanized	0
	Impound	0	Claimed	5
	Protective Custody	0	Field Release	2
	Quarantine	0	Transferred	1
	Microchips	1	Other Dispositions	0
	Other Intakes	0		
CATS:				
	INTAKE	22	DISPOSITION	27
	Waiver	17	Adopted	20
	Stray	5	Euthanized	0
	Impound	0	Claimed	2
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	5



Microchips	0	Other Dispositions	0
Other Intakes	0		0
OTHER ANIMALS:			
INTAKE	0	DISPOSITION	0
Chinchilla	0	Chinchilla	0
Rabbit	0	Rabbit	0
Other	0	Guinea Pig	0
DOA:	5	OTHER STATISTICS:	
Dog	4	Licenses (City of Kenai Dog Licenses)	39
Cat	0		
Rabbit	1		

- 1** Animal dropped with After Hours (days we are closed but cleaning and with KPD)
- 11** Animals are *known* borough animals
- 45** Animals are *known* City of Kenai
- 1** Animals are *known* City of Soldotna
- 1** Animals from unknown location
- 51** Field Investigations & patrols
- 27.26** Volunteer Hours Logged
- 0** Citations
- 2** Educational Outreach

Statistical Data:

- 275** 2020 YTD Intakes
- 166** 2021 YTD Intakes
- 97** 2022 YTD Intakes

This month, we hosted a reading activity/educational outreach with Girl Scout Troop 20302 at the shelter. Brownies and daisies spent some time reading to our cats and learning about the shelter and being safe around animals. The shelter partnered with the Kenai Library to host an Animal Lover’s Book Club for kids. The program kicked off at the library where 20 youth listened to the first chapter in the book Shelter Pet Squad: Jelly Bean written by Cynthia Lord, completed a DIY cat toy, then toured the shelter. While at the shelter, the participants learned about being safe around animals, microchips, licenses, and information about the shelter and how the staff cares for the animals. The kids got a chance to pet a kitten and a puppy and watch the staff give the cats the toys they made while at the library.





# KENAI

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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Terry Eubank, Finance Director  
**DATE:** April 12, 2022  
**SUBJECT:** **Finance Department, April Mid-month Report**

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For the last few months much of the department's focus has been on the preparation of the City's FY2023 Budget. Distribution of the draft budget has been delayed from April 1<sup>st</sup> to April 15<sup>th</sup>. The budget ordinance introduction is scheduled for the May 4<sup>th</sup> Council meeting and Budget adoption on May 18<sup>th</sup>. City code requires adoption by June 10<sup>th</sup>. The Resolution establishing the 2023 mill rate will be included in the packet for adoption May 18<sup>th</sup> to coincide with adoption of the FY2023 Budget. Depending upon the timing of the budget work session with Council, these dates can be changed as needed.

The department in conjunction with Marsh & McLennan Agency, the City's health and life insurance broker, is working on a renewal plan for employee medical and life insurance benefits. Renewal information is not available at this time but should be released shortly.

The department is completing the City's property, liability and workers' compensation insurance applications for the upcoming renewal. Working with the City's broker, Hub International, a renewal quote from the City's insurance pool, the Alaska Municipal League Joint Insurance Association (AMLJIA), should be available in mid to late may. The City is under a three year agreement with the AMLJIA for coverage.





# KENAI

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## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Tony Prior, Fire Chief

**DATE:** April 12, 2022

**SUBJECT:** Fire Department Mid-Month Report - March

Calls for service for March were down slightly from 2021 calls, however, we are right at where we were for overall numbers at this time last year. Here is the breakdown for March 2022.

Year	2021	2022	% change
March total	127	113	-11.0%
EMS	103	96	-6.8%
All Other	24	17	-29.2%
Year total	339	338	-0.3%

### Training:

- Our department personnel completed their annual forestry refresher from Division of Forestry.
- Prior and Anderson attended the Leadership Summit for Fire Chief’s in Anchorage
- All personnel completed their refresher for Basic Life Support (BLS)

### Projects/Grants:

- 25 COVID-19 tests were conducted for City Employees and family members.
- We completed our documentation for Supplemental Emergency Medical Transport (SEMT) and submitted the cost reports and other documentation needed by the State of Alaska
- Ambulance specifications have been reviewed and updated to prepare for an invitation to bid.
- We have completed the draft of the Emergency Operations Plan and we doing one final review of the draft plan before we submit it to agencies for approval.



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council





**THROUGH:** Paul Ostrander, City Manager

**FROM:** Hannah Meyer, Assistant to the Library Director

**DATE:** March 7, 2022

**SUBJECT:** Library Mid-Month Report for March 2022

### March 2022 at a Glance

Items Borrowed		Mar-21	Mar-22	2022 YTD
Physical		5,774	6,805	18,609
Digital		1,694	1,576	4,517
<b>Services</b>				
New Memberships		31	60	148
Room Reservations		n/a	142	327
<b>Programs</b>				
Number of Programs		19	32	75
Program Attendance		95	668	1,162
People Reached Virtually		1,185	395	1,078
<b>Technology Sessions</b>				
Computer sessions		344	633	1,421
WiFi Sessions		3,845	7,339	20,756
Early Literacy Station Sessions		n/a	212	506

## March 2022 programming highlights

- 32 programs
  - 7 virtual programs
    - 5 Facebook Live Story Times (20 participants, 239 total views within 7 days of program)
    - No Bake Pi (63 total views within 7 days of program)
    - Indoor Seed Starting (73 total views within 7 days of program)
  - 22 in-person onsite programs
    - 4 Story Times at the Library (113 total participants)
      - Race Car Story Time (47)
    - Animal Lovers' Story Time (23 participants)
    - Teen Advisory Board (5 participants)
    - 4 Lego Clubs (88 total participants)
    - 2 Library Writing Groups (5 total participants)
    - Leap Into Science (18 participants)
    - Book Club (1 participant)
    - Let's Draw! (14 participants)
    - Upcycle Bag (5 participants)
    - 5 Chess Clubs (10 total participants)
  - 2 in-person onsite passive programs
    - Wings of Fire Scavenger Hunt (60 total sheets handed out)
    - Battleship Challenge (122 total sheets handed out)
  - 1 DIY kit
    - DIY Flower Planting Kit (50 total kits handed out)

## March 2022 library services highlights

- Last month of the quarter is Reference Tally Month. We tallied over 1,055 reference and technology questions in March.
- 60 individuals registered for new library accounts this past month.
- Volunteers logged 51 hours this past month
- We continue to offer Curbside Pickup services. A total of 21 patrons made use of this service.
- Our study and conference rooms were used by 142 individuals/groups for a total of 316 hours.





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Brad Walker, Parks & Recreation Director  
**DATE:** April 13, 2022  
**SUBJECT:** Mid-month Report – March 2021

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Grooming operations concluded April 4th. The trails continue to show increased use this season compared to recent years. This was essentially due to sufficient snow accumulations but also due to folks embracing being outdoors. Both KMS and KCHS were able to host successful meets at the Kenai Nordic Trails this season.

Kenai Central High School Softball began using the City’s field in early April as well as the KCH baseball teams. Randy Dodge, Jaryn Zoda and members of the street department performed snow removal efforts on the girls’ softball field and the boys little league field. Their combined efforts equaled 35 man hours and 35 equipment hours to clear snow from both fields. We have been personally thanked by both coaches for our efforts.

Our annual Easter Egg Hunt will be held on Saturday April 16 at Municipal Park. The Kenai Community Library, Salvation Army and the Kenai Rotary Club are deserving of a huge thank you!

The department’s greenhouse operation is in full swing. The department will plant the circle planters this season with the help of volunteers. Flowers are being grown in 14” baskets making it easy and efficient to plant. All the flower boxes have been planted and will be available to set out sometime the week of June coinciding with our volunteer planting days.

Summer preparations are in full swing, including interviews for summer positions, opening restrooms, turning on water, MPF cleaning, sweeping lawns, ballfield maintenance, greenhouse operations and planning for the upcoming Kite Festival scheduled for Saturday June 4<sup>th</sup>.

The director worked the after prom party held for KCH at the Kenai Recreation center. It was estimated over 150 participants for this event. A good time was had by all and there were numerous volunteers and chaperons to help run the event.

The director met with Tony Prior on fire mitigation strategies for recent grant funding received by the City of Kenai.



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Ryan Foster, Planning Director  
**DATE:** April 12, 2022  
**SUBJECT:** **Planning and Zoning March 2022 Report**

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### Planning and Zoning Commission Agenda Items and Resolutions

- On March 23, 2022 the Planning and Zoning Commission recommended for approval the following agenda items:
  - **Resolution PZ2022-06** - Preliminary Subdivision Plat of Toyon Subdivision 2021 Replat, submitted by Edge Survey and Design, P.O. Box 208, Kasilof, AK 99610, on behalf of Kenaitze Indian Tribe, P.O. Box 988, Kenai, AK 99611
  - **Resolution PZ2022-07** - Preliminary Subdivision Plat of Jaynes Subdivision 2022 Replat, submitted by McLane Consulting, P.O. Box 468, Kenai, AK 99611, on behalf of BGMC LLC, P.O. Box 2682, Kenai, AK 99611
  - **Action/Approval** - Windhaven Estates Phase 4 Time Extension
- On March 7, 2022 the Planning staff attended the City Council work session on the Draft Land Management Plan.

### Building Permit and Site Plan Reviews

Planning and Zoning staff reviews all Building Permits for compliance with the zoning code. The Department conducted three Building Permit reviews in March, 2022 and one Landscape/Site Plan application.

### Code Enforcement

One new code enforcement case was opened in March, 2022.

### City Council Agenda Items

- On March 2, 2022, Kenai City Council approved the following lease application:

- **Resolution No. 2022-10** – Approving the Execution of a Lease of Airport Reserve Lands Using the Standard Lease Form Between the City of Kenai and State of Alaska, Division of Forestry on Lot 4A, FBO Subdivision No. 11. (Administration)
- On March 16, 2022, Kenai City Council approved the following resolution:
  - **Resolution No. 2022-19** – Approving the Vacation of 20’ Public Street Easements Adjoining the South Boundary and Northwest Boundary of Lot 1, Toyon Subdivision as Granted by Plat K-1592, and is Located within the SE1/4 of Section 6, Township 5 North, Range 11 West, Seward Meridian, Alaska, and Determining the Easement is Not Needed for a Public Purpose. (Administration)

### City Leases

The City received one land lease application for a lease renewal in the airport reserve and an application for a special use permit in the airport reserve in March, 2022.







# MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** David Ross, Police Chief

**DATE:** April 7, 2022

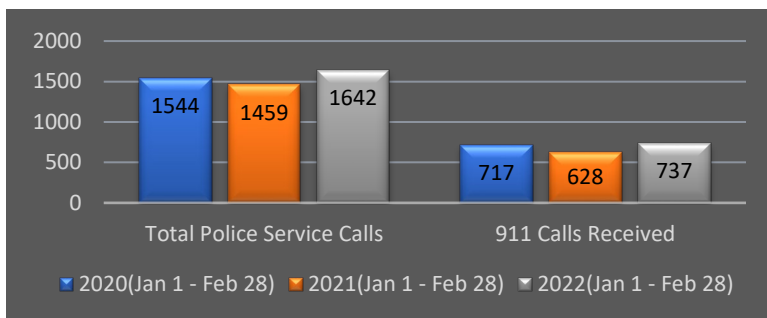
**SUBJECT:** **Police & Communications Department Activity – March 2022**

Police handled 622 calls for service in March. Dispatch received 267 9-1-1 calls. Officers made 40 arrests. Traffic enforcement resulted in 256 traffic contacts and 64 traffic citations. There were 9 DUI arrests. Officers investigated 8 motor vehicle collisions in March. There was one collision involving a moose. There was one collision involving drugs or alcohol.

One new KPD officer continued his academy training in Sitka through the entire month of March. One KPD supervisor attended a week long supervisor leadership training in Nampa Idaho. All dispatchers completed online training on ‘assaults inside hotel rooms’ and ‘suicides by gunshot.’

The dispatch center started a recruitment to fill one full-time dispatcher vacancy. The Police Department conducted its annual recruitment for Temporary Enforcement Officers. In coordination with the City’s IT department, the police department’s recording system for its interview rooms was upgraded.

The School Resource Officer continued teaching DARE at Kaleidoscope Elementary School and participated in ALICE intruder drills at multiple schools.





# KENAI

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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** April 2022  
**SUBJECT:** **Mid-Month Report; Public Works / Capital Projects**

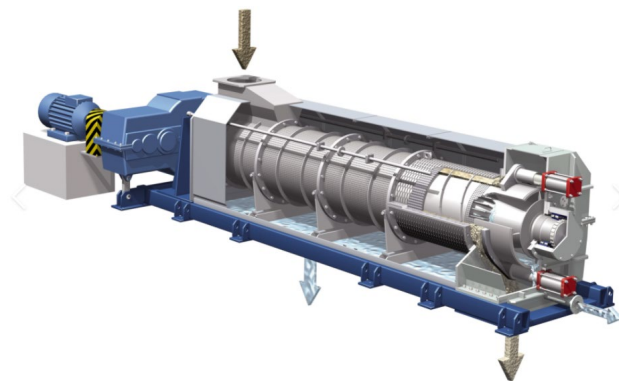
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- Kenai Municipal Airport Sand Storage Facility – Orion Construction is currently under contract in the amount of \$2,289,000. The project has experienced extreme supply chain issues and is anticipated now to be on hold until spring 2022. March 8<sup>th</sup> had meeting with City Staff, FAA, and HDL Engineering to discuss alternatives. Discussions on alternative structural components to avoid using pre-engineered steel are on the table. Building timeline continues to be pushed back due to suppliers and issues with General Contractor. *No update at this time.*
- Kenai Municipal Airport Airfield Drainage – Project consists of the replacement of approximately 500 lf of failing storm water pipelines located in the safety area off the northern end of the runway. Update: 10/13/21 Contract Documents were executed with BMGC LLC in the amount of \$360,225. Airport staff has requested this project hold off until spring for operational concerns. Project will be completed prior to July 31<sup>st</sup>, 2022. *Update: Contractor is scheduled to begin work June 1<sup>st</sup>, work is anticipated to move quickly. Contractor is planning on working seven days a week until the work is completed.*
- Kenai Municipal Airport Snow Removal Equipment (SRE) – Update: This equipment is on order and dependent upon supply chain logistics will likely arrive in spring 2022. *Update: Delivery of unit has experienced slight delays with mounting the blower head to the tractor. Equipment is currently scheduled for Late May delivery per the manufacturer.*
- Kenai Municipal Airport Runway Rehabilitation Project – This project known as Task 4 within HDL Engineering Consultants LLC term service agreement with the City shall provide an initial assessment of the current condition of the airport runway. This will include geotech work, coring numerous locations of the runway. This work will provide the necessary information to coordinate with the FAA to seek grant funding for an overall runway rehabilitation project which will ultimately include the runway, taxiways, drainage, lighting, markings, etc. Once the



conditions report is received, which fiscal year the project will likely need to take place will be determinable. This initial assessment and corresponding design work to an anticipated 35% level of completion has been contracted at a total cost of \$250,000 and is expected to be completed by the end of the calendar year. Update: On August 4<sup>th</sup> HDL Engineering and staff successfully completed geotech borings of the runway after hours. On October 13<sup>th</sup> HDL Engineering, City staff and the FAA discussed the findings of the geotech report. On December 6, 2021 the City received the draft Engineer's Design Report (EDR) along with the draft Geotechnical Report. Staff is reviewing the documents in house in preparation for formal discussion with the FAA in February. Project remains on schedule and within budget at this time. Contract Amendment is pending to add additional services to take the project from the current Preliminary Design to completed bid ready construction documents. Council can expect to see legislation at the next Council Meeting in early April. *Update: Ordinance 3278-2022 is up for approval on April 20<sup>th</sup> to secure HDLs services through Bid Phase with a contract amendment of \$781,833, bringing the total cost of design to \$1,031,833.*

- Waste Water Treatment Plant Replacement Sludge Press – Resolution 2020-95 approved at the December 16, 2020 Council meeting authorized HDL Engineering to begin the Design Phase of the WWTP Replacement Sludge Press. Contract Documents were executed on January 6, 2021 with a Notice to Proceed issued on January 11, 2021. A Request for Proposals from press manufactures was released on April 27, 2021 with proposals due on May 25<sup>th</sup>, 2021. Resolution 2021-42 to award an equipment purchase agreement to Andritz Corp in the amount of \$285,000 was approved by Council at the June 16, 2021 meeting. The screw press is on order and is expected to arrive in Kenai in July. Construction Documents are approaching 95%, and will be finalized and out for bid well in advance of the July delivery date. *Update: Ordinance 3282-2022 which is up for approval on April 20<sup>th</sup> is appropriating additional funding to account for code related issues which will now be addressed as part of this project.*



- Kenai Wellhouse Relocation – Contract was executed with Polar North Construction on August 4, 2021 in the amount of \$243,172.25. Site clearing and pad preparation has been completed. Project will be on hold until spring. *Update: HEA and Enstar are preparing to disconnect utilities from the project site to allow the contractor to begin demolition. Work is anticipated to be underway in May.*
- SCADA Integration – Resolution 2021-10 approved at the March 3, 2021 Council meeting has authorized a \$125,000 purchase order to HDL Engineering for assessments and repairs to both the Water & Sewer and Wastewater facilities relating to SCADA. TechPro the new sub-consultant has successfully stepped in, communication and programming modifications were

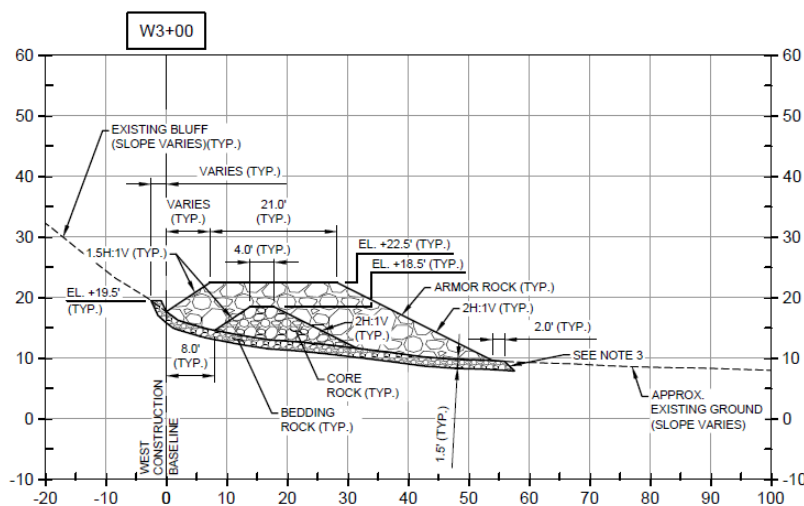


recently completed restoring four lift station locations back to operational. Public Works staff is reviewing proposals to update to a new auto dialer system, as well as preparing SCADA for the integration of lift station renovations. *Update: new Dialer program has been purchased, we have been struggling with gaining access into our network to complete the installation.*

- Lift Station Renovations – Resolution 2021-58 awarded HDL Engineering agreement in the amount of \$59,560 to provide bid ready construction documents for three lift stations. HDL has completed on site evaluations and are nearing completion of three sites to receive upgrades. These locations included the stations at mile posts 13 and 14, which are near the soccer fields and Spur / Redoubt Ave respectively, as well as a station on Lawton Drive. These locations are intended to receive new pumps and pump control panels as part of this project. *Update: After determination of which lift stations would receive renovations to start, a design meeting was held on 12/3/21 to discuss pump and control panel design. Basis of design memo received on January 6, 2022. Design documents are approaching 65% completion.*
- Mission Avenue Water Main – HDL is developing documents to address a water main that is nearing the bluffs edge along Mission Ave. This project will isolate a portion of the main in this area in anticipation of the piping eventually eroding down the bluff's edge. Installation of several new valves and relocation of two individual services are required with this work. Documents are pending completion, and will be released for Bids immediately after they are received and reviewed. The project will attempt to wait until spring for contractor's to start work if the conditions allow. Project Documents are at 100% completion. Project is being released for bid on March 10<sup>th</sup> with bids due on March 31<sup>st</sup>. Resolution 2022-12 was approved at the last meeting which completed a budget transfer to allow the project to be bid. Work will take place as weather allows in the spring. *Update: Resolution 2022-24 to award a construction contract to Fosters Construction is in the packet for April 20, 2022 council approval. Work is expected to take place in May/June.*
- Bryson Ave. Bluff Erosion Repair – Project was released for Construction Bids on July 29, 2021 with bids due on August 19, 2021. Fosters Construction was the winning bidder at a cost of \$309,775. Contract documents were executed with Fosters on September 20, 2021 and work began immediately. As of October 13, 2021 work is largely completed with the exception of topsoil and hydro-seed which will wait until spring. Change Order 1 was executed on December 27, 2022 in the amount of \$69,397.50 bringing the total contract amount to \$379,172.50. Project will be complete after top soil and seed work are completed in the spring.
- Multi-purpose Facility – The Building Maintenance Department went through the Ice Rink and pressure washed all of the algae that has been growing on the steel beams. Nelson Engineering was also able to come out and assess the structure and condition of the rusting. Formal report was received on October 6, 2020. *Update: Public Works staff after meeting with Parks and Rec staff on January 17<sup>th</sup> have agreed summer ice will not be placed this summer to allow time for needed repairs to take place. Red Line Sports has been notified. Update: Staff is preparing to begin with repairs to the steel structure starting on May 1<sup>st</sup> running through June 30<sup>th</sup>. An aerial lift has been secured, coating materials have been sourced and purchased. Staff continues working on ventilation improvements with planned upgrades to exhaust fans pending, to assist with humidity control.*



- **USACE Bluff Erosion** – Formal Request for Proposals was released on January 28, 2021, proposals were received on March 4, 2021 from five firms. Evaluations of the proposals were completed by committee and HDR Engineering, Inc was the highest scoring successful proposer. An intent to award was sent out on March 18, 2021. Council approved Resolution 2021-35 at the June 2, 2021 meeting awarding an agreement to HDR along with issuance of a purchase order in the amount of \$791,832.68. Design services are expected to run approximately twelve months to provide bid ready plans and specifications. July 6, 2021 the formal agreement between the City of Kenai and HDR was executed. On August 11, 2021 the City Manager and Public Works Director met and walked the project site with representatives from the Army Corp of Engineers including the Regional Commander in charge of the project. Project kickoff meeting with Engineers was conducted on August 19<sup>th</sup> at 3:00pm. On August 29<sup>th</sup> the Data Collection Plan was received. Detailed work plan has been received by HDR, Data Collection of existing site condition is now *complete*. On October 4, 2021 a project meeting was held providing updates on data collection progress. On January 2, 2022 the City received 35% Design Documents from HDR, staff was able to review those documents with HDR uploading them to the Corps website on January 25<sup>th</sup>. Comments were received by the Corps over several days with a formal response to questions provided back to the Corps on February 9<sup>th</sup>. On February 10<sup>th</sup> a meeting was conducted with the Corps, HDR and the City to discuss review comments. Work is continuing forward to 65% design documents now. Project remains on schedule. Below is one example of proposed wall section. Update: On March 3<sup>rd</sup> federal funding in the amount of \$650,000 was received by the USACE to be used toward the design effort of the project. This allows Corps staff to bill time to the project in support of our efforts. On March 10<sup>th</sup> the City submitted a letter for Request for Work in Kind, to cover the expenses the City has incurred through HDR Engineers Inc in the amount of \$248,676.73, which covers progress from July through November 2021. *Update: On March 25<sup>th</sup> meeting with USACE reps where full team of Corp reps are being introduced to the project in anticipation of providing full project review support. 65% Docs are on track for receipt by May 11<sup>th</sup> from HDR Engineering.*



- Cemetery Expansion – This project is located at the corner of First Ave and Float Plane Rd and will provide for additional burial space as the existing adjacent cemetery has reached capacity. The Public Works Department using in house personnel has already cleared, leveled and graded the site, and placed and compacted a gravel sub-base for the parking area. Update: the Cemetery site has been fine graded and grass seed and fertilizer placed. Staff has successfully surveyed in 64 adult plot sites and 12 infant plot sites. These sites are available through the Clerk's office. Additional sites will be available in the summer 2022 after installation of HEA power and irrigation well have been installed. HEA is developing design documents for City approval to bring in a 100amp electrical service to the property from off of Second St. *Update: April 12<sup>th</sup> Procurement documents for Fencing and Asphalt is in progress.*
- Recreation Center Improvements – The Public Works Department released an RFP on November 18, 2021 with proposals due on December 10, 2021 to provide professional AE services for the Kenai Rec Center. This project will provide a code assessment of the facility, architectural drawings for a complete roof replacement of the facility, and mechanical / electrical drawings for the replacement of aging HVAC equipment. Update: Resolution 2022-06 was approved at the 1/19/22 council meeting to award a design agreement to K+A Design Studios in the amount of \$92,085. Design agreement has now been executed and project meetings are set to begin in mid-February. Resolution 2022-09 within the February 16<sup>th</sup> packet is combining funding from several smaller projects into this one larger one. *Update: On March 21<sup>st</sup> the design team provided the code assessment for the facility identifying several issues which are under review by Public Works Staff. Design continues toward 65% for roofing replacements.*
- Animal Control Improvements – The Animal Shelter has be dealing with an epoxy coated floor that has not performed to expectations. Capital Projects staff has met with the coating manufacturer as well as several vendors on 12/10/21. The Scope of Work to make a repair to the floor coating is pending finalization with an anticipated Release for Quotes expected for late January 2022. This project is expected to be under \$35K so a formal bid release is not planned. Update: The project was released for quotes January 21<sup>st</sup> with quotes due on February 4<sup>th</sup>. GH Alaska LLC is the successful bidder in the amount of \$33,500 with an anticipated completion date of May 31<sup>st</sup>, 2022. A Purchase Order memo is in the February 16<sup>th</sup> meeting packet for Council's approval.
- Kenai Fire Department Flooring Replacement – This project will be replace aging flooring materials within the station. Based on the age of the facility and previous encounters with asbestos, a Proposal Quote Request was released on 12/1/21 with proposals due on 12/10/21 to sample and test for asbestos containing materials within the proposed work area. Contract was awarded on 12/20/21 with a Notice to Proceed granted on 1/11/21 with report due back to City on 2/14/22. The results of the testing will determine our next course of action. If asbestos is discovered steps to conduct abatement will need to be completed prior to replacement of flooring materials. The testing costs are \$4,112 at this time.
- Visitor Center Roof Replacement – Request for Proposal Documents are pending to obtain professional services to provide bid ready construction documents for the planned roof replacement at the Visitors Center. RFP release is anticipated for late January 2022 to provide for shingle replacements during the summer months 2022. Update: A Proposal Quote Request was released on January 25<sup>th</sup> with proposals due on February 15<sup>th</sup> to provide Bid Ready Construction documents for this project. Council can expect to see legislation in March



awarding the design agreement. Update: K+A Architecture was the successful proposer and design documents preparation has begun, as of April 12th docs are near 65%.

- DOT Kenai Spur Highway to Sports Lake Rd – In speaking with representatives from DOT on June 10, 2021, it is my understanding this project will likely be released for construction bids in late fall 2021 for an anticipated construction start of Spring/Summer 2022. This project is intended to continue the widening of the roadway similar to the previous project that extended to approximately Swires Rd. *Nothing new to report at this time.*
- DOT Bridge Access Road Bike Path – Council passed Resolution 2021-53 on August 4, 2021 authorizing the City Manager execute a memorandum of agreement with DOT for design, construction, and maintenance of the Kenai Bridge Access Road Pathway project. In speaking with representatives from DOT the state has not provided funding as yet for this project to move forward. To date the City has appropriated \$294,947 in support of this project which is intended to provide a 1.2 mile path connecting the paths between the Spur Highway and Beaver Loop. Total cost of project per DOT estimates equals \$3,266,301. Per communications with the DOT, design funding is in place and they are waiting on final signatures for the Reimbursable Services Agreement (RSA) with DNR. Once the RSA is approved they will be able to begin design work. Process is expected to be completed by the end of January. *Update: Formal kickoff meeting took place on March 30<sup>th</sup> with the City Manager and Public Works Director in attendance. From appearances this design process will be a slow one, we are not anticipating seeing construction on the path this calendar year. Will continue to update as more information becomes available.*
- Kenai Dog Park – *Public Works Director has been coordinating with representatives from the Dog Park Committee. A formal meeting has been scheduled for April 19<sup>th</sup> to discuss path forward. Committee also has a planned presentation scheduled for the Council meeting on April 20<sup>th</sup>. Preliminary concept drawing below. Discussions on benches, pavillon, and fencing have been taking place in coordination with the Parks & Rec Director.*

### PARK CONCEPT SITE PLAN



- *Little League Restrooms – Public Works Staff has started on the Scope of Work for the planned new restroom facilities at the ball fields on South Spruce St. In coordination with the Parks & Rec Director, design services will be secured to finalize bid ready construction documents. Current anticipated release for Construction Bids is late summer.*







# KENAI

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

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Kathy Romain, Senior Center Director

**DATE:** April 11, 2022

**SUBJECT:** **March 2022 Monthly Report**

March for Meals 2022 was a great success! A big **Thank you** to the Council and Administration who donated or participated in this event. Everyone acknowledged how good it felt to be back together again after the past couple of years.

	2022	2021
Home Delivered Meals	2344	2801
Individuals	111	129
Dining Room (Congregate) Meals	67	0
Individuals	91	0
Transportation (1-way rides)	237	16
Individuals	16	3
Grocery Shopping Assistance	2	12
SIGN-INS VIA MySeniorCenter©		
Writers Group	33	0
Caregiver Support Group	4	0
Growing Stronger Exercise	214	0
Tai Chi Class	43	0
TOPS Weight Loss Class	41	0
Bell Choir	17	0
Bluegrass & Music Sessions	12	0
Card Games	100	0
Wii Bowling	49	0
Arts & Crafts	43	0
Total Event Sign-ins	1540	0
Individuals	130	0
Vintage Pointe Manor Vacancies	2	3

**PURCHASE ORDERS BETWEEN \$2,500.00 AND \$15,000.00 FOR COUNCIL REVIEW**  
**COUNCIL MEETING OF: APRIL 20, 2022**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPT.</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
SHERWIN-WILLIAMS	RUST NEUTRALIZER & REMOVER	MULTI-PURPOSE FACILITY	CONSTRUCTION	4,135.13
UNITED ROTARY BRUSH CORP.	CASSETTE RUNWAY BROOMS	AIRPORT	OPERATING SUPPLIES	13,500.00



Update from the Board of Directors  
Cook Inlet Regional Citizens Advisory Council

John Williams, Vice-President, representing the City of Kenai

The Cook Inlet Regional Citizens Advisory Council Annual and Board of Directors meeting was held virtually on April 8<sup>th</sup>, 2022. Remote meetings continue as a precaution to protect the health and safety of CIRCAC Directors and staff.

Representatives from Hilcorp provided an update on the company's operations in Cook Inlet, noting that 2022 marks ten years for the company in Alaska. Lori Nelson, Hilcorp's Manager of Public Affairs briefed the board on the Middle Ground Shoals gas field. A natural gas line that was used to feed offshore platforms was found to be leaking in April of 2021. The line remains shut in as Hilcorp continues an internal review to develop long term plans for the Middle Shoals. A full replacement of the line is not planned for 2022. Todd Duke, General Manager of Compliance Services for Resolve Marine also provided an operational update and overview of their response capabilities for the board.

Other updates came from Graham Wood from the Alaska Department of Environmental Conservation, detailing the department's plans for unit realignment that will add a Western Region for state regulators while separating Kodiak Island and Cook Inlet for management. Jonathan Schick from the Alaska Department of Natural Resources gave the board an update on preliminary natural gas exploration activities in the Susitna Valley and announced that work for potential geothermal permitting is beginning for St. Augustine Island.

CIRCAC Executive Director Michael Munger provided a report and update on the US Coast Guard Alternative Planning Compliance issue and recent federal legislative changes that he has been following in Washington D.C. He plans to continue his involvement working with Senator Sullivan's staff on the Senate's version of the legislation. The Council unanimously voiced support for his continued efforts.

CIRCAC's 2022 scholarship winners were announced at the meeting. Matfey Reutov, a graduating senior at Voznesenka won our Captain Barry Eldridge Memorial Scholarship for Maritime Studies. Dominic Austin, a graduating senior from West Anchorage High won our James Carter Memorial Scholarship for Environmental Science. Reutov will attend Kenai Peninsula College to study welding and Austin plans to attend Colorado State University to pursue a degree in Fisheries/Wildlife Biology. To date, CIRCAC has awarded \$40,000 in scholarships to local students.

The Board also adopted resolutions recognizing Representative Don Young, who passed in April, for his longtime support of CIRCAC and Molly McCammon, who has represented the Municipality of Anchorage on the Council since 2004 including terms as Board President and chair of the Environmental Monitoring Committee. McCammon was also named CIRCAC's 2015 Glen Glenzer Volunteer of the Year. The MOA has appointed Hans Rodvik as its new representative on the Board and we very much look forward to working with Mr. Rodvik in the coming years to advance the mission of CIRCAC.

Our next meeting is scheduled for September and its location will be announced at a later date.

Introduced by: Johnson, Elam  
Date: 04/05/22  
Hearing: 04/19/22  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2022-07**

**AN ORDINANCE ADOPTING THE 2022 KENAI PENINSULA BOROUGH ASSEMBLY  
AND BOARD OF EDUCATION APPORTIONMENT PLANS AND SUBMITTING THE  
APPORTIOMENT PLANS TO THE VOTERS**

**WHEREAS,** Kenai Peninsula Borough (Borough) code and Alaska Statute (AS), require that not later than two months after adoption of a final state redistricting plan under art.VI, sec. 10, Constitution of the State of Alaska, the assembly determine and declare by resolution whether the existing apportionment of the assembly meets the standards of AS 29.20.060; and

**WHEREAS,** Resolution 2022-003, adopted within two months of the final state redistricting plan, determined and declared that the Borough Assembly is currently malapportioned based upon the 2020 population figures from the U. S. Census Bureau; and

**WHEREAS,** pursuant to that resolution, the assembly president appointed a reapportionment committee to consider and propose plans to correct the malapportionment; and

**WHEREAS,** the committee has referred two alternative Borough Assembly and Board of Education representation plans: (1) single member districts containing nine districts and (2) single member districts containing eleven districts; and

**WHEREAS,** the committee recommends that the assembly submit both plans to the voters; and

**WHEREAS,** per the final report the committee unanimously preferred the nine-member district option; and

**WHEREAS,** Alaska Statute 29.20.070(c) requires the assembly to submit to the voters proposed forms of representation, and Alaska Statute 29.20.080(e) requires that the assembly by ordinance adopt an ordinance providing for reapportionment and submit the ordinance to the voters;

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI  
PENINSULA BOROUGH:**

**SECTION 1.** That the assembly adopts two Borough Assembly and Board of Education representation plans to be selected by borough voters: Plan 1 includes 9 single

member districts, and Plan 2 includes 11 single member districts, both of which are described in the 2022 Kenai Peninsula Borough Assembly Reapportionment Plan, attached to and incorporated by reference into this ordinance as Attachment A. In both plans, assembly members and school board members would be elected by voters residing in the district the member represents.

**SECTION 2.** That the following proposition be placed on the ballot of the October 4, 2022 regular borough election:

PROPOSITION: CHOOSE ONE OF THE FOLLOWING PLANS FOR KENAI PENINSULA BOROUGH ASSEMBLY AND BOARD OF EDUCATION REPRESENTATION:

\_\_\_\_\_ Plan 1: 9 single member districts

\_\_\_\_\_ Plan 2: 11 single member districts

DESCRIPTION OF APPORTIONMENT PLAN: State law requires that the Kenai Peninsula Borough Assembly adopt an apportionment plan for borough assembly representation, following the 2020 federal census.

Kenai Peninsula Borough Ordinance 2022-XX meets this requirement by adopting and presenting to the voters for selection two representation and apportionment options, one of which is different from the current plan. The plan receiving the most votes will be put into place after the election.

The first option, Plan 1, would consist of 9 districts in the borough. Each district would have one assembly member and one board of education member, elected by the voters of that district.

The second option, Plan 2, would consist of 11 districts in the borough. Each district would have one assembly member and one board of education member, elected by the voters of that district.

**SECTION 3.** That the assembly shall, after certification of the October 4, 2022 election, adopt or enact such ordinances or other actions that are necessary to provide for the composition of the assembly and board of education in accordance with the plan of representation and apportionment that receives the most votes.

**SECTION 4.** That section 2 of this ordinance shall be effective immediately upon its enactment. Sections 1 and 3 of this ordinance shall become effective upon the date the October 4, 2022 election is certified by the borough assembly.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \*  
DAY OF \*, 2022.**

\_\_\_\_\_  
Brent Johnson, Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:

# Kenai Peninsula Borough

## Reapportionment Committee

144 N. Binkley Street

Soldotna, AK 99669

Debbie Cary, Chairperson

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## 2022 Kenai Peninsula Borough Assembly and Board of Education Reapportionment Plan

**The Process:** On January 4, 2011, the Kenai Peninsula Assembly adopted Resolution 2022-003 authorizing the formation of the Reapportionment Committee (Committee). Section 2 of the resolution instructed the Committee to develop one or more plans for the apportionment of the Assembly and the Board of Education for the Assembly's consideration.

The Committee had its first meeting on January 26, 2022, and subsequently met again on February 23<sup>rd</sup>, March 2<sup>nd</sup> and March 15<sup>th</sup>.

The committee was given an overview of the process by Borough Attorney Sean Kelley and Borough Clerk Johni Blankenship.

The overview was followed by an open discussion of the Committee's objective.

All members agreed that it was important to maintain the continuity of communities (cities and/or neighborhoods) as much as possible while still striving to meet the one person – one vote objective.

The Committee reviewed and discussed a seven-member, nine-member, and eleven-member configuration, settling on the nine- and eleven-member districts.



At the February 23, 2022 meetings the committee was presented with the first version of conceptual maps created by Bobbi Lay from the Borough's GIS Department. The committee had concerns with the proposed 9-member district map as it was significantly different from the current boundaries.

The consensus was that the current nine-member configuration was working well and in reality, only a small adjustment was needed to the current configuration to meet the desired deviation parameters.

On March 2, 2022 the committee was presented with a new 9-member district conceptual map which they unanimously supported. They requested some minor edits regarding how waterbodies were depicted on the map.

The committee discussed both the nine- and eleven-member districts and recommend that both options are presented to the voters; however, the committee unanimously prefers the nine-member district option.

The Committee offered opportunity for public comment at all of its meetings; however, no public comment was received. The Committee meetings were advertised on the borough's homepage calendar, and on the borough Facebook page.

**Final Committee Recommendations:**

The Reapportionment Committee recommends the Assembly place the following question to the voters at the October 4, 2022 regular election:

Choose one of the Following Plans for Kenai Peninsula Borough Assembly and Board of Education Representation.

- Plan 1: Nine (9) Single Member Districts
  
- Plan 2: Eleven (11) Single Member Districts

DESCRIPTION OF APPORTIONMENT PLAN: State Law requires that the Kenai Peninsula Borough Assembly adopt an apportionment plan for Borough Assembly representation, after the 2020 federal census. Kenai Peninsula Borough Ordinance 2022-XX meets this requirement by adopting and presenting to the voters for selection two representations and options, one of which is different from the current plan.

The first option, Plan 1, would consist of nine (9) districts in the borough. Each district would have one Assembly member and one Board of Education member, elected by the voters of that district.

The second option, Plan 2, would consist of eleven (11) districts in the borough. Each district would have one Assembly member and one Board of Education member, elected by the voters of that district.

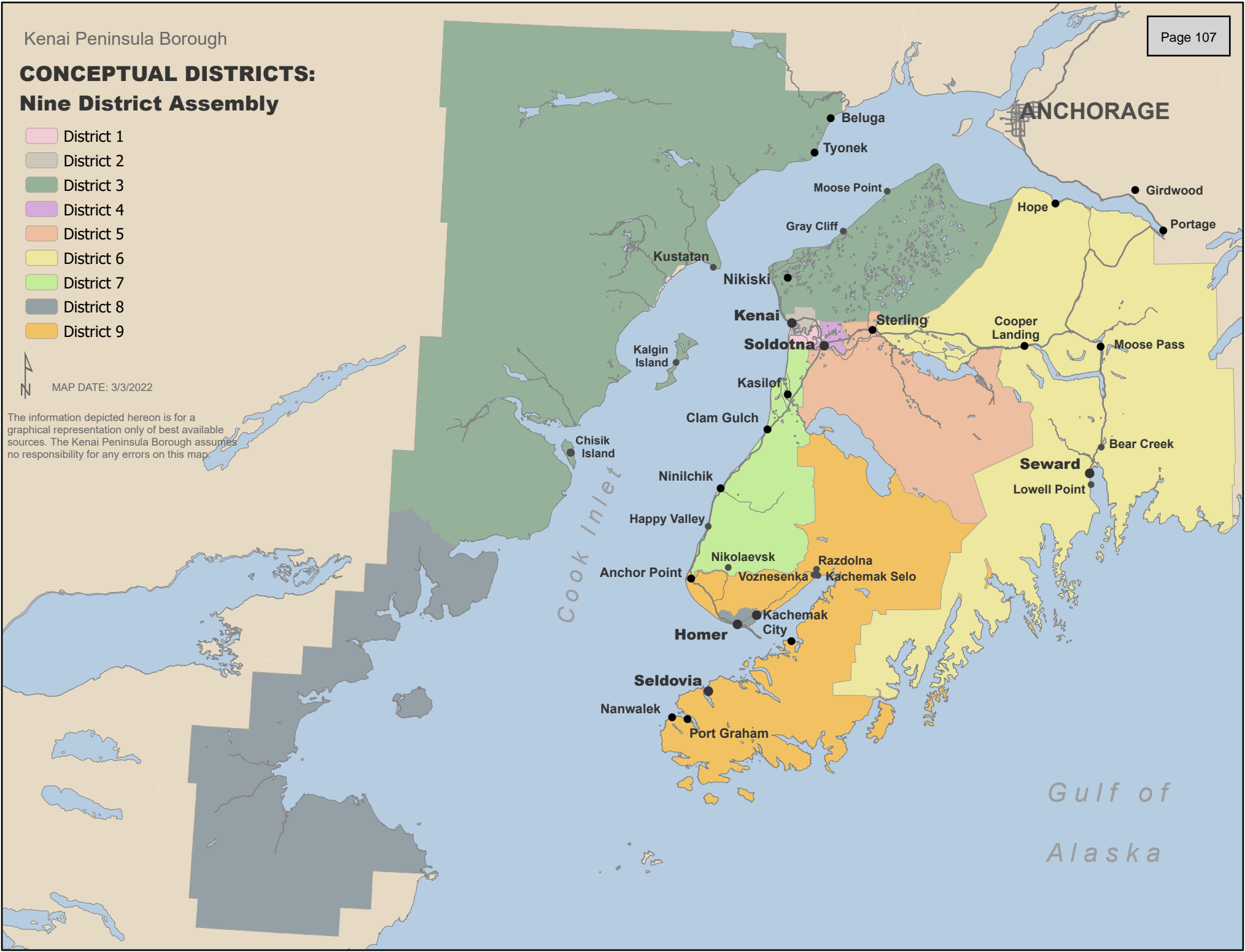
All supporting documentation is available on the committee webpage located at the following address: <https://www.kpb.us/assembly-clerk/active-task-forces/reapportionment-committee>

### CONCEPTUAL DISTRICTS: Nine District Assembly

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6
- District 7
- District 8
- District 9

MAP DATE: 3/3/2022

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



# CONCEPTUAL DISTRICTS: Eleven District Assembly

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6
- District 7
- District 8
- District 9
- District 10
- District 11

MAP DATE: 3/3/2022

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



Introduced by:	Johnson
Date:	01/04/22
Action:	Adopted
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH  
RESOLUTION 2022-003**

**A RESOLUTION DECLARING THE BOROUGH ASSEMBLY AND BOARD OF  
EDUCATION TO BE MALAPPORTIONED AND AUTHORIZING THE ASSEMBLY  
PRESIDENT TO APPOINT A REAPPORTIONMENT COMMITTEE**

**WHEREAS,** the Kenai Peninsula Borough has received the 2020 population figures from the U. S. Census Bureau; and

**WHEREAS,** AS 29.20.060 requires that assembly composition and apportionment be consistent with the equal representation standards of the Constitution of the United States; and

**WHEREAS,** it is apparent from the unequal rate of growth in the incorporated and unincorporated areas of the borough that the existing apportionment of the Borough Assembly no longer meets this requirement; and

**WHEREAS,** this malapportionment equally affects the Kenai Peninsula School District Board of Education, as the Board of Education is apportioned into districts which mirror those of the Borough Assembly;

**NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That the existing apportionment of the Kenai Peninsula Borough Assembly and the Kenai Peninsula Borough School District Board of Education are not consistent with the equal representation standards of the Constitution of the United States and are therefore declared to be malapportioned.

**SECTION 2.** That the Assembly President is authorized to appoint a Reapportionment Committee to review Assembly and Board of Education apportionment and the distribution of population within the Borough, and to develop one or more plans for Assembly and Board of Education apportionment for consideration by the Borough Assembly.

**SECTION 3.** That the Board of Education may participate on the Reapportionment Committee. Should the Board of Education desire to participate on the Reapportionment Committee it shall have an appointed representative on the committee.

**SECTION 4.** That the Reapportionment Committee shall file a report recommending one or more plans for Assembly and Board of Education apportionment with the Borough Clerk no later than Thursday, June 23, 2022, for inclusion in the Assembly Packet of July 5, 2022.

**SECTION 5.** That the Borough Assembly shall submit one or more plans for Assembly and Board of Education apportionment to the voters at the October 4, 2022 regular borough election.

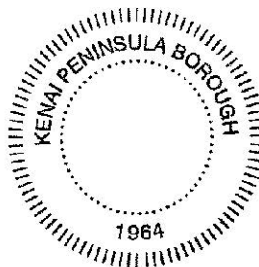
**SECTION 6.** That this resolution is effective immediately upon its adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 4TH DAY OF JANUARY, 2022.**

*Brent Johnson*  
Brent Johnson, Assembly President

ATTEST:

*John Blankenship*  
John Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Chesley, Cox, Derkevorkian, Ecklund, Elam, Hibbert, Tupper, Johnson  
No: None  
Absent: None