



Kenai City Council - Regular Meeting

March 02, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

****Telephonic/Virtual Information on Page 2****

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*)

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

D. PUBLIC HEARINGS

1. **Ordinance No. 3273-2022** – Accepting and Appropriating Two Grants from Derek Kaufman Fund through the Alaska Community Foundation and One Donation from the Friends of the Kenai Community Library for the Purchase of a Bike Repair Station. (Administration)
2. **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)
3. **Resolution No. 2022-11** – Authorizing a Budget Transfer Within the Kenai Municipal Airport Snow Removal Equipment Capital Project Fund. (Administration)
4. **Resolution No. 2022-12** – Authorizing a Budget Transfer Within the Kenai Municipal Water and Sewer Capital Project Fund. (Administration)
5. **Resolution No. 2022-13** – Expressing Intent to Participate in the National Flood Insurance Program. (Administration)

E. MINUTES

1. *Regular Meeting of February 2, 2022. (City Clerk)
2. *Regular Meeting of February 16, 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)

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

- [1.](#) Purchase Orders Between \$2,500 and \$15,000
- [2.](#) Amicus Brief - Letter of Appreciation

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

Join Zoom Meeting

<https://us02web.zoom.us/j/82944269827>

Meeting ID: 829 4426 9827 **Passcode:** 192623

OR

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

Meeting ID: 829 4426 9827 **Passcode:** 192623



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3273-2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING TWO GRANTS FROM DEREK KAUFMAN FUND THROUGH THE ALASKA COMMUNITY FOUNDATION AND ONE DONATION FROM THE FRIENDS OF THE KENAI COMMUNITY LIBRARY FOR THE PURCHASE OF A BIKE REPAIR STATION.

WHEREAS, the Kenai Community Library received two \$1,000 grants for general support from Derek Kaufman Fund, a Hilcorp donor advised fund of the Alaska Community Foundation; and,

WHEREAS, the Kenai Community Library received \$1,500 from the Friends of the Kenai Community Library; and,

WHEREAS, the funds will be used to purchase and install a bicycle repair station; and,

WHEREAS, a bike repair station is a small installation consisting of an air pump; tools attached via cable to fix, maintain, and adjust bicycles; and hangar arms to hold a bicycle above the ground; and,

WHEREAS, libraries have become popular locations for bike repair stations in recent years; and,

WHEREAS, the Kenai Community Library is located at a great mid-point for cyclists who utilize local bicycle routes and patrons who use their bicycles to get to and from the Library; and,

WHEREAS, it is in the best interest of the City of Kenai and the Kenai Community Library to appropriate these funds for the purpose intended.

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 funds in the amount of \$2,000 from the Alaska Community Foundation and \$1,500 from the Friends of the Kenai Community Library for the purchase of a bike repair station.

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

General Fund:	
Increase Estimated Revenues –	
Library—Other Grants	<u>\$3,500</u>
Increase Appropriations –	
Library—Small Tools/Minor Equipment	<u>\$3,500</u>

Section 3. That the City Manager is authorized to expend the 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 2nd day of March, 2022.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced: February 16, 2022
Enacted: March 2, 2022
Effective: March 2, 2022



MEMORANDUM

TO: Mayor Brian Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Katja Wolfe, Library Director

DATE: February 8, 2022

SUBJECT: **Ordinance No. 3273-2022 – Donations to Purchase Library Equipment**

The purpose of this memo is to request the acceptance and appropriation of the following three donations:

1. Two \$1,000 grants for general support from Derek Kaufman Fund, a Hilcorp donor advised fund of the Alaska Community Foundation.
2. A \$1,500 donation from the Friends of the Kenai Community Library.

These donations will be used to purchase a bike repair station to be installed on Library property during the summer of 2022. The Library is located near several popular bicycle routes and our patrons regularly cycle here. This station – the third in the area – will include an air pump and securely-attached tools to fix, maintain, and adjust bikes.

We would like to thank the Hilcorp donors and the Friends of the Kenai Community Library for their generosity and support.

Your consideration is appreciated.



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2022-10

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA 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.

WHEREAS, the special use permit to State of Alaska, Division of Forestry, for that portion of Lot 4, FBO Subdivision No. 7 as delineated as Lot 4A of the preliminary plat of FBO Subdivision No.11 expires on June 30, 2022; and,

WHEREAS, on January 10, 2022, State of Alaska, Division of Forestry submitted an application for a lease of City owned properties within the Airport Reserve, described as Lot 4A, FBO Subdivision No. 11 to use as an air tanker reload base for wildland fire prevention and suppression; and,

WHEREAS, the State of Alaska, Division of Forestry lease application proposes improvements including electrical service improvements and construction of a concrete containment barrier, an investment that gives a lease term of 5 years according to the term table in Kenai Municipal Code 21.10.080; and,

WHEREAS, the proposed development would be mutually beneficial and would conform with the Kenai Municipal Code for zoning, Kenai's Comprehensive Plan, the Airport Land Use Plan, Airport Layout Plan, Federal Aviation Administration regulations, Airport Master Plan, Airport Improvement Program grant assurances, and Airport operations; and,

WHEREAS, the City of Kenai did not receive a competing lease application within thirty (30) days of publishing a public notice of the lease application from State of Alaska, Division of Forestry; and,

WHEREAS, at their regular meeting on February 9, 2022, the Planning and Zoning Commission reviewed the lease application and recommended approval by the City Council; and,

WHEREAS, at their regular meeting on February 10, 2022, the Airport Commission reviewed the lease application and recommended approval by the City Council.

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

Section 1. That a Lease of Airport Reserve Lands is approved and the City Manager is authorized to execute a lease between the City of Kenai, Lessor, and State of Alaska, Division of Forestry, Lessee, with the following conditions:

1. Lot improvements as outlined in lease application from State of Alaska, Division of Forestry include at a minimum electrical service improvements and a concrete containment barrier with an estimated \$10,000 minimum value to be completed within two (2) years of signing the lease;
2. Evidence must be submitted to the City within 60 days of the completion of the development and improvements;
3. The lease term will be 5 years;
4. Lot developments are required to prevent unauthorized access to the airfield;
5. Structures must be built behind the 100 foot building restriction line;
6. State of Alaska, Division of Forestry is responsible for all snow removal, and snow may not touch the perimeter security fence or be piled to a height that would allow access to the airport.

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

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

BRIAN GABRIEL SR., MAYOR

ATTEST:

Michelle M. Saner, MMC, City Clerk



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Ryan Foster, Planning Director

DATE: February 22, 2022

SUBJECT: **Resolution No. 2022-10 – Approving the Execution of a Lease to State of Alaska, Division of Forestry.**

On July 1, 2021, State of Alaska, Division of Forestry entered into a Special Use Permit for portion of Lot 4, FBO Subdivision No. 7 as delineated as Lot 4A of the preliminary plat of FBO Subdivision No.11. The Special Use Permit was the only option available for continuing Division of Forestry utilization of the property since the subdivision for the City Sand Storage Facility was not completed/recorded at the time their previous lease expired on June 30, 2021. The Special Use Permit terminates on June 30, 2022.

The Division of Forestry proposes electrical service improvements and a concrete containment barrier with an estimated \$10,000 value of improvements to be completed within two (2) years of signing the lease. Activities noted on the application is an air tanker reload base for wildland fire prevention and suppression. The requested lease term is 5 years with a starting annual lease rate of \$18,250.62.

Pursuant to Kenai Municipal Code 21.10.060 Lease application review, notice of the lease application was posted in the Peninsula Clarion and stated competing applications may be submitted for the parcel within 30 -days to the City. The 30 -day window from publication ended on February 26, 2022 and no competing applications have been submitted to the City.

The parcel is within the Airport Light Industrial (ALI) Zone. Pursuant to KMC 14.20.065, the purpose of the ALI Zone is to protect the viability of the Kenai Municipal Airport as a significant resource to the community by encouraging compatible land uses and reducing hazards that may endanger the lives and property of the public and aviation users. The proposed aeronautical use is a permitted and compatible use in the ALI Zone.

The Imagine Kenai 2030 Comprehensive Plan outlines goals, objectives, and action items for the City, including this one pertaining to the Kenai Municipal Airport:

Objective T- 1: Support future development near or adjacent to the airport when such development is in alignment with the Kenai Municipal Airport's primary mission, "To be the commercial air transportation gateway to the Kenai Peninsula Borough and Cook Inlet."

The proposed use complies with the Imagine Kenai 2030 Comprehensive Plan by supporting development on lease lots with development that is in alignment with the Kenai Municipal Airport's marketing strategy.

The Airport Land Use Plan was developed to identify the highest and best uses of Kenai Municipal Airport land. The Airport Land Use Plan discusses leasing land and enhancing opportunities for local economic development. The proposed use by the Division of Forestry complies with the Airport Land Use Plan and would enhance local economic development.

Goal 7 – Natural Hazards and Disasters: Prepare and protect the citizens of Kenai from natural hazards and disasters

Objective NH- 1: Implement the 2016 Hazard Mitigation Plan strategies.

The 2016 Hazard Mitigation Plan states that "Dead and dying spruce trees pose the greatest risk of wild fire on the entire KPB, including the City. Wildland fire is designated as a hazard in the 2018 State of Alaska HMP with a high probability of occurring in the KPB." The air tanker reload base provides the Division of Forestry a base for wildland fire prevention and suppression activities that protects both the City and the Kenai Peninsula Borough.

At their regular meeting on February 9, 2022, the Planning and Zoning Commission reviewed the lease application and recommended approval by the City Council. At their regular meeting on February 10, 2022, the Airport Commission reviewed the lease application and recommended approval by the City Council.

Thank you for your consideration.

Attachments:

City of Kenai Land Lease Application from State of Alaska, Division of Forestry

Plat of FBO Subdivision No. 11





City of Kenai Land Lease Application

Application for: New Lease
 Amendment Extension
 Assignment Renewal

Application Date: _____

Applicant Information

Name of Applicant:	State of Alaska, Division of Forestry						
Mailing Address:	550 W. 7th Ave.	City:	Anchorage	State:	AK	Zip Code:	99501
Phone Number(s):	Home Phone: 269-8461	Work/ Message Phone:	269-8461				
E-mail: (Optional)	michael.burkhead@alaska.gov						
Name to Appear on Lease:	State of Alaska						
Mailing Address:	550 W. 7th Ave.	City:	Anchorage	State:	AK	Zip Code:	99501
Phone Number(s):	Home Phone: 269-8461	Work/ Message Phone:	269-8461				
E-mail: (Optional)	michael.burkhead@alaska.gov						
Type of Applicant:	<input type="checkbox"/> Individual (at least 18 years of age) <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Government <input 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): Lot 4, FBO subdivision No. 7, According to Plat No. 2001-34 Air Tanker Reload Base	
Does the property require subdivision? (if Yes, answer next questions) <input type="checkbox"/> YES <input checked="" type="checkbox"/> 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? <input type="checkbox"/> YES <input type="checkbox"/> NO	
2. If determined it does not, applicant is responsible for all subdivision costs. Initials <u>MB</u>	
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 <u>MB</u>	
It is the responsibility of the applicant to cover recording costs associated with lease. Initials <u>MB</u>	
Do you have or have you ever had a Lease with the City? (if Yes, answer next question) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO 1. Legal or brief description of property leased:	
Lot 4, FBO subdivision No. 7, According to Plat No. 2001-34	
Request a Lease with an Option to Purchase once development requirements are met? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
Requested term for Initial Lease or Renewal (based on Term Table, not to exceed 45 years): 5 years	
Requested term for Lease Extension (based on Term Table, not to exceed a total of 45 Years):	
Requested Starting Date: July 1, 2022	

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) 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? Air tanker reload infrastructure

3. What is the estimated value of the improvement? \$10,000

4. What is the nature and type of improvement?
Containment barriers, electrical service improvements

5. What are the dates construction is estimated to commence and be completed?
(generally, construction must be completed within two years)

Estimated Start Date: July 1, 2022

Estimated Completion Date: June 30, 2024

Describe the proposed business or activity intended:
Air Tanker Reload Base

How does the proposed lease support a thriving business, residential, recreational, or cultural community?
Utilized for wildland fire prevention and suppression.

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

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:	1/10/22
Print Name:	Michael Burkhead	Title:	Procurement Specialist III

For City Use Only:	Date Application Fee Received:	_____
<input type="checkbox"/> General Fund <input type="checkbox"/> Airport Reserve Land	Date Application Determined Complete:	_____
<input type="checkbox"/> Airport Fund <input type="checkbox"/> Outside Airport Reserve	30-Day Notice Publication Date:	_____
Account Number:	City Council Action/Resolution:	_____



Reserve Lease App

New
Concrete Containment
Dike



Sand Storage Lot

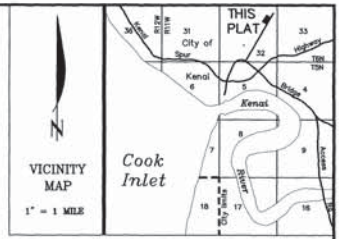
New 3 phase
electrical Service
location TBD

Approx location
of new lot line



-151.239 60.571 Degrees





CERTIFICATE of OWNERSHIP and DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE CITY OF KENAI IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND ON BEHALF OF THE CITY OF KENAI, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

Paul Ostrander
 PAUL OSTRANDER, CITY MANAGER
 CITY OF KENAI
 210 FIDALGO AVENUE, SUITE 200
 KENAI, ALASKA 99611

NOTARY'S ACKNOWLEDGEMENT

FOR Paul Ostrander
 ACKNOWLEDGED BEFORE ME THIS 5th DAY OF August 2021

Wilma E. Anderson
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES 5-24-22

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JUNE 14, 2021.

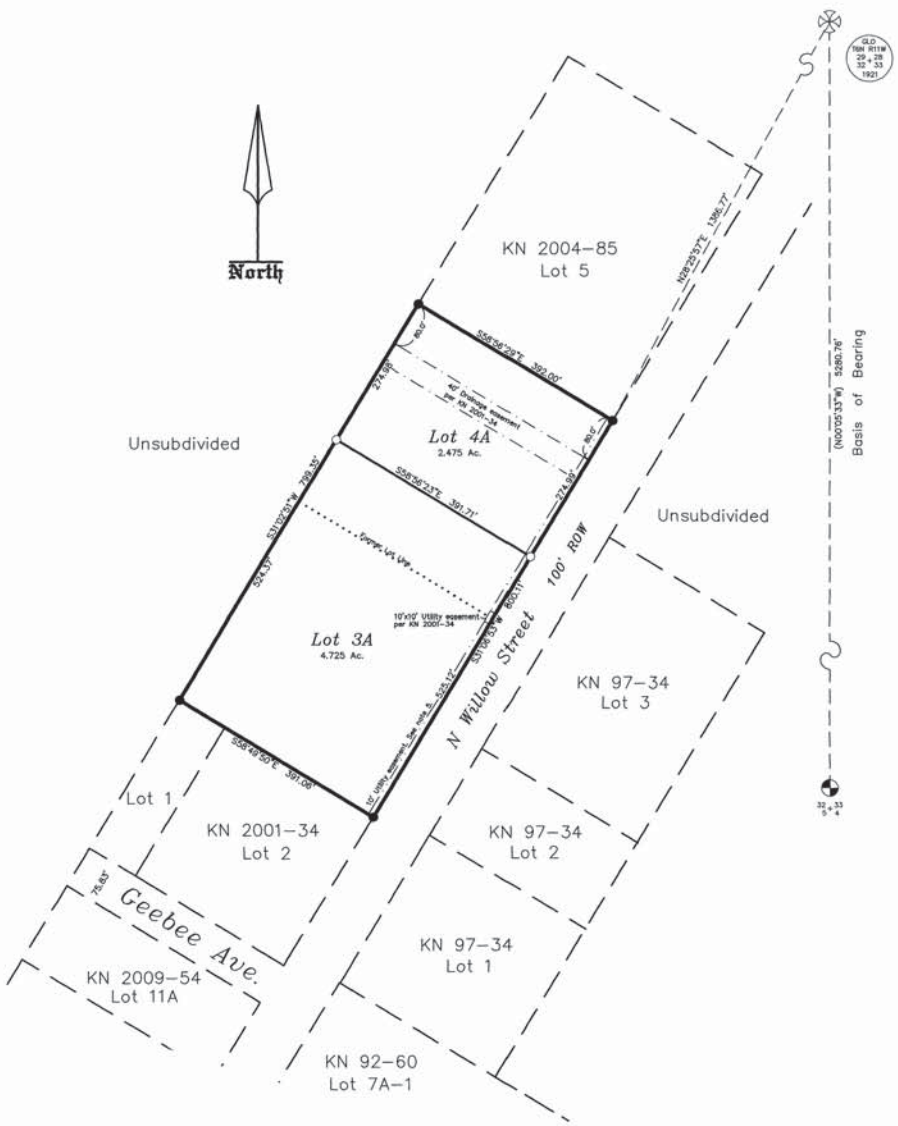
KENAI PENINSULA BOROUGH
Scott Wh
 AUTHORIZED OFFICIAL

KPB FILE No. 2021-076

FBO Subdivision No. 11	
A resubdivision of Lots 3 and 4 FBO Subdivision No. 7, Plat 2001-34, Kenai Recording District.	
Located within NE1/4 Section 32, T6N, R11W, S4M, City of Kenai, Kenai Peninsula Borough, Alaska.	
Containing 7.199 Ac.	
Surveyor Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Owner City of Kenai 210 Fidalgo Ave. Ste 200 Kenai, Alaska 99611
JOB NO. 21057	DRAWN: 8-4-21
SURVEYED: June, 2021	SCALE: 1"=100'
FIELD BOOK: 21-3	SHEET: 1 of 1

LEGEND:

- ⊗ 2 1/2" BRASS CAP MONUMENT GLO 1921 FOUND
- ⊙ 3 1/4" ALUM. CAP MONUMENT FOUND
- 5/8" REBAR W/ PLASTIC CAP LS8859 FOUND
- 5/8" REBAR W/ PLASTIC CAP LS8859 SET
- () RECORD DATUM PLAT 2007-8, KR0



NOTES:

- 1) This plat is subject to City of Kenai zoning regulations.
- 2) Basis of bearing taken from Baron Park 2007 Replat, Plat 2007-8, Kenai Recording District.
- 3) Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- 4) These lots are served by city water and sewer.
- 5) Front 10 feet adjacent to right-of-way is an utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 6) **WASTEWATER DISPOSAL:** Plans for wastewater disposal, that meet regulatory requirements are on file at the Department of Environmental Conservation.



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date 8-4-21

2021-44
 KENAI
 JUN 2021
 12572



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2022-11

A RESOLUTION OF THE CITY OF KENAI, ALASKA, AUTHORIZING A BUDGET TRANSFER WITHIN THE KENAI MUNICIPAL AIRPORT SNOW REMOVAL EQUIPMENT CAPITAL PROJECT FUND.

WHEREAS, the Kenai Municipal Airport’s recently purchased a John Deere tractor and mower, utilizing funds from the Airport Snow Removal Equipment Capital Project Fund; and,

WHEREAS, unanticipated additional costs of \$417.79 were incurred that are attributable to staff time expended during the procurement of the equipment; and,

WHEREAS, this Resolution resolves the budget shortfall with a budget transfer from within the Airport Snow Removal Equipment Capital Project Fund, Multi-Purpose Broom; and,

WHEREAS, excess funds reside within this account due to the Multi-Purpose Broom procurement coming in under budgeted amounts; and,

WHEREAS, completion of this budget transfer will allow closure of the Airport’s Wide Area Mower Replacement procurement; and,

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

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

Section 1. That the following budget revisions are authorized for the Airport:

Airport Snow Removal Equipment Capital Project Fund		
Decrease Appropriations:		
Activity Code 335	SRE – Multi Purpose Broom	<u>\$(417.79)</u>
Increase Appropriations:		
Activity Code 332	Wide Area Mower Replacement	<u>\$417.79</u>

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


ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 2nd day of March, 2022.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Resolution No. 2022-11
Page 2 of 2

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Scott Curtin, Director of Public Works

DATE: February 23, 2022

SUBJECT: Resolution 2022-11 Budget Transfer Airport SRE Capital Project Fund

The purpose of this memo is to request Council's approval to complete a budget transfer within the Airport Snow Removal Equipment Capital Project Fund to correct a budget deficiency from the recent procurement of the new John Deere tractor and mower. In preparation of closing out the project, staff hours logged to the procurement process created a \$417.79 budget shortfall.

This project required additional staff time during the procurement process to resolve issues surrounding the tractor coming in over budget and changes to equipment and options, as well as legislation to complete the purchase. The project was funded at \$152,236.12 with the tractor, mower and freight costing \$151,736 combined. Staff Admin time makes up the difference.

Approval of this Resolution will allow the Finance Department to close out the project. Council's approval is respectfully requested.



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2022-12

A RESOLUTION OF THE CITY OF KENAI, ALASKA, AUTHORIZING A BUDGET TRANSFER WITHIN THE KENAI MUNICIPAL WATER AND SEWER CAPITAL PROJECT FUND.

WHEREAS, Council previously approved Ordinance 3247-2021 which established funding for the Mission Avenue Water Main Repairs Project and awarded Task 7 under HDL Engineering’s term services agreement for the Water & Sewer Division to provide bid ready construction documents to complete the project; and,

WHEREAS, HDL Engineering has now completed bid ready construction documents which include an updated cost estimate for the work; and,

WHEREAS, this Resolution provides a budget transfer from within the Water & Sewer Capital Project Fund to allow for sufficient funds to cover the revised estimated cost of the project; and,

WHEREAS, with Council’s approval of this Resolution the project will be immediately released for Construction Bids where Council can expect to see future legislation at an April Council Meeting to award a construction contract to complete this project; and,

WHEREAS, sufficient funding resides within the Manhole Restorations project to complete the budget transfer without adversely affecting the Department; and,

WHEREAS, this is a priority project for the Department; and,

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

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

Section 1. That the following budget revisions are authorized:

Water & Sewer Capital Project Fund			
Decrease Appropriations:			
Activity Code 264	Manhole Restorations		<u>\$(40,000)</u>
Increase Appropriations:			
Activity Code 296	Mission Ave Water Main Repairs		<u>\$40,000</u>

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

ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 2nd day of March, 2022.

Resolution No. 2022-12
Page 2 of 2

BRIAN GABRIEL SR., MAYOR

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Scott Curtin, Director of Public Works

DATE: February 23, 2022

SUBJECT: **Resolution 2022-12 Budget Transfer Within the Water and Sewer Capital Project Fund**

The purpose of this memo is to request Council's approval to complete a budget transfer within the Water & Sewer Capital Project Fund to provide sufficient funding to cover the estimated construction project costs associated with the Mission Avenue Water Main Repairs Project. Ordinance 3247-2021 established the original funding for the project based on the current understanding of the proposed work to take place at that time. As the project was further developed in coordination with the Alaska Department of Environmental Conservation (ADEC), additional requirements were identified impacting costs resulting in this request for additional funding.

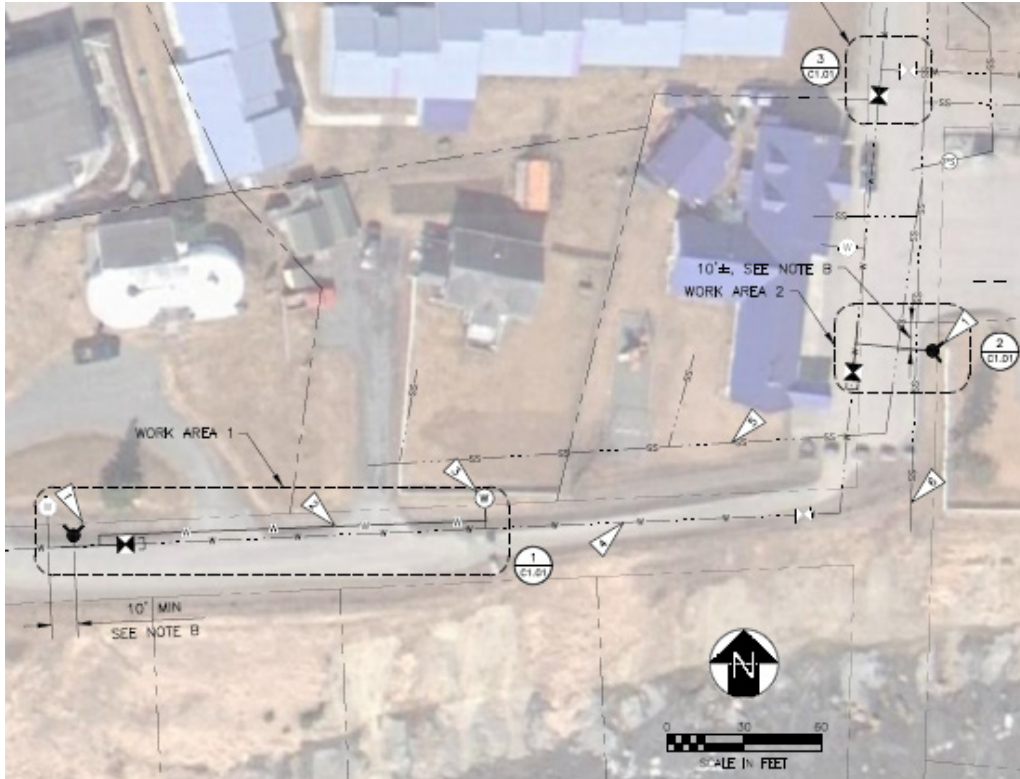
The additional requirements include items like the installation of carrier piping to provide safe separation between water and sewer mains as well as the installation of fire hydrants to provide a system flushing point at the new end of the water distribution system within the project area.

The project is 100% designed at this time and with approval of this budget transfer the project will be immediately released for Construction Bids. This project is a high priority for the Public Works Department due to the close proximity of this piping in relation to the bluff, as can be seen in the photo below. This project abandons a section of water main currently within five feet of the bluffs edge before it eventually erodes causing a line break which would cause a severe erosion event within the area. The main will be relocated back to a safe location away from potential erosion hazards.

Completion of this work will leave an unpressurized pipe in place, and when it eventually erodes off the bluff it will not create a loss of water service to residents within the area. Based on the urgency staff would like to get the project bid as soon as possible, with an anticipated construction start as soon as the weather permits in the spring.

The budget transfer is removing \$40,000 from the Manhole Restoration Project under Activity Code 264 and moving funds into the Mission Avenue Project under Activity Code 296. The

Manhole Restoration Project can withstand this transfer. Completion of this budget transfer is within the best interest of the City and Council's support is respectfully requested.





Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2022-13

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

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

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

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

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

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

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

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

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

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

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

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

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

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Michelle M. Saner, MMC, City Clerk



MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Paul Ostrander, City Manager

DATE: February 24, 2022

SUBJECT: **Resolution 2022-13 - Intent to Participate in the National Flood Insurance Program**

As a condition of the City working with the U.S. Army Corps of Engineers on the bluff stabilization project, the City is required to participate in the National Flood Insurance Program. This Resolution expressing the intent of the City to participate in the Program is the required first step of the process. The City has considered participating in the Program in the past and this requirement for moving the bluff stabilization project forward provides the impetus to do so now. Further legislation will be required as the City moves forward.

Your consideration is appreciated.



Joining the National Flood Insurance Program

FEMA 496

May 2005



FEMA

Joining the National Flood Insurance Program

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

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

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

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

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

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

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

What must a community do to join the NFIP?

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

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

IMPORTANT FACTS YOU SHOULD KNOW

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

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

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

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

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

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

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

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

CAN YOUR COMMUNITY AFFORD NOT TO PARTICIPATE?

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

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

What are the requirements that a community must adopt?

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

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

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

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

What type of regulations can a community adopt?

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

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

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

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

FOR ASSISTANCE

If your community needs assistance to join the NFIP, you can contact the FEMA Regional Office (see below for address and telephone number). You can also contact your respective State Coordinating Agency for the NFIP. You can go to <http://www.fema.gov/about/contact/regions.shtm> for a listing of the FEMA Regional Offices and the NFIP State Coordinating Agencies.

REGION I

CT, ME, MA, NH, RI, VT
99 High Street, 6th Floor
Boston, MA 02110
877-336-2734

REGION II

NJ, NY, PR, VI
26 Federal Plaza, Ste. 1307
New York, NY 10278
212-680-3609

REGION III

DE, DC, MD, PA, VA, WV
615 Chestnut Street, 6th Floor
Philadelphia, PA 19106
215-931-5608

REGION IV

AL, FL, GA, KY, MS, NC, SC, TN
3003 Chamblee-Tucker Rd.
Atlanta, GA 30341
770-220-5200

REGION V

IL, IN, MI, MN, OH, WI
536 South Clark Street
Chicago, IL 60605
312-408-5500

REGION VI

AR, LA, NM, OK, TX
Federal Regional Center
800 North Loop 288
Denton, TX 76210
940-898-5399

REGION VII

IA, KS, MO, NE
2323 Grand Boulevard, Ste. 900
Kansas City, MO 64108
816-283-7061

REGION VIII

CO, MT, ND, SD, UT, WY
Denver Federal Center, Bldg. 710, Box 25267
Denver, CO 80225
303-235-4800

REGION IX

AZ, CA, HI, NV, American Samoa, Guam,
Marshall Islands and Northern Mariana Islands
1111 Broadway, Suite 1200
Oakland, CA 94607
510-627-7100

REGION X

AK, ID, OR, WA
Federal Regional Center
130 228th Street SW
Bothell, WA 98021-9796
425-487-4600

**KENAI CITY COUNCIL – REGULAR MEETING
FEBRUARY 2, 2022 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
MAYOR BRIAN GABRIEL, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on February 2, 2022, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Mayor Gabriel led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Brian Gabriel, Mayor
Henry Knackstedt
Glenese Pettey
Deborah Sounart

James Baisden
Teea Winger
Jim Glendening (via Telephonic Participation)

A quorum was present.

Also in attendance were:

**Silas Thibodeau, Student Representative
Paul Ostrander, City Manager
Scott Bloom, City Attorney
Terry Eubank, Finance Director
Scott Curtin, Public Works Director
Shellie Saner, City Clerk

3. Agenda Approval

Mayor Gabriel noted the following additions to the packet:

Add to item D.1. **Ordinance No. 3267-2022**
 • Amendment Memo

Add to item G.2. **Purchase Orders Over \$15,000**
 • Kirila Fire 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 Baisden **SECONDED** the motion.

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

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

UNANIMOUS CONSENT was requested.

VOTE: There being no 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. **Coy West** - City of Kenai Marketing Presentation

Coy West, CEO of Divining Point, gave a summary overview of his marketing agency's previous work for the City of Kenai and provided a marketing updated on Kenai's "Best Place to ALASKA" campaign strategy.

2. **Brandy Niclai and Bill Lierman, Alaska Permanent Capital Management** - 2021 Financial Performance, Financial Projections and Recommended 2022 Asset Allocation for the City's Permanent Fund Investments.

Brandy Niclai provided a review of the Permanent Fund Investments reporting overall growth; provided a broad picture of the financial market for 2022; recapped how the portfolio is positioned; and discussed strategy for long-term planning of the permanent funds. She provided an outlook for the coming years, explaining that we can anticipate economic growth and Alaska Permanent Capital Management has updated their long-term strategic perspective in response. She described the new strategy which involved utilizing alternative beta asset class and high-yield fixed income asset class.

C. UNSCHEDULED PUBLIC COMMENTS

Ryan Tunseth reported that the Chamber of Commerce was currently recruiting for a new executive director and in the process of finalizing their annual report. He also noted the new City league basketball program, which includes both adult and middle school leagues.

Barb Ralston, Mountain View Elementary Teacher stated that February is Love of Reading Month and that they were recruiting community volunteers to participate, she noted volunteers would be subject to a background check; and announced the annual Bike Rodeo event will take place in May.

D. PUBLIC HEARINGS

1. **Ordinance No. 3267-2022** - Authorizing COVID Leave for City Employees that Test Positive for COVID-19, and Authorizing the Use of Funds from a Grant from the State of Alaska - Department of Health and Social Services - Division of Public Health - COVID Emergency Operations Center to Fund the Leave. (Administration)
 - **Substitute Ordinance No. 3267-2022** - Authorizing COVID Leave for City Employees that Test Positive for COVID-19, and Authorizing the Use of Funds from a Grant from the State of Alaska – Department of Health and Social Services – Division of Public Health – COVID-19 Emergency Operations Center to Fund the Leave and COVID-19 Testing. (Administration)

MOTION:

Council Member Winger **MOVED** to enact Ordinance No. 3267-2022. Council Member Baisden **SECONDED** the motion.

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

MOTION TO AMEND BY SUBSTITUTE:

Council Member Winger **MOVED** to amend Ordinance No. 3267-2022 by Substitute. Council Member Knackstedt **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

MOTION TO AMEND:

Council Member Winger **MOVED** to amend Ordinance No. 3267-2022 by adding a new sentence at the end of Section 1 to read: "The leave provisions authorized by this ordinance may be repealed at any time by Council resolution and without further legislative action will sunset on June 30, 2022." Council Member Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

Clarification was provided regarding changes to the City's COVID policy for employees, the changes were discussed; and it was noted that all employees, regardless of vaccination status, would be treated the same. There were concerns noted regarding the masking requirements for employees returning to work, considering Council had passed legislation opposing mask mandates.

It was explained how the ordinance substitute allocated a dollar amount on spending for employee leave, with the remaining funds will be used for expanded testing for employees and their families. Suggestions were made that federal funds which are not used by the City could be returned to the federal government, or used to expand testing for fish processors during the upcoming season.

It was stated that Administration believes the allocated amounts will be sufficient to cover leave and testing.

VOTE ON MAIN MOTION AS AMENDED:

YEA: Knackstedt, Gabriel, Glendening, Sounart, Winger

NAY: Baisden, Pettey

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

2. **Ordinance No. 3268-2022** - Increasing Estimated Revenues and Appropriations in the Water and Sewer Special Revenue Fund and Authorizing a Purchase Order Increase to Alaska Waste for Sludge Disposal Services At The Waste Water Plant (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3268-2022. Council Member Baisden **SECONDED** the motion.

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

Public Works Director Curtin was thanked for his work. Director Curtin clarified the design was being finalized, the press is scheduled to be installed in July and it should be up and operational by the end of summer.

VOTE:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

3. **Ordinance No. 3269-2022** - Amending Kenai Municipal Code Section 7.30.020, Land Sale Permanent Funds, to Identify the Circumstances and Limitation on the Use of Derivative Investments and to Add Two New Classes of Assets to the List of Authorized Investments and to Codify the Applicable Benchmark by Which these Asset Classes Will be Measured and Evaluated (Administration)

MOTION:

Council Member Winger **MOVED** to enact Ordinance No. 3269-2022. Council Member Knackstedt **SECONDED** the motion.

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

Concern was expressed about Blackrock investment, and the risk-reward measures not being as robust as preferred if the City's portfolio was not using derivatives.

Clarification was provided that the use of derivatives was currently taking place and this ordinance puts sideboards on this as it becomes more prevalent and because of the addition of the alternative beta asset class. It was explained that this ordinance also amends code to allow two new types of investment (high-yield domestic bonds and alternative beta asset classes) and assigns them benchmarks for evaluating their performances. It was noted that the intention of these changes is not to chase yield, but to maintain the projected level of portfolio earnings while lowering risk. Discussion involved how reducing the overall volatility of the portfolio affects the top end and the bottom end of potential returns.

Brandy Niclai with Alaska Permanent Capital Management noted that an introduction to some of the more technical financial terminology used in the legislation could be provided. She provided clarification on net-long requirements that limit risk exposure, and the risk profile of alternative beta strategies APCM is recommending.

It was noted that the permanent fund investments are discussed by Council every year, and a special meeting could also be called to address further concerns. Finance Director Eubank explained that he was satisfied with the language as written.

VOTE:

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

NAY: Pettey

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

4. **Resolution No. 2022-08** - Designating the Investment and Allocation Plan for the City's Permanent Funds and Establishing Appropriate Benchmarks to Measure Performance for Calendar Year 2022. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-08. Council Member Winger **SECONDED** the motion.

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

UNANIMOUS CONSENT was requested.

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

E. MINUTES

1. *Regular Meeting of January 19, 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** - Non-Objection to Liquor License Renewals for Uptown Motel/Back Door Lounge and Uptown Motel/Louie's. (City Clerk)

Approved by the consent agenda.

4. ***Ordinance No. 3270-2022** - Increasing Estimated Revenues and Appropriations in the General, Airport, Senior Citizen, and Water & Sewer Funds, and Authorizing a One-Time Premium Payment to Eligible Employees. (Vice Mayor Glendening and Council Members Winger and Sounart)

Introduced by the consent agenda and Public Hearing set for February 16, 2022.

5. ***Ordinance No. 3271-2022** - Increasing Estimated Revenues and Appropriations in the Airport Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's Airport Fund. (Administration)

Introduced by the consent agenda and Public Hearing set for February 16, 2022.

6. ***Ordinance No. 3272-2022** - Increasing Estimated Revenues and Appropriations in the General Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's General Fund. (Administration)

Introduced by the consent agenda and Public Hearing set for February 16, 2022.

7. **Action/Approval** - Confirmation of Mayoral Nomination for Appointment to Mini-Grant Steering Committee. (Mayor Gabriel)

MOTION:

Council Member Winger **MOVED** to approve the Mayoral nomination of Sarah Douthit to the Mini-Grant Steering Committee. Council Member Knackstedt **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

8. **Discussion** - Request to Schedule a Council Work Session for the Draft Land Management Plan. (Administration)

City Manager Ostrander estimated that the meeting would be approximately two to three hours, and noted that February 24th would not be an available date.

Council scheduled the meeting for March 7, 2022 at 5pm; it was noted that the Harbor Commission regular meeting scheduled for that date will be cancelled or rescheduled.

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging – No report. Next meeting February 10, 2022.
2. Airport Commission – No report. Next meeting February 10, 2022.
3. Harbor Commission – No report. Next meeting February 7, 2022.
4. Parks and Recreation Commission – No report. Next meeting February 17, 2022.
5. Planning and Zoning Commission – Council Member Winger reviewed the actions of January 20, 2022 work session and January 26, 2022 regular meeting. Next meeting February 9, 2022.
6. Beautification Committee – No report. Next meeting April 12, 2022.
7. Mini-Grant Steering Committee – No report.

I. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Attended the first Alaska Bycatch Review Task Force meeting, next meeting with be on February 11, 2022;
- Spoke to KDLL on their Kenai Conversations program;
- Will be attending the Kenai Art Center's event tomorrow;
- Will be attending the Sea Belt meeting on tourism tomorrow;
- Hope everyone enjoys the Super Bowl.

J. ADMINISTRATION REPORTS

1. City Manager – City Manager Ostrander reported on the following:
 - A letter from Todd Stone in the packet states that he will be distributing 10% of his revocable trust to the Kenai Animal Shelter;
 - Kenai Multi-Purpose facility has maintenance issues that need to be addressed in the next few years to maintain the structural integrity. Administration is looking at the long-term viability of the facility as it is being used;
 - Thanked Brittany Brown for her time as Executive Director of the Chamber of Commerce,
 - ACS has been meeting with the City to discuss mounting their antenna equipment on light poles; they are bringing a wireless mesh network to the area to provide faster network speeds;
 - Met with McKinley group, and there will be a Kenai Waterfront Revitalization community visioning meeting on February 24th at the Visitor's Center;
 - Design continues on the bluff erosion project, and participation in the National Flood Insurance program is required to get funding from the Corps.
2. City Attorney – No report.
3. City Clerk – City Clerk Saner reported on the following

- Council on Aging has had difficulty recruiting members to fill their body, so bylaw amendments are being drafted that will allow them to drop their number of seats from nine to seven.

K. ADDITIONAL PUBLIC COMMENT

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

Marion Nelson, President of the Board of Directors for the Kenai Art Center, noted their first Thursday opening which will feature print artworks. The jail cell in the back has been fixed up and looks great, and the Thursday event will have music, food, and Kenai River Brewing Jail Pale Ale.

2. Council Comments

Council Member Knackstedt noted the recent winter weather and that the City Streets department had responded well. He had spoken to KDLL on their Kenai Conversations program to discuss aviation and wished everyone Happy Groundhog's Day.

Council Member Baisden discussed Kenai Central High School sports.

Council Member Winger thanked Planning & Zoning Commission Member Springer for his years of service and thanked the Streets Department for their work clearing an elementary bus stop area; noted that the Kenai Dog Park raffle will be drawn on February 9th; congratulated the Kenai Piranhas swim team on their wins; discussed the student job shadow program; thanked Barb Ralston for her great work in the schools; and explained her disagreement of mandatory masking in schools.

Council Member Sounart noted her recent travels to a riverfront city and how that got her excited for Kenai's waterfront revitalization study.

Student Representative Thibodeau discussed Kenai Central High School sports and activities and stated that participating in Council has been a great learning opportunity.

Council Member Pettey thanked Planning & Zoning Commission Member Springer for his years of service and Brittany Brown for her time as Executive Director of the Chamber of Commerce; noted that the Kenai Library is seeking volunteers; and encouraged everyone to attend the Kenai Art Center's First Thursday event.

L. EXECUTIVE SESSION – None.

M. PENDING ITEMS

1. **Resolution No. 2022-04** - Awarding a Three Year Contract for the Purchase of Microsoft Software. (Administration) *[Clerk's Note: At the January 19, 2022 Meeting, this item was Postponed to the February 16, 2022 Council Meeting; a motion to enact is on the floor.]*

N. **ADJOURNMENT**

O. **INFORMATION ITEMS**

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

There being no further business before the Council, the meeting was adjourned at 9:28 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of February 2, 2022.

Michelle M. Saner, MMC
City Clerk

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

**KENAI CITY COUNCIL – REGULAR MEETING
FEBRUARY 16, 2022 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
MAYOR BRIAN GABRIEL, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on February 16, 2022, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Mayor Gabriel led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Brian Gabriel, Mayor
Teea Winger
Glenese Pettey

James Baisden
Deborah Sounart
Jim Glendening (via Electronic Participation)

A quorum was present.

Absent:

Henry Knackstedt

Also in attendance were:

**Silas Thibodeau, Student Representative
Paul Ostrander, City Manager
Scott Bloom, City Attorney
Terry Eubank, Finance Director
Dave Ross, Police Chief
Shellie Saner, City Clerk

3. Agenda Approval

Mayor Gabriel recognized Robert Springer’s years of service on the Planning & Zoning Commission and presented him with a certificate of appreciation.

Mayor Gabriel noted the following additions to the packet:

- Add to item D.1. **Public Hearing – Ordinance No. 3270-2022**
 - Public Comments

- Add to item D.1. **Public Hearing – Ordinance No. 3270-2022**
 - Council Comments

- Add to item F.1. **Public Hearing – Resolution No. 2022-04**
- Amendment Memo
- Add to item H.1. **Commission/Committee Reports**
- Council on Aging
- Add to item J.1. **City Manager Report**
- Midmonth Airport Report

MOTION:

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

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

4. **Consent Agenda**

MOTION:

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

UNANIMOUS CONSENT was requested.

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

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

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. **Jodi Stuart and Leslie Rohr - 2022 Kenai Peninsula Project Homeless Connect**

Jodi Stuart presented an overview of the annual Project Homeless Connect event, provided data collected from the 2021 event, and encouraged Council to consider the homeless when making decisions regarding City partnerships and funding.

C. UNSCHEDULED PUBLIC COMMENTS – None.

D. PUBLIC HEARINGS

1. **Ordinance No. 3270-2022** - Increasing Estimated Revenues and Appropriations in the General, Airport, Senior Citizen, and Water & Sewer Funds, and Authorizing a One-Time Premium Payment to Eligible Employees. (Vice Mayor Glendening and Council Members Winger and Sounart)

MOTION:

Council Member Winger **MOVED** to enact Ordinance No. 3270-2022. Council Member Sounart **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment.

David Peck stated his opposition and suggested the funds could be used on past due utility bills for citizens who have been impacted by COVID.

Christine Hutchison stated her opposition to the ordinance, noting that City employees have good pay and benefits and that the money could be used to fund capital improvement projects which would benefit all residents. She also noted that medical costs are going up and the money could be better used going towards that.

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

Appreciation was expressed for the City employees and it was noted that they did not receive hazard pay while working through the pandemic and many did not have the option of working from home. Supporters of the ordinance stated that this would be a thank you to employees who worked on the front lines and would also help to make up for inflation and cost of living increase which had not been forecasted in the budget.

Concern was expressed about inflation resulting from federal government decisions and opposition was stated for spending a significant amount of funds on employees without more time to consider and receive input from the public. It was noted that these funds are provided through taxes and the payment may cause divisiveness between employees and taxpayers, the cost of living increases affects everyone and not just employees, and City employees are provided good benefits including paid COVID leave.

It was suggested that it may be more appropriate to hold off the discussion until the budget process begins in April, as Administration will have more information about healthcare costs and projected revenue at that time.

VOTE:

YEA: Winger, Glendening, Sounart

NAY: Pettey, Gabriel, Baisden

**Student Representative Thibodeau: NO

MOTION FAILED.

2. **Ordinance No. 3271-2022** - Increasing Estimated Revenues and Appropriations in the Airport Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's Airport Fund. (Administration)

MOTION:

Council Member Baisden **MOVED** to enact Ordinance No. 3271-2022. Council Member Pettey **SECONDED** the motion.

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

Finance Director Eubank noted that this ordinance goes hand in hand with Ordinance No. 3272-2022; clarified that through the annual budgetary process the Administration estimates projected earnings of the permanent funds and that in 2021 the earnings were in excess of the projection; and these ordinances would allow for the maximum amounts to be transferred from permanent funds to the operating funds.

VOTE:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

3. **Ordinance No. 3272-2022** - Increasing Estimated Revenues and Appropriations in the General Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's General Fund. (Administration)

MOTION:

Council Member Baisden **MOVED** to enact Ordinance No. 3272-2022. Council Member Pettey **SECONDED** the motion.

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

VOTE:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

4. **Resolution No. 2022-09** – Authorizing Budget Transfers Within the Kenai Recreation Center Improvements Capital Project Fund. (Administration)

MOTION:

Council Member Baisden **MOVED** to adopt Resolution No. 2022-09. Council Member Pettey **SECONDED** the motion.

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

Clarification was provided that this would consolidate three accounts into one to supplement funding to be used for roofing, HVAC and water heater replacement at the Kenai Recreation Center, transferring \$379,000 for a total of \$1.1 million. It was noted that there is an additional

\$280,000 for the building in the Capital Improvement Plan which has yet to be approved by Council; and that with the extensive maintenance being planned it is possible that more maintenance needs will be identified that will require additional funding.

Questions involved how much the facility was being used, how much revenue it generates and whether it was worth investing this much into an older building. Clarification was provided that design work was underway and would be brought to Council when complete; and that the Recreation Center provides quality of life opportunities but not significant revenue.

VOTE:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

E. MINUTES

F. UNFINISHED BUSINESS

1. **Resolution No. 2022-04** - Awarding a Three Year Contract for the Purchase of Microsoft Software. (Administration) *[Clerk's Note: At the January 19, 2022 Meeting, this item was Postponed to this meeting; a motion to enact is on the floor.]*

- **Resolution No. 2022-04 (Substitute)** – Awarding a Three-Year Contract for the Purchase of Microsoft Software. (Administration)

MOTION TO AMEND BY SUBSTITUTE:

Council Member Winger **MOVED** to amend Resolution No. 2022-04 by Substitute. Council Member Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

The suggestion was made to consider less expensive alternatives to Microsoft Windows and Office such as open-source software. It was clarified that the Finance department has considered other software but due to the significant integration of Microsoft products in City, the change would have a massive impact on operations.

MOTION TO AMEND:

Council Member Winger **MOVED** to amend the fourth Whereas by replacing “Zones, LLC” in the second line of the bidder table with “Insight Public Sector, Inc,” and by replacing “Insight Public Sector, Inc” in the third line of the bidder table with “Zones, LLC.” Council Member Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

VOTE ON MAIN MOTION AS AMENDED:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.**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** - Confirmation of Mayoral Nomination for Appointment to the Planning and Zoning Commission. (Mayor Gabriel)

MOTION:

Council Member Pettet **MOVED** to approve the Mayoral nomination of Victoria Askin to the Planning & Zoning Commission. Council Member Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

4. **Action/Approval** - Council on Aging By-Law Amendment. (City Clerk)

MOTION:

Council Member Baisden **MOVED** to approve the Council on Aging By-Law Amendments. Council Member Pettet **SECONDED** the motion.

It was clarified that the Council on Aging has had difficulty filling their all nine of their seats and this change to their by-laws would provide flexibility to allow only four members to constitute a quorum. Other changes include general housekeeping and an amendment to the Senior Citizen Program participation requirement.

UNANIMOUS CONSENT was requested.

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

5. ***Ordinance No. 3273-2022** – Accepting and Appropriating Two Grants from Derek Kaufman Fund through the Alaska Community Foundation and One Donation from the Friends of the Kenai Community Library for the Purchase of a Bike Repair Station. (Administration)

Introduced by the consent agenda and Public Hearing set for March 2, 2022.

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging – Council Member Knackstedt provided a report of the actions of the February 10, 2022 meeting in the packet. Next meeting March 10, 2022.
2. Airport Commission – Council Member Baisden reviewed the actions of the February 10, 2022 meeting. Next meeting March 10, 2022.
3. Harbor Commission – Council Member Pettey reviewed the actions of the February 7, 2022 meeting. Next meeting April 11, 2022.
4. Parks and Recreation Commission – No report. Next meeting February 17, 2022.
5. Planning and Zoning Commission – Council Member Winger reviewed the actions of the February 9, 2022 regular meeting. Next meeting February 23, 2022.
6. Beautification Committee – Council Member Sounart reviewed the actions of the February 15, 2022 special meeting. Next meeting April 12, 2022.
7. Mini-Grant Steering Committee – Mayor Gabriel reported that a Mini-Grant Steering Committee Meeting had been scheduled for Friday, February 25, 2022.

I. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Attended the Sea Belt Community meeting to speak about tourism;
- Attended a Mayors and Manager meeting with Senator Murkowski to discuss infrastructure funding, and there will be symposium in Anchorage in April to provide more information to communities;
- Attended Chamber appreciation reception at the Cannery Lodge;
- Attended the Alaska Bycatch Review Task Force meeting and discussed how to divide up their workload;
- Expressed appreciation for employees of City.

J. ADMINISTRATION REPORTS

1. City Manager – City Manager Ostrander reported on the following:
 - Introduced new Parks & Recreation Director Brad Walker;
 - Noted that he will be attending the Anchorage symposium on infrastructure funding along with the City's grant writer, City Attorney and Airport Manager;
 - Noted the significant snowfall this winter, and commended the Airport and Streets employees for their exceptional work keeping the runway and roads clear;
 - Provided information regarding policy and procedures for airport lessee snow removal, noting that there are changes due to new leases;
 - The Kenai Dog Park is now a capital project, and Administration will become actively involved in the development.
 - Design continues on the bluff stabilization project.
2. City Attorney – City Attorney Bloom reported on the following:

- The City filed the motion to file the Amicus brief, and will provide further updates to Council on the progress of the suit.

3. City Clerk – No report.

K. ADDITIONAL PUBLIC COMMENT

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

Council Member Glendening noted he had a knee replacement and the recovery progress has went well. He reported receiving public feedback about what to do about snow and suggested that the City needs to hire another employee to help manage snow removal.

Council Member Pettey attended the Kenai Art Center's First Thursday event and encouraged everyone to visit their current show. She thanked the Airport and Streets departments for their diligence on snow removal and expressed appreciation for the the amicus brief prepared by City Attorney Bloom.

Student Representative Thibodeau provided an update on school activities, noting that there had been some recent reports of theft at the school.

Council Member Sounart thanked City employees for their hard work on snow removal and relayed positive feedback she had received from a community member.

Council Member Winger thanked the Streets department and Kenai Police for work their excellent work. She spoke about the upcoming Love of Reading event and about the school mask mandate. She noted that Kenai Central High School was seeking funding for the Ed Hollier Field bathroom project.

Council Member Baisden reported on school sports and expressed appreciation for Council Member Winger's comments about school mask mandates. He expressed his thanks to City employees for working diligently to clear snow.

L. EXECUTIVE SESSION – None.

M. PENDING ITEMS – None.

N. ADJOURNMENT

O. INFORMATION ITEMS

1. Purchase Orders Between \$2,500 and \$15,000
2. Kenai Dog Park Brochure – Summer 2022

There being no further business before the Council, the meeting was adjourned at 7:55 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of February 16, 2022.

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: MARCH 2, 2022**

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	96,935.80
ENSTAR NATURAL GAS	GAS USAGE	VARIOUS	UTILITIES	41,299.74

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
PIPER JAFFRAY	U.S. AGENCY SECURITY	1/1/2027	1,431,848.36	2.15%

**PURCHASE ORDERS OVER \$15,000.00 WHICH NEED COUNCIL APPROVAL
COUNCIL MEETING OF: MARCH 2, 2022**

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
INGRAM LIBRARY SERVICES	LIBRARY MATERIALS	LIBRARY	BOOKS	20,000.00
MUNICIPAL EMERGENCY SERVICES	2 SELF-CONTAINED BREATHING APPARATUS	AIRPORT	SMALL TOOLS	17,620.94
K+A DESIGNSTUDIOS	VISITOR CENTER ROOF REPLACEMENT	VISITOR CTR. CAP. IMPS.	CONSTRUCTION	24,300.00

INCREASE OF EXISTING PURCHASE ORDER

VENDOR	DESCRIPTION	P.O. # - DEPT.	REASON	AMOUNT	TOTAL PO AMT
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MEMORANDUM

TO: Mayor Brian Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Katja Wolfe, Library Director

DATE: February 22, 2022

SUBJECT: **Purchase Order Exceeding \$15,000 for FY 22**

Resolution No. 2019-11, effective February 6, 2019, awarded a three-year agreement to Ingram Content Group for the purchase of library materials and states that the City Manager is authorized to issue a purchase order in the amount of up to \$40,000 per full fiscal year through the remainder of the agreement. The agreement was set to expire on 2/8/2022 and, pursuant to Resolution No.2019-11, the City Manager has authorized the first of two one-year extensions to Ingram Content Group as “he deems it in the best interest of the city.”

The purpose of this correspondence is to request approval of a purchase order of \$20,000 to Ingram Content Group for the remainder of FY 2022.

Council consideration is respectfully requested.



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Eland Conway, Airport Manager

DATE: February 17, 2022

SUBJECT: **Purchase Order for Municipal Emergency Services**

The purpose for this memo is to request approval of the purchase order to Municipal Emergency Services for the purchase of 2 Scott X3 Pro Self-Contained Breathing Apparatus (SCBA's). These are the final 2 SCBA's to fulfill the operational need on the Airport Crash Trucks.

The airport station is currently the only station that has older 4500psi SCBA's which are not compatible with the fleet replacement of 5500psi units at Station 1 as well as other responding auto/mutual aid agencies. The purchase of these SCBA's allow our airport station personnel to respond with equipment that maintains continuity of operation on scene should those responding firefighters need assistance during an incident.

Total cost of \$17,620.94

Thank you for your consideration.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Scott Curtin, Director of Public Works

DATE: February 23, 2022

SUBJECT: Purchase Order – K+A Architecture

The purpose of this memo is to request Council’s approval to issue a Purchase Order to K+A Architecture for professional services to provide bid ready construction documents for the Visitor’s Center Roof Replacement Project. A Proposal Quote Request was released on January 25th, 2022 with Proposals due on February 15th, 2022. Three proposals were received as detailed below with K+A Architecture receiving the highest score.

Company	Proposal Cost	Proposal Score
K+A Architecture	\$24,300	195
GDM Architects Engineers	\$32,500	160
Wolf Architecture	\$31,000	162

The project design work will begin immediately after Council’s approval of this purchase order with an anticipated formal Invitation to Bid for Construction in late April with project completion by the end of the summer 2022. The project will provide a comparable new asphalt shingle roof system and associated flashings to replace existing asphalt shingles which are at the end of their intended useful life.

Council’s consideration is respectfully requested.



**KENAI COUNCIL ON AGING
REGULAR MEETING
FEBRUARY 10, 2022 – 3:00 P.M.
KENAI SENIOR CENTER**

MEETING SUMMARY

1. CALL TO ORDER

The meeting was called to order at 3:13 p.m.

a. Pledge of Allegiance

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

b. Roll was confirmed as follows:

Members Present: Thornton, Williams, Geller, Modigh, Kilfoyle, Craig
Members Absent:

A quorum was present.

Staff/Council Liaison
Present: Senior Center Director Romain, City Clerk S. Saner, Council
Liaison Knackstedt

c. Agenda Approval

Member Craig **MOVED** for approval of the agenda as written and Member Modigh **SECONDED** the motion. There were no objections. **SO ORDERED.**

d. Election of Chair and Vice-Chair

MOTION:

Member Geller **MOVED** for that Member Craig be elected as Chair and Member Williams **SECONDED** the motion. There were no objections. **SO ORDERED.**

MOTION:

Member Geller **MOVED** for that Member Williams be elected as Vice-Chair and Member Modigh **SECONDED** the motions. There were no objections. **SO ORDERED.**

2. SCHEDULED PUBLIC COMMENTS – None.

3. UNSCHEDULED PUBLIC COMMENT -- None.

4. APPROVAL OF MEETING SUMMARY

- a. August 12, 2021
- b. November 10, 2021
- c. January 13, 2021

Changes were requested to move Member Williams from absent to present in the August 12,

2021 and November 10, 2021 meeting summaries. A change was requested to the August 12, 2021 meeting summary on item #9 to read: *Member Craig asked if there were more COVID-19 grants.*

MOTION:

Member Craig **MOVED** to approve three meeting summaries as corrected and Member Geller **SECONDED** the motion. There were no objections. **SO ORDERED.**

5. **UNFINISHED BUSINESS** -- None.

6. **NEW BUSINESS**

a. **Discussion** – Amendments to Council on Aging By-Laws and Rules of Procedure

Members discussed the amendments to the Council on Aging By-Laws and Rules of Procedure as recommended by City Clerk Saner.

MOTION:

Member Thornton **MOVED** for approval of the amendments to the Council on Aging By-Laws and Rules of Procedure and Member Modigh **SECONDED** the motion. There were no objections. **SO ORDERED.**

b. **Discussion/Recommendation** – FY23-27 Capital Improvement Plan

Senior Director Romain reviewed items in the City of Kenai FY2023-2027 Capital Improvement Plan, noting the projects in the Senior Citizens Fund and Congregate Housing Fund.

MOTION:

Member Craig **MOVED** for approval to recommend the Kenai City Council approve the City of Kenai Fiscal year 2023-2027 Capital Improvement Plan. Member Geller **SECONDED** the motion. There were no objections. **SO ORDERED.**

c. **Discussion** – 2022 Goals

Senior Center Director Romain discussed working on the creation of a 5-year plan for the Senior Center, along with objectives which would be reviewed annually. Suggested planning an upcoming work session.

MOTION:

Member Craig **MOVED** to have a work session on April 28, 2022 at 2:00 p.m. for the purpose of establishing long term goals and objectives for the Senior Center. Member Geller **SECONDED** the motion. There were no objections. **SO ORDERED.**

7. **REPORTS**

a. Senior Center Director – Director Romain reported on the following:

- Current grants reporting periods;
- FY23 Budget process;
- Alaska Community Foundation grant recently.

- b. Council on Aging Chair – Vice Chair Williams suggested more advertising be done to promote the Senior Center.
- c. City Council Liaison – Council Member Knackstedt reported on the actions of the January 19, 2022 and February 2, 2022 City Council Meetings.

8. **NEXT MEETING ATTENDANCE NOTIFICATION** – April 7, 2022

9. **COUNCIL MEMBERS COMMENTS AND QUESTIONS**

Council Member Gellar reminded everyone about the March 25th March for Meals Fundraiser sponsored by Kenai Senior Connection, Inc.

10. **ADDITIONAL PUBLIC COMMENT**

11. **INFORMATION ITEMS** – None.

12. **ADJOURNMENT**

MOTION:

Member Gellar **MOVED** for adjournment and Member Modigh **SECONDED** the motion. There were no objections. **SO ORDERED.**

There being no further business, the Council on Aging meeting adjourned at 4:40 p.m.

Meeting summary prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

**KENAI HARBOR COMMISSION
SPECIAL MEETING
FEBRUARY 7, 2022 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
CHAIR MIKE DUNN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

Chair Dunn called the meeting to order at approximately 6:00 p.m.

a. Pledge of Allegiance

Chair Dunn led those assembled in the Pledge of Allegiance.

b. Roll Call

Roll was confirmed as follows:

Commissioners present: M. Dunn, C. Hutchison, B. N. Berga, B. Peters, D. Peck, Askin, B. Bornemann

Commissioners absent: None

Staff/Council Liaison present: Public Works Director S. Curtin, Public Works Administrative Assistant L. List, Council Liaison H. Knackstedt

A quorum was present.

c. Election of Chair and Vice-Chair

Commissioner Peters **MOVED** to re-appoint Chair Dunn; Commissioner Berga **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

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

Commissioner Peters **MOVED** to re-appoint Vice-Chair N. Berga; Commissioner Hutchison **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

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

d. Agenda Approval

MOTION:

Commissioner Peck **MOVED** to approve the agenda as written. Commissioner Hutchison **SECONDED** the motion. There were no objections; **SO ORDERED.**

2. SCHEDULED PUBLIC COMMENT – None.

3. UNSCHEDULED PUBLIC COMMENT – None.

4. APPROVAL OF MEETING SUMMARY

MOTION:

Commissioner Hutchison **MOVED** to approve the regular meeting summary of November 8, 2021. Commissioner Peters **SECONDED** the motion. There were no objections; **SO ORDERED**.

MOTION:

Commissioner Bornemann **MOVED** to approve the special meeting summary of January 11, 2022, and Commissioner Peters **SECONDED** the motion. There were no objections; **SO ORDERED**.

5. UNFINISHED BUSINESS – None

6. NEW BUSINESS

a. **Discussion/Recommendation** – FY23-27 Capital Improvement Plan

MOTION:

Commissioner Hutchison **MOVED** to recommend the Kenai City Council approve the City of Kenai Fiscal Year 2023-2027 Capital Improvement Plan. Commissioner Peters **SECONDED** the motion.

Public Works Director Curtin provided a background on the development of the FY2023-2027 Capital Improvement Plan (CIP), noting that there are approximately \$100 million worth of projects identified within it. He noted that \$28.1 million was recently awarded to the City for the bluff stabilization project, which will go towards the majority of the projects identified in the General Fund. He explained that the majority of funds are focused in the Airport, Water/Sewer, and General Funds, and provided further detail on some of the other major projects identified in the CIP. He noted that every City department and some commissions participated in the development of the CIP, and that it will be a great asset for our City to help direct funding towards our highest priorities.

Director Curtin provided clarification that the CIP will create debt for the City, and a large portion of the projects will be covered by grants and other funds.

Commissioners inquired about dredging the harbor, and Director Curtin explained the logistics and cost of dredging the harbor and suggested looking at some alternative solutions such as floating docks. It was requested that dredging be put on the 2025 Capital Improvement Plan, and Director Curtin suggested a tour of the river and committed to sharing concerns with the Administration.

VOTE:

YEA: Dunn, Bornemann, Hutchison, Peck, Peters, Berga, Askin

NAY:

MOTION PASSED UNANIMOUSLY.

7. REPORTS

a. Public Works Director – Director Curtin provided further detail on Capital

Improvement Projects.

- b. Commission Chair – Chair Dunn thanked Director Curtin and the commission.
- c. City Council Liaison – Council Member Knackstedt noted that the roads are being plowed well, discussed river dredging and reported on the actions of the February 2, 2022 City Council meetings.

8. NEXT MEETING ATTENDANCE NOTIFICATION – March 7, 2022

Chair Dunn noted that the next regular meeting was scheduled for March 7, 2022, but that meeting was canceled and that date will be used for a City Council work session. He noted that if the need arises, a Harbor Commission special meeting may be called for later in March. If not, the next regular meeting will be on April 11, 2022.

9. COMMISSIONER COMMENTS AND QUESTIONS

Commissioner Peck thanked Public Works and Streets Department for their good job of plowing the City.

Commissioner Hutchison thanked Public Works and Streets Department for their good job of plowing the City.

Commissioner Askin asked to pursue dredging and other possibilities, and consideration of a floating dock.

Vice Chair Berga inquired about when the Airport Runway project began.

Commissioner Peters noted the good work by City employees and commended the lack of debt of the City.

Commissioner Bornemann expressed appreciation of City employees and the road maintenance crew.

10. ADDITIONAL PUBLIC COMMENT - None

11. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at approximately 7:42 p.m.

Meeting summary prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
FEBRUARY 9, 2022 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
VICE CHAIR ALEX DOUTHIT, PRESIDING**

MINUTES

A. CALL TO ORDER

Vice Chair Douthit called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

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

2. Roll Call

Commissioners present: A. Douthit, G. Woodard, J. Halstead, G. Greenberg

Commissioners absent: J. Twait, D. Fikes

Staff/Council Liaison present: Planning Director R. Foster, Deputy City Clerk M. Thibodeau, Council Liaison T. Winger

A quorum was present.

3. Agenda Approval

MOTION:

Commissioner Halstead **MOVED** to approve the agenda and Commissioner Woodard **SECONDED** the motion. There were no objections; **SO ORDERED**.

4. Consent Agenda

MOTION:

Commissioner Halstead **MOVED** to approve the consent agenda and Commissioner Woodard **SECONDED** the motion. There were no objections; **SO ORDERED**.

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

5. *Excused absences – None

B. APPROVAL OF MINUTES

1. *Regular Meeting of January 26, 2022

Approved by the consent agenda.

C. **SCHEDULED PUBLIC COMMENT** – None.

D. **UNSCHEDULED PUBLIC COMMENT** – None.

E. **CONSIDERATION OF PLATS** – None.

F. **PUBLIC HEARINGS** – None

G. **UNFINISHED BUSINESS** – None

H. **NEW BUSINESS**

1. **Action/Approval** - Recommendation to City Council for the Execution of a Lease to the State of Alaska, Division of Forestry for Lot 4A, FBO Subdivision No. 11.

MOTION:

Commissioner Halstead **MOVED** to recommend approval of the execution of a lease to the State of Alaska, Division of Forestry for Lot 4A, FBO Subdivision No. 11. Commissioner Woodard **SECONDED** the motion.

Director Foster provided the staff report noting that the lessee has a Special Use Permit on this lot, and is planning improvements that include a concrete containment area and three-phase electrical service. The proposed improvements will cost approximately \$10,000, which would allow them to extend their lease for another five years. He noted that the current use as an air tanker reload base for wildland fire prevention and suppression is supported by the zoning and the Comprehensive Plan.

Clarification was given that Title 21 of KMC explains the requirements for lease renewal in the Airport Reserve, and the lessee's proposed improvements will only provide for a five-year lease. Director Foster explained options provided in code for further lease extension. It was noted that the Division of Forestry is an importance resource at the airport.

VOTE:

YEA: Halstead, Woodard, Douthit, Greenberg

NAY:

MOTION PASSED UNANIMOUSLY.

2. **Action/Approval** - City of Kenai Fiscal Year 2023-2027 Capital Improvement Plan

MOTION:

Commissioner Halstead **MOVED** to recommend approval of the City of Kenai Fiscal Year 2023-

2027 Capital Improvement Plan. Commissioner Woodard **SECONDED** the motion.

Public Works Director Curtin provided a background on the development of the FY2023-2027 Capital Improvement Plan (CIP), noting that there are approximately \$100 million worth of projects identified within it. He noted that \$28.1 million was recently awarded to the City for the bluff stabilization project, which will go towards the majority of the projects identified in the General Fund. He explained that the majority of funds are focused in the Airport, Water/Sewer, and General Funds, and provided further detail on some of the other major projects identified in the CIP. He noted that every City department and some commissions participated in the development of the CIP, and that it will be a great asset for our City to help direct funding towards our highest priorities.

Clarification was provided that projects are not started until Administration has secured funds for it, and the only risk of losing the funding would be if the City doesn't perform the way we said we would to the granting agency.

Discussion involved street light replacement, and details were provided on the City's annual service contract with Kachemak Electric which is funded through the City's normal operational budget. The Street Lighting Improvements project identified in the CIP for FY2026 was noted, and the Commission considered how they would like to see that re-prioritized and addressed earlier

The Willow Street Renovation project was discussed, and Director Curtin clarified that the goal this year is to complete road rehabilitation on Wildwood Drive and a portion of Willow Street; the long-term goal is to complete it all the way from the Spur Highway to the Kenai Animal Shelter, however the costs of replacing old pipes needs to be considered prior to putting down new asphalt.

Clarification was provided on the Outdoor Event Park project, noting that was within the scope of the Millennium Square Park feasibility Study and had also been considered for the Daubenspeck area. Director Curtin explained how this project is tied to the bluff erosion project, as stabilization of the bluff will increase interest in investing in the Millennium Square area.

The suggestion was made to lower the priority of the Kenai Nordic Trail Lighting project in favor of funding street lighting improvements. It was also proposed that other Parks & Recreation projects such as baseball dugouts should also take priority over the trail lighting.

VOTE:

YEA: Greenberg, Halstead, Woodard, Douthit
NAY:

MOTION PASSED UNANIMOUSLY.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Winger reported on the actions of the February 2, 2022 City Council Meeting.

2. **Borough Planning** – No report.

3. **City Administration** – Planning Director Foster reported on the following:

- Katie Rector has been hired as the new Planning & Zoning Department Administrative Assistant, and will attend the next commission meeting;
- A Waterfront Project visioning meeting will take place on February 24th at the Kenai Chamber of Commerce, and commissioners are encouraged to attend;
- American Planning Association annual conferences will be online and will include commissioner training, and he will provide dates and information to commissioners;
- Next Planning & Zoning Commission meeting on February 23, 2022 will be preceded by a work session on processes and procedures, and the regular meeting will include two plats.

K. **ADDITIONAL PUBLIC COMMENT** – None.

L. **INFORMATIONAL ITEMS** – None.

M. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. February 23, 2022

N. **COMMISSION COMMENTS & QUESTIONS**

Commissioner Woodard inquired about American Planning Association training dates.

Commissioner Halstead noted that the American Planning Association training is valuable and encouraged any interested commissioners to attend.

Commissioner Greenberg noted that it was a good report.

O. **ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 8:01 p.m.

Minutes prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

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

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
AAA FENCE	GRANITE PT. GATE REPLACEMENT	AIRPORT	REPAIR & MAINTENANCE	4,850.00
FIRE CONTROL SYSTEMS	FY22 FIRE EXTINGUISHER MAINT.	BUILDINGS	REPAIR & MAINTENANCE	6,107.25

From: [Brian Harrison](#)
To: [City Clerk](#)
Subject: Amicus Brief
Date: Thursday, February 17, 2022 10:48:58 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Kenai City Council, Mayor, and City Manager,

I would like to express my appreciation and gratitude for the recent actions you took regarding the UCIDA lawsuit challenging the actions of NMFS and the closure of the EEZ to commercial fishing in Upper Cook inlet. Your filing of an Amicus Brief in support of UCIDA's legal case hopefully will help the courts see how harmful Amendment 14 will be to the local fishermen and businesses if allowed to be implemented. I really believe that if this Amendment 14 goes forward, it will mean the end to any viable commercial salmon industry in Upper Cook inlet. A heart felt thank you for having the courage to help preserve a historic fishery and the folks who rely on it for a livelihood.

Sincerely, Brian Harrison

1065 Larkspur Ct.

Homer AK 99603

907-235-8922