



Kenai City Council - Regular Meeting

October 19, 2023 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call

3. Certification of the October 3, 2023 Election Results

- a. **Swearing in of Election Officials.** *(Term of office for those elected during the October 3, 2023 Regular Election begins on Monday, October 23, 2023.)*
4. Approval of the Agenda and Consent Agenda *(Public comments on Consent Agenda Items limited to three (3) minutes per speaker; thirty (30) minutes aggregated)*

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

B. SCHEDULED ADMINISTRATIVE REPORTS

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

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

E. PUBLIC HEARINGS

1. **Ordinance No. 3374-2023** - Increasing Estimated Revenues and Appropriations in the Airport Fund for the Purchase of Aviation Fuel Due to Fuel Sales at the Kenai Municipal Airport Float Plane Basin Being in Excess of Budgeted Amounts. (Administration)

F. MINUTES

1. *Regular Meeting of October 4, 2023. (City Clerk)

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Action/Approval** - Non-Objection to the Renewal of a Retail Marijuana Store License for Cook Inlet Cannabis Co., DBA East Rip - License No. 13382. (City Clerk)
3. ***Action/Approval** - Non-Objection to the Renewal of a Retail Marijuana Store License KRC LLC, DBA Kenai River Cannabis - License No. 17808. (City Clerk)

- [4.](#) ***Ordinance No. 3375-2023** - Accepting and Appropriating Donations from the Kenaitze Indian Tribe to Both the Animal Shelter and the Senior Center. (Administration)
- [5.](#) ***Ordinance No. 3376-2023** - Increasing Estimated Revenues and Appropriations in the General Fund, Parks and Recreation Department for the Purchase of Playground Equipment Utilizing a Grant from Marathon Petroleum. (Administration)
- [6.](#) **Action/Approval** - Airport Terminal Landscaping Project Revision - Bronze Bear Project. (Administration)

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging
2. Airport Commission
3. Harbor Commission
4. Parks and Recreation Commission
- [5.](#) Planning and Zoning Commission
6. Beautification Committee

J. REPORT OF THE MAYOR

K. ADMINISTRATION REPORTS

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

L. ADDITIONAL PUBLIC COMMENTS

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

M. EXECUTIVE SESSION

N. PENDING ITEMS

O. ADJOURNMENT

P. INFORMATION ITEMS

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/84392104903>

Meeting ID: 843 9210 4903 **Passcode:** 573806

OR

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

Meeting ID: 843 9210 4903 **Passcode:** 573806



City of Kenai Regular Election of October 3, 2023

WE, the members of the Kenai City Council, do hereby certify the results of a canvass of the ballots for the Regular Election of October 3, 2023.

Absentee, Questioned & Personal Needs Ballots Voted (In-person, By-Mail, By-Request and Personal Needs)	183
Absentee, Questioned & Personal Needs Ballots Rejected	3
Absentee, Questioned & Personal Needs Ballots Counted	180
Poll Voter Turn Out	639 / 10.02%
Total Voter Turn Out	819 / 12.85%
Number of Kenai Registered Voters	6375

FOR CITY COUNCIL, TWO THREE-YEAR TERMS

CANDIDATES	POLL VOTES RECEIVED	ABSENTEE, ETC. VOTES RECEIVED	TOTAL VOTES RECEIVED
WINGER, Teea M.	262	59	321
KNACKSTEDT, Henry H.	318	119	437
PETTEY, Glenese	238	74	312
DANIEL, Phillip D. (Phil)	256	70	326
Write-In	5	2	7

Brian Gabriel, Sr., Mayor

Victoria Askin, Council Member

Alex Douthit, Council Member

Henry Knackstedt, Council Member

Deborah Sounart, Council Member

James Baisden, Vice Mayor

Teea Winger, Council Member

ATTEST:

Michelle M. Saner, MMC, City Clerk

Date



**CERTIFICATION OF RESULTS FOR
ABSENTEE, PERSONAL NEEDS AND QUESTIONED BALLOTS**

Whereas, the undersigned City of Kenai Canvass Board for the Regular Election of the City of Kenai held on October 3, 2023, do solemnly affirm the results of said election for absentee, personal needs, and questioned ballots, counted on the 10th day of October 2023 as follows:

FOR CITY COUNCIL, TWO THREE YEAR TERM

Candidate Name	Number of Votes Received
WINGER, Teea M.	59
KNACKSTEDT, Henry H.	119
PETTEY, Glenese	74
DANIEL, Phillip D. (Phil)	70
Write-in	2

REGULAR ABSENTEE, QUESTIONED AND PERSONAL NEEDS BALLOTS

Absentee ballots voted [in-person, by-mail & electronic]: 171
 Questioned ballots voted: 3
 Personal Needs ballots voted: 9
Total Ballots Voted: 183

Rejected ballots:

Not registered, registered too late or
 Registered out of the City of Kenai: 1
 Purged from voter rolls: _____
 Ballot envelope not signed or witnessed: _____
 No identifier provided on envelope: _____
 Voted twice: _____
 Signed/witnessed or postmarked after Election Day: _____
 Other: 2
Total Ballots Rejected by Canvass Board: 3

Counted Ballots:

Absentee ballots counted [in-person, by-mail & electronic]: 169
 Questioned ballots counted: 3
 Personal Needs ballots counted: 8
Total Absentee, Questioned and Personal Needs ballots counted: 180

REVIEW OF PRECINCT MATERIALS

The Canvass Board further certifies we have examined in detail all original and questioned registers for the polling precincts, AVO and absentee by-mail of the City of Kenai and have found them to be in proper order.

Upon completion of the canvass, it is our opinion the attached summary of election returns, as compiled by the City Clerk, accurately reflects the totals shown on the Certificate of Election Returns by the election board of each voting precinct and the returns of the absentee, questioned and personal needs ballots cast in this election.

We, the undersigned, certify the foregoing to be true and accurate to the best of our knowledge and belief.

Signed and dated this 10th day of October, 2023.

Michael J. Efta
Print Name

Michael J. Efta
Canvass Board Member Signature

Mike Sounart
Print Name

Mike Sounart
Canvass Board Member Signature

Karen Monell
Print Name

Karen Monell
Canvass Board Member Signature

Arken S. Smalley
Print Name

Arken S. Smalley
Canvass Board Member Signature

Carol L. Freds

Carol L. Freds

Joan Seaman
Print Name

Joan Seaman
Canvass Board Member Signature

ATTEST:

Michelle M. Sauer
Michelle M. Sauer, MMC
Kenai City Clerk



CITY OF KENAI

OCTOBER 3, 2023 REGULAR ELECTION CANVASS BOARD ACCOUNTABILITY REPORT

WHEREAS, the undersigned City of Kenai Canvass Board for the Regular Election of the City of Kenai held on October 3, 2023, do solemnly affirm the results of said election for absentee, personal needs and questioned ballots, counted on the 10th day of October 2023 as follows:

ABSENTEE IN-PERSON				
Location	Signatures on Register	Ballot Envelopes Received	Total NO COUNT Envelopes	Total COUNT Envelopes
City Hall AVO	122	122	1	121
KPB AVO	13	13	1	12

Comments: _____

ABSENTEE BY-REQUEST (MAIL OR ELECTRONIC TRANSMISSION)				
Location	Applications Received/Ballots Forwarded	Ballot Envelopes Returned	Total NO COUNT Envelopes	Total COUNT Envelopes
City Hall	50	36	0	36

Comments: _____

QUESTIONED				
Location	Signatures on Register	Voted Ballot Envelopes Received	Total NO COUNT Envelopes	Total COUNT Envelopes
Kenai No. 1	1	1	0	1
Kenai No. 2	2	2	0	2
Kenai No. 3	0	0	0	0

Comments: _____

PERSONAL REPRESENTATIVE (PR)				
Location	PR Ballots Issued	Voted PR Ballot Envelopes Returned	Total NO COUNT Envelopes	Total COUNT Envelopes
City Hall AVO	5	5	0	5
KPB AVO	2	2	1	1
Kenai No. 1	2	2	0	2
Kenai No. 2	0	0	0	0
Kenai No. 3	0	0	0	0

Comments: _____

On the 10th day of October 2023.

Michael Bfta
Print Name

Michael Bfta
Canvass Board Member Signature

Miko Souhart
Print Name

Miko Souhart
Canvass Board Member Signature

Karen Monell
Print Name

Karen Monell
Canvass Board Member Signature

Arken S Smalley
Print Name

Arken S Smalley
Canvass Board Member Signature

Carol L. Freas
Joan Seaman
Print Name

Carol L. Freas
Joan Seaman
Canvass Board Member Signature

ATTEST:
Michelle M. Saner
Michelle M. Saner, MMC
City Clerk



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3374-2023**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT FUND FOR THE PURCHASE OF AVIATION FUEL DUE TO FUEL SALES AT THE KENAI MUNICIPAL AIRPORT FLOAT PLANE BASIN BEING IN EXCESS OF BUDGETED AMOUNTS.

WHEREAS, the Airport budgeted \$20,000 in fiscal year 2024 for the purchase of aviation fuel to be resold at the Airport float plane basin; and,

WHEREAS, the demand for aviation fuel significantly increased with a commercial float plane operation utilizing the float plane basin and the budgeted amount was depleted as of September 21, 2023; and,

WHEREAS, the float plane basin season is open until the third week of October 2023; and,

WHEREAS, in order to provide aviation fuel at the float plane basin for the remainder of fiscal year 2024, the Airport needs to appropriate \$15,000 for the purchase of additional fuel.

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

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

Airport Fund:

Increase Estimated revenues	
Fuel Sales	<u>\$15,000</u>
Increase Appropriations	
Other Buildings and Areas Operating Supplies	<u>\$15,000</u>

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

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

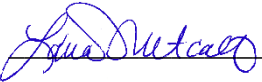
ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4TH DAY OF OCTOBER, 2023.

Brian Gabriel Sr., Mayor

Ordinance No. 3374-2023
Page 2 of 2

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____

Introduced:	October 4, 2023
Enacted:	October 18, 2023
Effective:	October 18, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Mary Bondurant, Interim Airport Manager
DATE: September 27, 2023
SUBJECT: **Ordinance No. 3374-2023 Appropriation of Funds**

This memo recommends support of Ordinance No. 3374 -2023 appropriating funds into the Float Plane Basin operating supplies budget for aviation fuel.

The original FY2024 budget for aviation fuel was \$20,000 with an additional \$4,000 transferred from another account to ensure the Airport could provide fuel into the third week of October. The basin will then be closed, drained, and reopened in May 2024. This additional \$15,000 is necessary for the Airport to purchase and provide fuel to float plane operators from May to June 2024.

From July 1, 2023 to September 27, 2023 the Airport has sold 4,722 gallons of aviation fuel with sales totaling \$36,172.

Authorization of this \$15,000 is recommended to meet the fuel demand for the float plane basin users in the spring of 2024.

Thank you for your consideration.

**KENAI CITY COUNCIL – REGULAR MEETING
OCTOBER 4, 2023 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
VICE MAYOR JAMES BAISDEN, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on October 4, 2023, in City Hall Council Chambers, Kenai, AK. Vice Mayor Baisden called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

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

2. Roll Call

There were present:

James Baisden, Vice Mayor	Henry Knackstedt
Teea Winger	Deborah Sounart
Alex Douthit	Victoria Askin

A quorum was present.

Absent:

Brian Gabriel, Mayor

Also in attendance were:

- **Xinlan Tanner, Student Representative
- Dave Ross, Acting City Manager
- Scott Bloom, City Attorney
- Tony Prior, Fire Chief
- Scott Curtin, Public Works Director
- Shellie Saner, City Clerk

3. Agenda Approval

Vice Mayor Baisden noted the following additions to the Packet:

- Add item K.3. **City Clerk’s Report**
 - Unofficial Election Results

MOTION:

Council Member Knackstedt **MOVED** to approve the agenda and consent agenda with the requested revisions. Council Member Winger **SECONDED** the motion.

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

Vice Mayor Baisden opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

UNANIMOUS CONSENT was requested.

VOTE: Motion **APPROVED**; without objection.

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.

Vice Mayor Baisden presented representatives from the LeeShore Center with a proclamation declaring October 2023 as Domestic Violence Awareness Month.

B. SCHEDULED ADMINISTRATIVE REPORTS - None.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS

Bob Molloy stated his appreciation for the opportunity to work as an Absentee Voting Official and noted it was great to see how state and local laws were implement; accountability reporting procedures; Americans with Disabilities Act compliance procedures; and voting methods for people who cannot come to the polls.

Samantha Springer, Executive Director of the Kenai Chamber of Commerce and Visitor Center provided an update regarding the Haunted Chamber and reported that there were five seats up for the Chamber Board of Directors.

Paul Shadura addressed the Council regarding previous requests by the City Council to the Board of Fisheries to move the Upper Cook Inlet Regulatory meetings from Anchorage to the Kenai/Soldotna area; he thanked staff and Council Members for helping provide previous legislations and correspondence to assist with his request this year.

E. PUBLIC HEARINGS

1. **Ordinance No. 3371-2023** - Accepting and Appropriating Funds from the Institute of Museum and Library Services, Passed through the State of Alaska, Department of Education and Early Development, Division of Library, Archives & Museums, for Library Employee Training. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3371-2023. Council Member Askin **SECONDED** the motion.

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

VOTE:

YEA: Askin, Winger, Sounart, Knackstedt, Douthit, Baisden

NAY: None

ABSENT: Gabriel

**Student Representative Tanner: Yea

MOTION PASSED.

2. **Ordinance No. 3372-2023** - Accepting and Appropriating a Grant from the State of Alaska for the Purchase of Library Materials. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3372-2023. Council Member Askin **SECONDED** the motion.

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

Gratitude was expressed to the Library Director for applying and receiving grant funds.

VOTE:

YEA: Winger, Sounart, Knackstedt, Douthit, Baisden, Askin

NAY: None

ABSENT: Gabriel

**Student Representative Tanner: Yea

MOTION PASSED.

- 3. Ordinance No. 3373-2023** - Amending Kenai Municipal Code 14.20.330 - Standard for Commercial Marijuana Establishments to Prohibit Licensed Retail Marijuana Establishments from Serving Customers through a Walk-Up or Drive-Through Window. (Baisden, Winger, Douthit)

MOTION:

Council Member Askin **MOVED** to enact Ordinance No. 3373-2023. Council Member Sounart **SECONDED** the motion.

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

There was discussion regarding support of the Ordinance; concerns with the state changing laws that created more enforcement issues within the local municipalities; and concerns with possible consumption in public.

VOTE:

YEA: Sounart, Knackstedt, Douthit, Baisden, Askin, Winger

NAY: None

ABSENT: Gabriel

**Student Representative Tanner: Yea

MOTION PASSED.

- 4. Resolution No. 2023-60** - Authorizing the Use of Equipment Replacement Fund to Purchase a Second Replacement Ambulance for the Fire Department Fleet Under the Existing Contract with Braun Northwest, and Authorizing a Change Order to the Contract. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-60. Council Member Winger **SECONDED** the motion.

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

There was discussion regarding the anticipated delivery date of March 2024; the shortened equipment replacement schedule being due to higher call volumes; and the increased call volumes were due to the increased assisted living facilities.

UNANIMOUS CONSENT was requested.

VOTE: Motion **APPROVED**; without objection.

- 5. Resolution No. 2023-61** - Authorizing the Use of the Equipment Replacement Fund for the Purchase of Snow Removal Equipment for the City Streets Department Utilizing a State of Alaska Procurement Contract. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-61. Council Member Askin **SECONDED** the motion.

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

There was discussion regarding the availability of the equipment; the City currently does not have this equipment; and it will assist with widening the roads after the initial snow removal, could potentially clear bike paths, and expedite the clearing of cul-de-sacs.

UNANIMOUS CONSENT was requested.

VOTE: Motion **APPROVED**; without objection.

F. MINUTES

1. *Regular Meeting of September 20, 2023. (City Clerk)

G. UNFINISHED BUSINESS - None.**H. NEW BUSINESS**

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

Approved by the consent agenda.

2. ***Ordinance No. 3374-2023** - Increasing Estimated Revenues and Appropriations in the Airport Fund for the Purchase of Aviation Fuel Due to Fuel Sales at the Kenai Municipal Airport Float Plane Basin Being in Excess of Budgeted Amounts. (Administration)

Introduced by the consent agenda and Public Hearing set for October 19, 2023.

3. **Discussion/Action** - Cancelling the December 6, 2023 City Council Meeting to Allow for Council Member Travel to the Alaska Municipal League Conference. (Administration)

There was discussion in support of cancelling the December 6, 2023 meeting so that Council Members may attend the Alaska Municipal League (AML) Conference and staff could attend the affiliate meetings that would also be taking place.

MOTION:

Council Member Askin **MOVED** to cancel the December 6, 2023 City Council Meeting. Council Member Sounart **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

VOTE: Motion **APPROVED**; without objection.

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

No report, next meeting October 12, 2023.

2. Airport Commission

No report, next meeting October 12, 203

3. Harbor Commission

Council Member Douthit reported on the September 11, 2023 work session.

4. Parks and Recreation Commission

No report, next meeting October 5, 2023 - Joint Work Session with the Beautification Committee.

5. Planning and Zoning Commission

Vice Mayor Baisden reported on the September 27, 2023 meeting and reported that the meeting of October 11, 2023 was cancelled.

6. Beautification Committee

No report, next meeting October 5, 2023 - Joint Work Session with the Parks and Recreation Commission.

J. REPORT OF THE MAYOR

Vice Mayor Baisden thanked all of the candidates who ran for City Council.

K. ADMINISTRATION REPORTS

1. City Manager - Acting City Manager Ross reported on the following:

- Conditional offer was made to Mr. Derek Ables for the Airport Manager position.
- Paving is complete on the Miscellaneous Street Repair Project, the 1st Avenue Project; and the North Willow Street Project was about 95% complete.
- Design work has begun on the Cemetery Creek culvert replacement project.
- Salamatof Native Association has contacted the City regarding working on other culvert replacement projects within the City.

2. City Attorney - No report.

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

- Reminded everyone that Wednesday October 18, 2023 is a recognized holiday of the City "Alaska Day" and the next City Council meeting would be on Thursday October 19, 2023.
- Provided an update on the number of absentee, personal representative and questioned ballots to be canvassed.

L. ADDITIONAL PUBLIC COMMENTS

1. Citizen Comments (*Public comments limited to (5) minutes per speaker*)

2. Council Comments

Council Member Douthit reported his attendance at the New Hope Counseling Center Harvest of Hopes fundraiser and the Kenai Fine Art Center Harvest Auction fundraiser.

Student Representative Tanner reported on Connection Home School activities: cards for athletes participating in athletic events at other schools; National Honors Society ceremony induction of four new members; second annual forest gathering focused on wildland fire prevention and an upcoming Fuel Your Future meeting. Kenai Central Highschool: Volleyball schedule; Football schedule; Swim Meet schedule and Wrestling schedule. Kenai Alternative School: Planning Thanksgiving and Christmas Events.

Council Member Sounart reported attending the Bluff Stabilization signing event; working as an Election Precinct Co-Chair and recommended everyone work at least one election; she thanked all of the candidates for running.

Council Member Askin reported attending the Kenai Fine Art Center Harvest Auction; the Honored American Veterans Afield (HAVA) event; the Bluff Stabilization signing event; she thanked all the election workers for their work.

Council Member Winger welcomed Student Representative Tanner and thanked her for her detailed report; reported attending the Bluff Stabilization signing; thanked the election workers and candidates who ran for office; reminded everyone about the Kenai Peninsula Borough meeting regarding salt brine on the roads; reminded everyone the Kenai Slash site would be closing soon and to fire wise their property; and reported working the Kenai River Marathon.

Council Member Knackstedt reported attending the Bluff Stabilization signing, the Kenai Fine Art Center Harvest Auction; and noted his appreciation for election workers.

M. EXECUTIVE SESSION - None.

N. PENDING ITEMS - None.

O. ADJOURNMENT

P. INFORMATIONAL ITEMS

1. CIRCAC Director's Report

There being no further business before the Council, the meeting was adjourned at 7:04 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of October 4, 2023.

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 \$35,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: OCTOBER 19, 2023**

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	105,837.71
PREMERA	OCTOBER PREMIUM	VARIOUS	INSURANCE	200,089.13
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	103,115.65

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
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MEMORANDUM

TO: Mayor Gabriel and Kenai Council Members
FROM: Shellie Saner, City Clerk
DATE: September 18, 2023
SUBJECT: **Marijuana License Renewal – East Rip**

The following establishment submitted an application to the Alcohol and Marijuana Control Office (AMCO) for a renewal of marijuana license:

Applicant: Cook Inlet Cannabis Co.
D/B/A: East Rip
License Type: Retail Marijuana Store
License No: 13382

Pursuant to KMC 2.40 a review of City accounts has been completed and the applicant has satisfied all obligations to the City. With the approval of Council, a letter of non-objection to the marijuana license renewal will be forwarded to AMCO and applicant.

Your consideration is appreciated.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

September 8, 2023

Licensee: **Cook Inlet Cannabis Co.**

DBA: East Rip

VIA email: ryan@east-rip.com

Local Government: Kenai (City of)

Local Government 2: Kenai Peninsula Borough

Via Email: cityclerk@kenai.city; micheleturner@kpb.us; tward@kpb.us; mjenkins@kpb.us; nscarlett@kpb.us; cjackinsky@kpb.us; rraidmae@kpb.us; slopez@kpb.us; bcarter@kpb.us; jbeauchamp@kpb.us

Re: Retail Marijuana Store #13382 Combined Renewal Notice

License Number:	#13382
License Type:	Retail Marijuana Store
Licensee:	Cook Inlet Cannabis Co.
Doing Business As:	East Rip
Physical Address:	10767 KENAI SPUR HWY SUITE D KENAI, AK 99611
Designated Licensee:	Ryan Tunseth
Phone Number:	907-398-1233
Email Address:	ryan@east-rip.com

License Renewal Application

Endorsement Renewal Application

Dear Licensee:

After reviewing your renewal documents, AMCO staff has deemed the application complete for the purposes of 3 AAC 306.035(c).

Your application will now be sent electronically, in its entirety, to your local government, your community council (if your proposed premises is in Anchorage or certain locations in the Mat-Su Borough), and to any non-profit agencies who have requested notification of applications. The local government has 60 days to protest your application per 3 AAC 306.060.

At the May 15, 2017 Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications. However, the board is required to consider this application

independently if you have been issued any notices of violation for this license, if your local government protests this application, or if a public objection to this application is received within 30 days of this notice under 3 AAC 306.065.

If AMCO staff determines that your application requires independent board consideration for any reason, you will be sent an email notification regarding your mandatory board appearance. Upon final approval, your 2023/2024 license will be provided to you during your annual inspection. If our office determines that an inspection is not necessary, the license will be mailed to you at the mailing address on file for your establishment.

Please feel free to contact us through the marijuana.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a “conditional protest” as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board’s satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Sincerely,

A handwritten signature in blue ink that reads "Joan M. Wilson". The signature is written in a cursive, flowing style.

Joan M. Wilson, Director
907-269-0350

Submit

by Meghan Thibodeau 9/8/2023 1:51:40 PM (Form Submission)

Approve

by David Ross 9/8/2023 3:34:16 PM (Police Department Review)

- The task was assigned to David Ross. The due date is: September 19, 2023 5:00 PM 9/8/2023 1:51:42 PM

Approve

by Donald Hendrickson 9/8/2023 3:49:04 PM (Building Official Review)

- Cert of occupancy is current and no other building permits are required at this time.
- The task was assigned to Donald Hendrickson. The due date is: September 19, 2023 5:00 PM 9/8/2023 1:51:41 PM

Approve

by Tina Williamson 9/8/2023 4:12:40 PM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: September 19, 2023 5:00 PM 9/8/2023 1:51:42 PM

Approve

by Cindy Herr 9/8/2023 4:23:22 PM (Legal Asst Review)

- There are no monies owed in restitution or traffic fines.
- The task was assigned to Cindy Herr. The due date is: September 19, 2023 5:00 PM 9/8/2023 1:51:42 PM

Approve

by Jeremy Hamilton 9/12/2023 4:31:03 PM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: September 19, 2023 5:00 PM 9/8/2023 1:51:41 PM

Approve

by Linda Mitchell 9/14/2023 10:43:27 AM (Lands Review)

- The task was assigned to Linda Mitchell. The due date is: September 19, 2023 5:00 PM 9/8/2023 1:51:42 PM

Approve

by Linda Mitchell 9/14/2023 10:43:44 AM (P&Z Department Review)

- The task was assigned to Linda Mitchell. The due date is: September 25, 2023 5:00 PM 9/14/2023 10:43:29 AM

Approve

by David Swarner 9/14/2023 11:21:34 AM (Finance Review)

- The task was assigned to David Swarner. The due date is: September 25, 2023 5:00 PM 9/14/2023 10:43:28 AM

Approve

by Scott Bloom 9/18/2023 9:48:07 AM (Legal Review)

- The task was assigned to Scott Bloom. The due date is: September 25, 2023 5:00 PM 9/14/2023 10:43:28 AM

AMCO License Application

Date

9/8/2023

Establishment Information

License Type

Retail Marijuana Store

Licensee

Cook Inlet Cannabis Co.

Doing Business As

East Rip

Premises Address

10767 Kenai Spur Hwy, Suite D

City, State

Kenai, AK

Contact Information

Contact Licensee

Ryan Tunseth

Contact Phone No.

907-398-1233

Contact Email

ryan@east-rip.com

Additional Contact Information

Name

Phone No.

Email

Documents

File Upload

13382 East Rip 2023-2024 Renewal Notice.pdf	304.94KB
13382 MJ-20 Ryan.pdf	3.76MB
13382 Online App_Redacted.pdf	145.72KB



Alaska Marijuana Control Board

Form MJ-20: 2023-2024 Renewal Application Certifications

Why is this form needed?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's Anchorage office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Cook Inlet Cannabis Co.	License Number:	13382		
License Type:	Retail Marijuana Store				
Doing Business As:	East Rip				
Premises Address:	10767 Kenai Spur Hwy, Suite D				
City:	Kenai	State:	Alaska	ZIP:	99611

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Ryan Tunseth
Title:	Director, President, Secretary, Shareholder, Treasurer

Section 3 – Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

I certify that a notice of violation has **not** been issued for this license between July 1, 2022 and June 30, 2023.

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).



Form MJ-20: 2023-2024 Renewal Application Certifications

Section 5 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

Initial this box if you are submitting an original fingerprint card and the applicable fees to AMCO for AMCO to obtain criminal justice information and a national criminal history record required by AS 17.38.200 and 3 AAC 306.035(d). If I have multiple marijuana licenses being renewed, I understand one fingerprint card and fee will suffice for all marijuana licenses being renewed.

If multiple licenses are held, list all license numbers below:

[Empty box for listing license numbers]

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Ryan Tunseth

Printed name of licensee

Signature of licensee



Office of the Borough Clerk

144 North Binkley Street, Soldotna, Alaska 99669 • (907) 714-2160 • (907) 714-2388 Fax

Michele Turner, CMC
Borough Clerk

Monday, October 9, 2023

Sent via email: cityclerk@kenai.city

Ms. Shellie Saner, City Clerk
City of Kenai

RE: Renewal Application for Retail Marijuana Store

Business Name : East Rip
License Location : Kenai/10767 Kenai Spur Highway Suite D, Kenai, AK 99611
License No. : 13382

Dear Ms. Saner,

This serves to advise that the Kenai Peninsula Borough (KPB) has reviewed the above referenced application and has no objection to the issuance of the license.

Should you have any questions, or need additional information, please don't hesitate to let us know.

Sincerely,

Michele Turner, CMC
Borough Clerk

cc: ryan@east-rip.com

amco.localgovernmentonly@alaska.gov



MEMORANDUM

TO: Mayor Gabriel and Kenai Council Members
FROM: Shellie Saner, City Clerk
DATE: September 8, 2023
SUBJECT: **Marijuana License Renewal – Kenai River Cannabis**

The following establishment submitted an application to the Alcohol and Marijuana Control Office (AMCO) for a renewal of marijuana license:

Applicant: KRC LLC
D/B/A: Kenai River Cannabis
License Type: Retail Marijuana Store
License No: 17808

Pursuant to KMC 2.40 a review of City accounts has been completed and the applicant has satisfied all obligations to the City. With the approval of Council, a letter of non-objection to the marijuana license renewal will be forwarded to AMCO and applicant.

Your consideration is appreciated.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

August 30, 2023

Licensee: **KRC LLC**

DBA: Kenai River Cannabis

VIA email: kenairivercannabis@yahoo.com

Local Government: Kenai (City of)

Local Government 2: Kenai Peninsula Borough

Via Email: micheleturner@kpb.us ; tward@kpb.us ; mjenkins@kpb.us ; nscarlett@kpb.us ;
cjackinsky@kpb.us; rmaidmae@kpb.us ; slopez@kpb.us ; bcarter@kpb.us ; jbeauchamp@kpb.us ;
cityclerk@kenai.city

Re: Retail Marijuana Store #17808 Combined Renewal Notice

License Number:	#17808
License Type:	Retail Marijuana Store
Licensee:	KRC LLC
Doing Business As:	Kenai River Cannabis
Physical Address:	14429 Kenai Spur Highway Kenai, AK 99611
Designated Licensee:	Clint Pickarsky
Phone Number:	907-953-1985
Email Address:	kenairivercannabis@yahoo.com

License Renewal Application

Endorsement Renewal Application

Dear Licensee:

After reviewing your renewal documents, AMCO staff has deemed the application complete for the purposes of 3 AAC 306.035(c).

Your application will now be sent electronically, in its entirety, to your local government, your community council (if your proposed premises is in Anchorage or certain locations in the Mat-Su Borough), and to any non-profit agencies who have requested notification of applications. The local government has 60 days to protest your application per 3 AAC 306.060.

At the May 15, 2017 Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications. However, the board is required to consider this application independently if you have been issued any notices of violation for this license, if your local government

protests this application, or if a public objection to this application is received within 30 days of this notice under 3 AAC 306.065.

If AMCO staff determines that your application requires independent board consideration for any reason, you will be sent an email notification regarding your mandatory board appearance. Upon final approval, your 2022/2023 license will be provided to you during your annual inspection. If our office determines that an inspection is not necessary, the license will be mailed to you at the mailing address on file for your establishment.

Please feel free to contact us through the marijuana.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a “conditional protest” as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board’s satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Sincerely,

A handwritten signature in blue ink that reads "Joan M. Wilson". The signature is written in a cursive, flowing style.

Joan M. Wilson, Director
907-269-0350

Submit

by Meghan Thibodeau 8/30/2023 2:12:25 PM (Form Submission)

Approve

by Jeremy Hamilton 8/30/2023 2:26:18 PM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: September 8, 2023 5:00 PM
8/30/2023 2:12:26 PM

Approve

by Donald Hendrickson 8/30/2023 2:37:58 PM (Building Official Review)

- Past Building permits are closed out and in good standing.
- The task was assigned to Donald Hendrickson. The due date is: September 8, 2023 5:00 PM
8/30/2023 2:12:27 PM

Approve

by David Ross 8/30/2023 3:08:05 PM (Police Department Review)

- The task was assigned to David Ross. The due date is: September 8, 2023 5:00 PM
8/30/2023 2:12:27 PM

Approve

by Tina Williamson 8/30/2023 5:39:08 PM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: September 8, 2023 5:00 PM
8/30/2023 2:12:27 PM

Approve

by Cindy Herr 8/30/2023 5:48:41 PM (Legal Asst Review)

- There are no monies owed for Clint Pickarsky in restitution or traffic fines.
- The task was assigned to Cindy Herr. The due date is: September 8, 2023 5:00 PM
8/30/2023 2:12:27 PM

Approve

by Linda Mitchell 8/31/2023 4:40:31 PM (Lands Review)

- The task was assigned to Linda Mitchell. The due date is: September 8, 2023 5:00 PM
8/30/2023 2:12:28 PM

Approve

by Linda Mitchell 8/31/2023 4:41:43 PM (P&Z Department Review)

- Compliant with CUP.
- The task was assigned to Linda Mitchell. The due date is: September 11, 2023 5:00 PM
8/31/2023 4:40:33 PM

Approve

by David Swarner 8/31/2023 6:22:56 PM (Finance Review)

- The task was assigned to David Swarner. The due date is: September 11, 2023 5:00 PM
8/31/2023 4:40:32 PM

Approve

by Scott Bloom 9/7/2023 11:35:34 AM (Legal Review)

- The task was assigned to Scott Bloom. The due date is: September 11, 2023 5:00 PM
8/31/2023 4:40:32 PM

AMCO License Application

Date

8/6/2023

Establishment Information

License Type

Retail Marijuana Store

Licensee

KRC LLC

Doing Business As

Kenai River Cannabis

Premises Address

14429 Kenai Spur Hwy

City, State

Kenai, AK

Contact Information

Contact Licensee

Clint Pickarsky

Contact Phone No.

907-953-1985

Contact Email

kenairivercannabis@yahoo.com

Additional Contact Information

Name

Phone No.

Email

Documents

File Upload

17808 MJ-20.pdf	836.98KB
17808 Kenai River Cannabis 2023-2024 Renewal Notice.pdf	305.75KB
17808 Online App_Redacted.pdf	108.42KB



Alaska Marijuana Control Board

Form MJ-20: 2023-2024 Renewal Application Certifications

Why is this form needed?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's Anchorage office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	KRC LLC	License Number:	17808		
License Type:	Retail Marijuana Store				
Doing Business As:	Kenai River Cannabis				
Premises Address:	14429 Kenai Spur Highway				
City:	Kenai	State:	AK	ZIP:	99611

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Clint Pickarsky
Title:	Managing Member

Section 3 – Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

I certify that a notice of violation has **not** been issued for this license between July 1, 2022 and June 30, 2023.

Sign your initials to the following statement **only if you are unable to certify one or more of the above statements:**

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).



Form MJ-20: 2023-2024 Renewal Application Certifications

Section 5 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

CP

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

CP

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

CP

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

CP

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

CP

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

CP

Initial this box if you are submitting an original fingerprint card and the applicable fees to AMCO for AMCO to obtain criminal justice information and a national criminal history record required by AS 17.38.200 and 3 AAC 306.035(d). If I have multiple marijuana licenses being renewed, I understand one fingerprint card and fee will suffice for all marijuana licenses being renewed.

If multiple licenses are held, list all license numbers below:

[Empty box for listing license numbers]

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

CP

Clint Pickarsky

Printed name of licensee

Signature of licensee



Office of the Borough Clerk

144 North Binkley Street, Soldotna, Alaska 99669 • (907) 714-2160 • (907) 714-2388 Fax

Michele Turner, CMC
Borough Clerk

Wednesday, October 11, 2023

Sent via email: cityclerk@kenai.city

Ms. Shellie Saner, City Clerk
City of Kenai

RE: Renewal Application for Retail Marijuana Store

Business Name : Kenai River Cannabis
License Location : Kenai/14429 Kenai Spur Highway, Kenai, AK 99611
License No. : 17808

Dear Ms. Saner,

This serves to advise that the Kenai Peninsula Borough (KPB) has reviewed the above referenced application and has no objection to the issuance of the license.

Should you have any questions, or need additional information, please don't hesitate to let us know.

Sincerely,

Michele Turner, CMC
Borough Clerk

cc: kenairivercannabis@yahoo.com

amco.localgovernmentonly@alaska.gov

Sponsored by: Administration



**CITY OF KENAI
ORDINANCE NO. 3375-2023**

AN ORDINANCE ACCEPTING AND APPROPRIATING DONATIONS FROM THE KENAITZE INDIAN TRIBE TO BOTH THE ANIMAL SHELTER AND THE SENIOR CENTER.

WHEREAS, the City of Kenai recently received two donations from the Kenaitze Indian Tribe; one for the Kenai Animal Shelter in the amount of \$3,000 and the other to the Kenai Senior Center in the amount of \$1,000; and,

WHEREAS, the funds designated for the Kenai Animal Shelter will be utilized to support the second Kenai Animal Shelter Animal Fair in the Spring of 2024 and purchase other additional equipment needs at the Shelter; and,

WHEREAS, the funds designated for the Senior Center will be utilized to purchase needed kitchen supplies; and,

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

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

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

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

General Fund:

Increase Estimated Revenues –	
Miscellaneous Donations	<u>\$3,000</u>
Increase Appropriations –	
Animal Control – Small Tools	\$1,500
Animal Control – Operating Supplies	<u>1,500</u>
	<u>\$3,000</u>

Section 3. That the estimated revenues and appropriations be increases as follows:

Senior Citizen Fund:

Increase Estimated Revenues –	
Misc. Donations	<u>\$1,000</u>
Increase Appropriations –	
Congregate Meals – Operating Supplies	<u>\$1,000</u>

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 1st DAY OF NOVEMBER, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: DS

Introduced: October 19, 2023
Enacted: November 1, 2023
Effective: November 1, 2023



MEMORANDUM

TO: Mayor Brian Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: David Ross, Police Chief

DATE: October 6, 2023

SUBJECT: **Ordinance No. 3375-2023, Donations to Kenai Animal Shelter**

The Kenai Animal shelter received an unsolicited donation recently from the Kenaitze Indian Tribe for \$3,000. A letter that accompanied the donation from the Kenaitze Indian Tribe, Interim Executive Director Chelsea Hendriks, is attached.

In 2023 the Animal Shelter utilized some grant funds to host the first annual Kenai Animal Shelter Animal Fair on the green strip in Kenai. This event was a success and the Shelter would like to build on that, and host another fair in 2024. The Animal Control Chief would like to use a portion of these funds to help put on that community event. The Animal Control Chief has also identified some other small tool needs for the remainder of the donated funds.

The Animal Shelter is grateful for the support and partnership of the Kenaitze Indian Tribe in the Kenai Animal Shelter's mission of making the community safer for individuals and animals.

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



KENAITZE
INDIAN
TRIBE

September 28, 2022

Kenai Animal Shelter
City of Kenai
210 Fidalgo Ave.
Kenai, AK 99611

Dear Kenai Animal Shelter,

On behalf of the Kenaitze Indian Tribe, I would like to express our support for your services and efforts to our community through a donation of \$1,000.00. We believe that Kenai Animal Shelter provides important assistance and support addressing the needs of our residents.

With this donation we hope to help your cause and encourage continuation of your endeavors for the lasting benefit of our shared community. We would love to hear how we have been able to contribute, so please do not hesitate to write us at:

Attn: Natália Flores
Kenaitze Indian Tribe
P.O. BOX 988
Kenai, AK 99611

The health and wellbeing of our community and cooperation for supporting its needs is important to the Tribe as we deliver a variety of programs and services that promote the wellness of our people and the region. We wish you much success in your continued work for our shared community.

If you have any questions, please do not hesitate to contact our Executive Office Supervisor, Natália Flores, through email NFlores@kenaitze.org.

Sincerely,

Peter Evon
Executive Director of Tribal Administration

www.kenaitze.org

Phone: 907-335-7200 • FAX: 855-335-8865

P.O. Box 988 • Kenai, AK 99611



MEMORANDUM

TO: Mayor Brian Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Kathy Romain, Senior Center Director

DATE: October 9, 2023

SUBJECT: **Ordinance No. 3375-2023, Donations to Kenai Senior Center**

The Kenai Senior Center received a generous donation of \$1,000 from the Kenaitze Indian Tribe. The funds are intended to support our ongoing efforts to provide a warm and inviting environment for our senior population.

The Center will be utilizing these funds to purchase essential supplies, further enhancing our commitment to ensuring the comfort and well-being of our seniors. The Kenai Senior Center extends heartfelt gratitude to the Kenaitze Indian Tribe for its support and dedication to our local community.

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



KENAITZE
INDIAN
TRIBE

September 27, 2023

Kenai Senior Center
City of Kenai
210 Fidalgo Ave.
Kenai, AK 99611

Dear Kenai Senior Center,

On behalf of the Kenaitze Indian Tribe, I would like to express our support for your services and efforts to our community through a donation of \$1,000.00. We believe that Kenai Senior Center provides important assistance and support addressing the needs of our residents.

With this donation we hope to help your cause and encourage continuation of your endeavors for the lasting benefit of our shared community. We would love to hear how we have been able to contribute, so please do not hesitate to write us at:

Attn: Natália Flores
Kenaitze Indian Tribe
P.O. BOX 988
Kenai, AK 99611

The health and wellbeing of our community and cooperation for supporting its needs is important to the Tribe as we deliver a variety of programs and services that promote the wellness of our people and the region. We wish you much success in your continued work for our shared community.

If you have any questions, please do not hesitate to contact our Executive Office Supervisor, Natália Flores, through email NFlores@kenaitze.org.

Sincerely,

Chelsea Hendriks
Interim Executive Director

www.kenaitze.org

Phone: 907-335-7200 • FAX: 855-335-8865

P.O. Box 988 • Kenai, AK 99611



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3376-2023**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND, PARKS AND RECREATION DEPARTMENT FOR THE PURCHASE OF PLAYGROUND EQUIPMENT UTILIZING A GRANT FROM MARATHON PETROLEUM.

WHEREAS, the City received a grant of \$20,000 from Marathon Petroleum in November of 2022 to purchase an inclusive piece of playground equipment; and,

WHEREAS, at the end of the Fiscal Year of 2023, these funds became fund balance in the General Fund; and,

WHEREAS, appropriation of \$20,000 in General Fund, fund balance in FY23 represents these previously received grant funds; and,

WHEREAS, the funds will be used to purchase a piece of playground equipment called an Inclusive Seesaw and surfacing designed to be fully inclusive for kids of all ages and abilities; and,

WHEREAS, the equipment will be placed at Municipal Park at the location where a large beetle killed tree was removed in the middle of the playground.

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

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

General Fund:

Increase revenues –	
Appropriation of Fund Balance	<u>\$20,000</u>
Increase expenditures – Parks & Recreation	
Machinery & Equipment	<u>\$20,000</u>

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 1st DAY OF NOVEMBER, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: DS

Introduced: October 19, 2023
Enacted: November 1, 2023
Effective: November 1, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Tyler Best, Parks and Recreation Director
DATE: October 12, 2023
SUBJECT: **Ordinance No. 3376-2023**

During the summer of 2022, a large tree was removed from Municipal Park. This tree had died due to a spruce bark beetle infestation. It was featured in the middle of the playground and looked visually appealing until it died when it became unsightly and unsafe.

Over the last decade, there has been a rise in the popularity of inclusive playground equipment so children of all ages and abilities can enjoy playgrounds. The Parks and Recreation Director wrote and applied for a grant for an inclusive piece of playground equipment installed where this tree used to be from Marathon Petroleum.

The piece of equipment selected was an Inclusive Seesaw. This equipment provides a form of inclusive play for various ages and abilities. Its access point is off a paved path, which is not provided in any other playground in Kenai, and there is no seesaw feature currently at this playground.

In November of 2022, Parks and Recreation was awarded the grant, and the money was donated to the City and recognized as revenue in the General Fund. This funding now resides in General Fund balance and appropriation now, in FY24, is consistent with utilizing the grant for its intended purpose. We want to thank Marathon for their support in purchasing this equipment.

Your consideration is appreciated.



Inclusive Seesaw

Bring your community together with GameTime's Inclusive SeeSaw! Our adaptive seats allow four children to rock back and forth as a team. Our unique spring design creates a soothing rocking motion and prevents sudden movements. This seesaw also includes a central pod at transfer height that includes Braille and tactile sensory elements.

FEATURES AND BENEFITS:

- Central Pod w/ finger trace and sensory play opportunities
- Ergonomically designed seats with high back for additional support
- Gentle rocking system that provides soothing, vestibular feedback
- Builds strength and coordination
- Helps instill an inclusive mindset in children

SPECIFICATIONS

Model Number: 6299

Fall Height: 3" (m)

Age Group: 2 to 5 Years, 5 to 12 Years, 2 to 5 or 5 to 12 Years

Number of Children: 6

GameTime offers a limited lifetime warranty on uprights, hardware, and connections. Visit gametime.com/warranty for full warranty information.



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Mary Bondurant, Airport Manager

DATE: October 6, 2023

SUBJECT: **Airport Terminal Landscaping Project Revision – Bronze Bear Project**

In the beginning stages of planning the Terminal Rehabilitation Project, the Airport Administration worked on concepts for the landscaping needed after the project was complete, including a discussion with the US Fish and Wildlife Service on the possibility of incorporating a bronze wildlife sculpture to welcome passengers and visitors to the Airport.

The Terminal Rehabilitation Project removed all existing landscaping and irrigation systems, and landscaping was not eligible to be funded with an Airport Improvement Project. However, a separate landscaping project to finalize exterior improvements and sprinklers was added to the City's Capital Improvement Plan, with a budget of \$100,000 for fiscal year 2023. Ordinance 3282-2022 appropriated an additional \$15,000 to obtain a professional landscaping scope and design.

The City requested proposals and contracted for landscape design services in 2022 in the amount of \$28,255, with design services still ongoing. In August 2023, the US Fish and Wildlife Service reached out regarding the status of the landscape design and met with the Airport Administration and the City Manager's office to discuss incorporating a bronze wildlife sculpture into the landscape design at the terminal. US Fish and Wildlife provided the attached sketches depicting the bronze statues discussed.

The Bronze Bear Project was presented to the Airport Commission at its September 14, 2023 meeting, and the Commission was unanimous in support of the project.

If the Council supports the project, the Airport Administration can move forward with incorporating the bronze bear family sculpture garden into the landscape design, identifying grant funding, and forming a fundraising committee to purchase the bronzes on behalf of the City.

This bronze bear family sculpture garden will be an exciting addition to the City of Kenai and the Kenai Municipal Airport.

Your support is respectfully requested.

Attachments

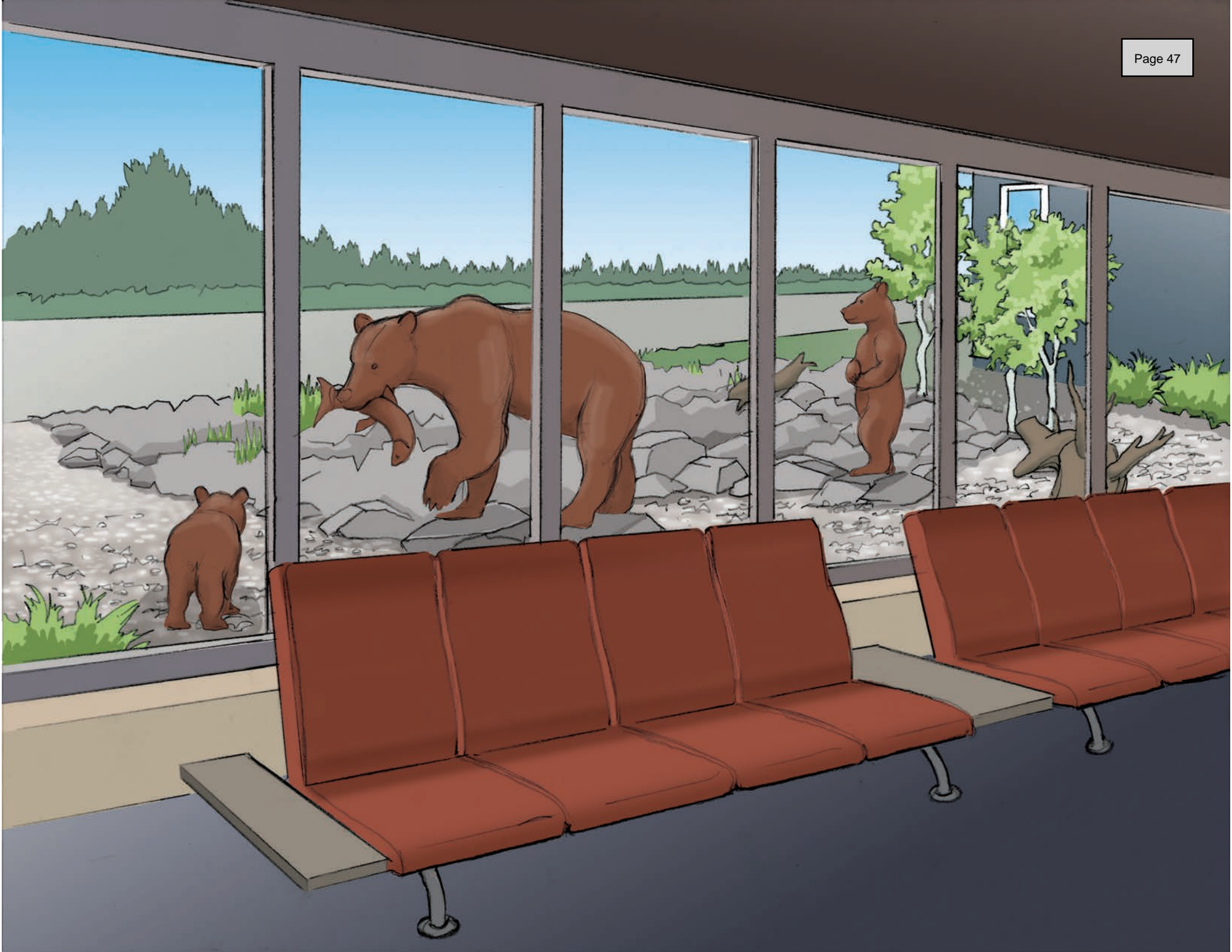
The Kenai Municipal Airport Bronze Bear Family Sculpture Garden

The Concept: To create a bronze wildlife sculpture garden that welcomes passengers and visitors who are departing and arriving at the Kenai Municipal Airport. This one-of-a-kind sculpture garden for Alaska will create an unforgettable experience and memory for all who visit the Kenai Municipal Airport. It will also provide countless photo opportunities that may be shared on an array of social media networks. Last, but not least, the bronze sculptures and accompanying landscaping would bring a degree of art that enhances and amplifies the recent improvements to the airport terminal.

The Sculptures: The sculptures and accompanying landscaping capture the essence of the Kenai Peninsula and its wild treasures and beauty. The sculptures consist of a brown bear family (an adult sow and two cubs) caught in still-life poses that play out thousands of times a year on the Kenai Peninsula and many of the places the airport serves. The female bear will have just caught a salmon and is making her way toward one of the cubs on the bank. On the other stream bank, another brown bear cub is standing and making direct eye contact with airport passengers and visitors who are driving up to the terminal or approaching the “departure” doors. See the illustration for additional details.

The Landscaping: The landscaping would depict a stream and surrounding stream banks. The (dry) stream would start back in the corner of the outdoor plaza and “flow” towards the existing sidewalk and ramp that leads to the “departure” entrance. Polished river rock, majestic boulders, and driftwood would make up the stream bed in which the sow bear stands. Out of the stream and on opposite stream banks, tall grass, native wildflowers, and some driftwood would be arranged on the banks. A few aspen trees would be near the terminal building in the back, helping to round out the multi-dimensional bronze bear sculpture garden.

Cost Estimate: The three bronze bear sculptures are estimated at a total cost of \$200,000. The landscaping cost is dependent upon local contractor services and prices are best estimated by local Kenai landscaping specialists.





**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
SEPTEMBER 27, 2023 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on September 27, 2023, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Twait led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Jeff Twait, Chair
Gary Greenberg
Diane Fikes

Gwen Woodard
Jim Glendinging
John Coston (*electronic participation*)

A quorum was present.

Absent:

Joe Halstead, Vice Chair

Also in attendance were:

Linda Mitchell, Planning Director
Scott Bloom, City Attorney
Meghan Thibodeau, Deputy City Clerk
James Baisden, City Council Liaison

3. Approval of Agenda and Consent Agenda

MOTION:

Commissioner Greenberg **MOVED** to approve the agenda and consent agenda. Commissioner Woodard **SECONDED** the motion.

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

Chair Twait opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

UNANIMOUS CONSENT was requested.
There being no objection; **SO ORDERED.**

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of September 13, 2023

Approved by the consent agenda.

C. **SCHEDULED PUBLIC COMMENTS** - None.

D. **UNSCHEDULED PUBLIC COMMENTS** - None.

E. **CONSIDERATION OF PLATS** - None.

F. **PUBLIC HEARINGS**

1. **Resolution PZ2023-18** – Granting a Modification to a Condition Listed in Resolution PZ2023-05 for a Conditional Use Permit to Expand the Assisted Living Facility on the Property Located at 701 N. Forest Drive (Parcel ID: 04321030) in the Suburban Residential (RS) Zoning District.

MOTION:

Commissioner Greenberg **MOVED** to approve Resolution PZ2023-18. Commissioner Woodard **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet explaining that the applicant is requesting to modify a condition listed in Resolution PZ2023-05 for the expansion of the assisted living facility, which would require the applicant to obtain a minimum 60-foot right-of-way (ROW) easement on the adjacent property for ingress and egress from/to Ponderosa Street. This acquisition has been challenging, and the applicant is seeking a reduction of the ROW easement width from 60 feet to 30 feet to ensure the construction for the expansion can move forward. Zoning and uses of surrounding lots were reviewed; staff recommended approval subject to the conditions in CUPs (Resolutions PZ12-22, PZ15-24, and PZ2023-05) and the following condition:

1. Obtain a minimum 30-foot in width right of way easement on the adjacent property for ingress and egress from/to Ponderosa Street.

Chair Twait opened for public hearing. There being no one wishing to be heard, the public hearing was closed.

Clarification was provided that the reduction in easement width would still provide adequate space for the applicant's needs in terms of emergency access and parking; that this access would be secondary to the primary access in the front; and that the applicant would be responsible for snow removal of the easement and not the City.

MOTION TO AMEND:

Commissioner Woodard **MOVED** to amend Resolution PZ2023-18 by revising section 1 to read: "That a modification to condition 3 listed in Resolution PZ2023-05 to obtain a 60-foot right-of-way easement is reduced to a 30-foot in width right-of-way easement is granted for a conditional use permit to expand the assisted living facility on the property described as Tract 36A of Killen Estates 2014 Replat, and located at 701 N. Forest Drive." Commissioner Glendening **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

VOTE ON MAIN MOTION AS AMENDED:

YEA: Glendening, Greenberg, Woodard, Fikes, Twait

NAY: None

ABSENT: Halstead

MOTION PASSED WITHOUT OBJECTION.

[Clerk's note: Commissioner Coston abstained from discussion and voting on Resolution PZ2023-18 pursuant to KMC 14.05.025(e)]

Chair Twait noted the 15-day appeal period.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. ***Action/Approval** - Transfer of Conditional Use Permits (Resolutions PZ12-22, PZ15-24, and PZ2023-05) for an Assisted Living Facility on a Property Described as Tract 36A, Killen Estates 2014 Replat, Located at 701 N. Forest Drive in the Suburban Residential (RS) Zoning District.

Approved by the consent agenda.

2. **Action/Recommendation** – Recommendations to Kenai City Council on Ordinance No. 3373-2023 – Amendment of KMC Section 14.20.330-Standards for Commercial Marijuana Establishments.

MOTION:

Commissioner Glendening **MOVED** to recommend City Council approval of Ordinance No. 3373-2023. Commissioner Woodard **SECONDED** the motion.

Clarification was provided that the City Council had referred Ordinance No. 3373-2023 to the Planning & Zoning Commission for their recommendations on any specific zoning-related considerations.

James Baisden spoke in support and explained his reasons for sponsoring the ordinance, and answered questions from the Commission.

Discussion ensued.

VOTE:

YEA: Fikes, Coston, Woodard, Greenberg, Glendening, Twait

NAY: None

ABSENT: Halstead

MOTION PASSED WITHOUT OBJECTION.

I. REPORTS

1. City Council – Vice Mayor Baisden reported on the actions of the September 20, 2023 City Council meeting.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the September 11, 2023 Kenai Peninsula Borough Planning Commission Meeting.
3. City Administration – Planning Director Mitchell reported on the following:
 - Attended American Planning Association (APA) conference with Commissioner Woodard and Administrative Assistant Beth McDonald.
 - Currently recruiting for a second part-time Planning assistant.
 - Intends to bring a draft ordinance amending code for waterfront rezoning before the Commission on November 8th.
 - Attending a State training for emergency management coordination and notification.
 - Met with the Borough and participating cities regarding an appropriation for grant funding for the Safe Streets for All program.
 - Next meeting will include a rezone of commercial area.

J. **ADDITIONAL PUBLIC COMMENT** – None.

K. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: October 11, 2023

Commissioner Woodard noted she would be absent.

L. **COMMISSION COMMENTS AND QUESTIONS**

Commissioner Glendening noted he looks forward to the Commission, Committees and Council on Aging review.

Commissioner Woodard noted she enjoyed her time at the APA conference.

M. **PENDING ITEMS** – None.

N. **ADJOURNMENT**

O. **INFORMATIONAL ITEMS**

1. City of Kenai Commissions, Committees and Council on Aging Review

There being no further business before the Commission, the meeting was adjourned at 7:57 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of September 27, 2023.

Meghan Thibodeau
Deputy City Clerk



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Mary Bondurant, Interim Airport Manager
DATE: October 9, 2023
SUBJECT: **Airport Mid-month Report September 2023**

2020/2021 Sand/SRE Storage Building – This project has a completion date of October 2023. Operations crew is looking forward to a readily available supply of heated sand instead of breaking into a frozen sand pile and spending valuable time restocking the sand bay. Additional efforts can now be directed to plowing and ice control.

In-house Activities

- The Airport received approval to hire for the vacant Seasonal Operator position and the applicant will start October 16, 2023. Eleven (11) applications were received for the Temporary Operator positions and eight (8) were interviewed. Three (3) applicants did not meet the minimum qualification of having a valid class B commercial driver’s license.
- The Security Program for the Kenai Municipal Airport was updated and Peter S. Duffy, Federal Security Director for the State of Alaska, signed and approved the program on September 22, 2023. The Airport once again has an approved security program approved by TSA under §1542.101 of 49, chapter XII.
- The Airport’s pre-season winter operations meeting for all airport staff, equipment operators, airport users, tenants and contract snow plowers will be held on October 19, 2023, 9:00a.m., in the City Council Chambers. This is a FAA 139 requirement and gives everyone an opportunity to review the snow and ice control operations on the airport to ensure a safe operating environment. Topics of discussion will include snow and ice control procedures, equipment rules, safety, communications, NOTAM manager, and ground vehicle driving.
- Saturday, October 21st, the Kenai Airport Operations Facility will be the location for Kenai Aviation’s 5th Annual Pumpkin drop and chili/cornbread cook-off. The event is from 10am to 5pm and open to the public.

- RAVN Alaska notified the Airport on Friday, October 6 that air and freight service operations at the Kenai Airport would be discontinued after October 20, 2023.

City Administration and the Airport will in discussions with the FAA on potential impacts and a plan to move forward.

- The Airport will start draining the float plane basin down to one foot of water on Tuesday, October 17. This will expose the heavy aquatic plant growth to a deep freeze and kill it. The Airport has been doing this since 2014 and this method continues to be a successful cost free resolution to eliminate the plants instead of using chemicals.
- Airport Administration office will be closed on Wednesday, October 18, 2023 for Alaska Day.





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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubanks, City Manager
THROUGH: Dave Ross, Police Chief
FROM: Jessica “JJ” Hendrickson, Animal Control Chief
DATE: October 9, 2023
SUBJECT: September 2023 Monthly Report

This month the Kenai Animal Shelter took in **43** animals. Animal intake and disposition:

DOGS:				
	INTAKE	21	DISPOSITION	14
	Waiver	11	Adopted	4
	Stray	7	Euthanized	3
	Impound	0	Claimed	5
	Protective Custody	0	Field Release	1
	Quarantine	2	Transferred	1
	Other Intakes	1	Other Dispositions	0
CATS:				
	INTAKE	22	DISPOSITION	21
	Waiver	13	Adopted	16
	Stray	9	Euthanized	2
	Impound	0	Claimed	2
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	1
	Other Intakes	0	Other Dispositions	0

OTHER ANIMALS:				
	INTAKE	0	DISPOSITION	4
	Guinea Pig	0	Rabbit	1
	Bird	0	Bird	2
	Other	0	Guinea Pig	1
DOA:		4	OTHER STATISTICS:	
	Dog	1	Licenses (City of Kenai Dog Licenses)	10
	Cat	3	Rabies Clinic	0
	Rabbit	0		

- 2 Animal dropped with After Hours (days we are closed but cleaning and with KPD)
- 28 Field Investigations & patrols
- 13.75 Volunteer Hours Logged
- 5 Citations
- 0 Educational Outreach
- 2 Microchip
- Total Animal Contacts:
- 7 Animals are *known* borough animals
- 18 Animals are *known* City of Kenai
- 4 Animals are *known* City of Soldotna
- 2 Animals are *unknown* location

- Statistical Data:
- 459 2021 YTD Intakes
 - 336 2022 YTD Intakes
 - 404 2023 YTD Intakes





MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Dave Swarner, Finance Director

DATE: October 10, 2023

SUBJECT: Finance Department, September 2023 Mid-month Report

With the end of FY2023, the department is focused on closing the books for 2023 and completion of the City's Annual Comprehensive Financial Report. This process includes closing of the FY23 financial records, fiscal year end grant reporting, completion of the annual Audit and finally financial statement preparation. The annual audit is scheduled for the week of November 6th.

Each year as part of the computer replacement program, the City disposes of surplus computer equipment by making it available for purchase to the public through the library. So far this year the City disposed of 4 laptops, 22 desktops, 20 monitors and 2 printers.

Preparation will soon begin for the FY25 annual budget. Historical and future projections are provided to departments in December to assist in their budget preparation and much work takes place in putting this information together.



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Tony Prior, Fire Chief

DATE: October 10, 2023

SUBJECT: Fire Department Mid-Month Report – September.

September was our busiest month so far this year with calls for service increasing compared to September of 2022. Here are the calls for service break down.

September	2022	2023	% change
Month totals	137	157	14.6%
EMS	102	110	7.8%
All Other	35	47	34.3%
Year total	1123	1159	3.2%

Training:

- Crews have been working on Driver/Operator training, focusing on water supply and Tower operations. Also training on Rapid Intervention Teams, and special rescue situations.
- Firefighter Ben Nabinger attended a High/Low Angle Rope Rescue with CMC Rope Rescue in Colorado.
- Firefighter Mike Oden attended the Fall Chief’s and Firefighter Conference in Valdez, where department members from around the state gather to learn from instructors from around the country.

Projects/Grants:

- Captain Summers and B-shift began our painting project of the apparatus bays, now that the floors have been completed.
- Shift personnel have completed extinguisher training with our new prop and Fire Marshal Hamilton has begun to train other city personnel in other departments.
- Our Firefighter position has closed and we’ve begun testing candidates.
- Preparation and scheduling for Fire Safety month in the schools is completed and we are now in the 32nd year of using our Fire Safety House.
- We are hoping to have an RFP out this upcoming month for phase 2 of our CWPP projects.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Stephanie Randall, Human Resources Director
DATE: October 12, 2023
SUBJECT: Human Resources Activity – September 2023

Recruitment

Human Resources worked with Administration to recruit for the Airport Manager position. The recruitment was successful and Derek Ables will be joining the City as Airport Manager on November 13, 2023. Also filled were part time positions for Administrative Assistant Planning and Zoning, a Library Aide and a Senior Center Driver. Recruitment continues for a Police Officer and a Firefighter as well as a Public Safety Dispatcher.

Safety/Training

There were no accidents reported for the month of September. Human Resources is working with the City's Safety Coordinator to participate in a Loss Control Incentive Program, which will involve semi-monthly safety meetings as well as required education for employees. Once completed, this program will result in a 3.7% credit toward the City's Workers' Compensation coverage.

Special Projects

Human Resources will be working with administration and McGrath Human Resources Group to complete a classification study. Additionally, Human Resources and Administration will be conducting a salary and benefits survey internally.

Human Resources is also working with the City's health and life insurance benefits consultant on renewal of employee benefits and preparing for open enrollment to take place in November. We want to offer our employees competitive benefits at a reasonable cost. We expect to receive the consultant's recommendations in October.



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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: Katja Wolfe, Library Director

DATE: October 7, 2023

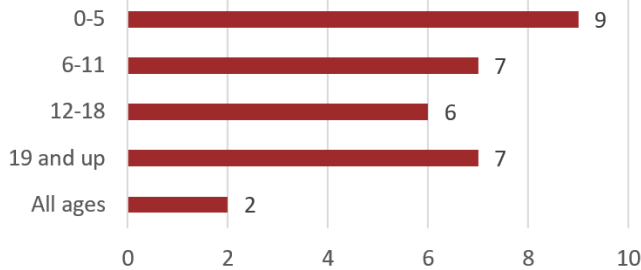
SUBJECT: **Library Report for September 2023**

SEPTEMBER 2023 AT A GLANCE

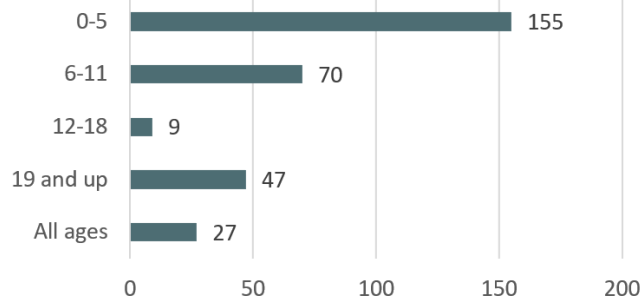
Items Borrowed	Sep-22	Sep-23	2023 YTD
Physical	6,435	6,217	61,128
Digital	1,497	1,783	14,887
Services			
New Memberships	69	56	527
Room Reservations	141	160	1,312
Programs			
Number of Programs	31	31	349
Program Attendance	184	308	4,305
Technology Sessions			
Computer sessions	552	472	4,809
WiFi Sessions	7,842	6,839	89,971
Early Literacy Station Sessions	229	366	2,985

SEPTEMBER 2023 PROGRAMMING

Number of In-Person Programs Per Age Group



Total Attendance Per Age Group



HIGHLIGHTS

Kids

- 8 Story Times – 135 participants
- 3 Lego® Clubs – 32 participants
- 1 Tech Lab – 5 participants
- Lasers in Space – 14 participants

Teens

- Nintendo Switch club – 3 participants
- 4 Chess Clubs – 6 participants

Adults

- Tech Time – 8 participants
- Mini Book Takeaways – 50 participants
- Author Visit – 23 participants
- Crafternoon Key Rings – 11 participants

All Ages

- Silver Salmon Scratch Board – 16 participants
- LotR Trivia Night – 11 participants

SEPTEMBER 2023 SERVICE HIGHLIGHTS

- Our study and conference rooms were used by 160 individuals/groups for a total of 321 hours.
- Last month of the quarter is Reference Tally Month: we answered over 1070 reference and technology questions.
- Spooky season is just around the corner! Events to check out this month include:
 - Pumpkin Decorating Contest (week of October 2nd)
 - Make-A-Monster (October 10th)
 - Blood on the Clocktower Murder Mystery (October 21st)
 - Spooky Storytime (October 31st)
 - Literary Haunted House (October 24th– 31st)





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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Tyler Best Parks and Recreation Director

DATE: October 10th, 2023

SUBJECT: **Mid-Month Report-September**

During September, Parks and Recreation started preparing for the winter season. This includes picking up everything in the parks, closing most bathrooms, winterizing equipment, and saying goodbye to our seasonal staff.

Two big events occur for Kenai Parks and Rec every year during the fall. The first is the Kenai River Marathon, which the City hosts with the Kenai Chamber of Commerce. This year, there were over 200 registered runners. These high registration numbers have not been seen since before COVID, and there were runners registered from more than 15 states!

The Second event is the Annual Fall Pumpkin Festival. The weather was sunny on the morning of the Festival, and we had a record attendance of over 1,500 participants. The Kenai Community Library holds a pumpkin decorating contest at the event, with almost 100 pumpkins being entered and displayed throughout the event. Towards the end of the event, there is a Pumpkin drop where the Kenai Fire Department comes by and sets up a fire engine ladder for a pumpkin to be dropped from. This year, Council Member Douthit dropped the pumpkin into a pool from almost 100 feet up.

Kenai slash site will be open for an extra weekend until October 12 and then closed until late spring. To date, the slash site has collected 124.01 acres.

Kenai Rec. Center Visits-September

Weight Room/Cardio Room	869
Racquetball	43
Walleyball	14
Shower/Sauna	0
Gymnasium	1587
Other	0
Gym Rental Visits	820
Total Number of Visits	3333





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: Linda Mitchell, Planning Director

DATE: October 11, 2023

SUBJECT: Planning and Zoning – September 2023 Monthly Report

General Information

- Jhasmine Nicely has accepted the 2nd part-time Administrative Assistant II position and her start date is Monday, October 16th.
- Planning staff and Commissioner Woodard attended the 2023 Western Planner/Alaska APA Conference in Anchorage.
- The Kenai Peninsula Borough (KPB) is currently updating its flood maps in partnership with the Federal Emergency Management Agency (FEMA). Kenai River Flood Map Appeal Period begins October 11, 2023 and end January 9, 2024. To learn more about the flood map update or appeal process, please visit the website: <https://www.kpb.us/river-center/agencies/kenai-river-flood-map-update>.

Application Summary

Planning and Zoning received 12 applications in September, carried over 11 applications, and completed 14 applications.

Staff conducted six (6) pre-application meetings with collaboration with the Fire Marshal, Building Official, and/or Public Works Director.

Applications	No. Received	Carried Over	Completed	In Progress
<i>Planning</i>				
Building Permit	5	1	5	1
Sign Permit	2	1	1	2
Conditional Use Permit	0	1	0	1
Amendment	1	0	1	0
Time Extension	0	0	0	0

Transfer	1	0	1	0
Encroachment Permit	0	0	0	0
Landscaping/Site Plan	0	2	1	1
Home Occupation Permit	0	0	0	0
Plat	0	0	0	0
Easement/Right-of-Way	0	1	1	0
Variations/Exceptions	0	1	1	0
Variance	0	0	0	0
Zoning Map/Text Amendment	1	0	0	1
City-Initiated	1	0	1	0
Lands & Leases				
Purchase	0	0	0	0
New Lease	0	0	0	0
Renewal/Extension	1	0	1	0
Amendment	0	1	0	1
Assignment	0	1	1	0
Development Incentive	0	0	0	0
Special Use Permit	0	1	0	1
Total	12	11	14	7

Code Enforcement and Compliance

In September, Planning and Zoning received five (5) new complaints and closed two (2) cases. There is a cumulative total of 23 open cases.

Violations	No. of Open Cases	Carried Over	New	Closed
<i>By Types</i>				
Abandoned Vehicle(s)	2	2	2	2
Building (e.g., as-built, damaged or decayed)	3	3	0	0
Conditional Use Permit	2	1	1	0
Junk and/or Refuse	5	4	1	0
Junk Vehicle(s)	4	4	0	0
Livestock	1	1	1	1
Signs	1	1	0	0
Recreational Vehicle(s)	0	0	0	0
Zoning (e.g., structures, setbacks, use)	5	4	1	0
Total	23	20	5	2



List of Open Cases

Property Address	Date of Complaint	Type of Violation
110 Aleene Way	5/4/2022	Junk Vehicles; Junk and/or Refuse
5264 Kenai Spur Hwy	5/12/2022	Junk and/or Refuse
508 Hemlock Avenue	5/13/2022	Junk and/or Refuse
9168 Kenai Spur Hwy	5/16/2022	Junk Vehicles; Junk and/or Refuse
311 Linwood Lane	6/17/2022	Junk and/or Refuse
1009 Second Avenue	8/12/2022	Zoning (Use)
305 Sterling Court	10/20/2022	Building (On-Hold)
700 Cypress Drive	10/24/2022	Junk Vehicles
345 Dolchok Lane	10/28/2022	Building; Zoning
312 Aspen Street	10/26/2022	Abandoned Vehicles
11888 Kenai Spur Hwy	11/17/2022	Zoning (Use)
12656 Kenai Spur Hwy	12/1/2022	Sign
4315 Lupine Drive	2/8/2023	Junk and/or Refuse
204 Lawton Drive	6/7/2023	Zoning (Home Occupation)
415 Roger Road	6/7/2023	Zoning (Home Occupation)
8525 Kenai Spur Hwy	7/5/2023	Junk Vehicle
418 Birch Street	8/1/2023	Building
Marathon Road	8/2/2023	Abandoned Vehicle
418 Birch Street	8/23/2023	Livestock (Chickens)
8847 Kenai Spur Hwy	8/31/2023	Conditional Use Permit
1521 Stellar Drive	9/1/2023	Abandoned Vehicle
415 Birch Street	9/11/2023	Livestock (Chickens)
Wildwood Drive	9/12/2023	Abandoned Vehicles
108 N Spruce Street	9/19/2023	Zoning (Use)
701 Maple Street	9/20/2023	Refuse



Before and After Highlights



Abandoned Motorhome and Significant Debris and Junk Off Marathon Road

Planning and Zoning Commission

Two (2) public meetings were held in the month of September.

- Planning and Zoning Commission took actions as follows:
 - **Resolution PZ2023-17** – Recommended Approval for Preliminary Plat – City Park Subdivision 2023 Replat for a Parcel Merger of Tract A, City Park Subdivision No. 2 and Tract A, Park View Subdivision and the Right-of-Way Vacations of Char Circle as Dedicated on Park View Subdivision (Plat No. KN 79-156) and City Park Subdivision No. 2 (Plat No. KN 2007-149) and a Portion of S. Spruce Street as Dedicated on Park View Subdivision (Plat No. KN 79-156) in the Suburban Residential (RS) and Urban Residential (RU) Zoning Districts.



- **Resolution PZ2023-18** – Granted a Modification to a Condition Listed in Resolution PZ2023-05 for a Conditional Use Permit to Expand the Assisted Living Facility on the Property Located at 701 N. Forest Drive (Parcel ID: 04321030) in the Suburban Residential (RS) Zoning District.
- **Action** – Approved the Transfer of Conditional Use Permits (Resolutions PZ12-22, PZ15-24, and PZ2023-05) for an Assisted Living Facility on a Property Described as Tract 36A, Killen Estates 2014 Replat, Located at 701 N. Forest Drive in the Suburban Residential (RS) Zoning District.
- **Action** – Recommended Kenai City Council Enact Ordinance No. 3373-2023 – Amendment of KMC Section 14.20.330-Standards for Commercial Marijuana Establishments.





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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: David Ross, Police Chief

DATE: October 6, 2023

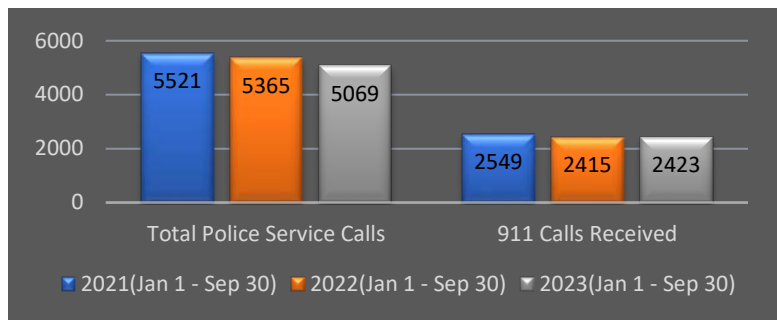
SUBJECT: **Police & Communications Department Activity – September 2023**

Police handled 541 calls for service in Sepetember. Officers made 49 arrests. Traffic enforcement resulted in 370 traffic contacts with 61 traffic citations issued and there were 9 DUI arrests. There were 15 reported motor vehicle collisions in September. Three of those collisions involved a moose and there was one collision involving drugs or alcohol.

The last of the Temporary Enforcement Officers completed their 2023 season during the month of September. One officer left employment with the Department in September and there is an active recruitment to fill that vacancy. One dispatcher, that was still in training, resigned from the Department and there is an active recruitment to fill that vacancy.

The City Shop continues to prepare four new patrol vehicles purchased in 2023 to be put into service. The Department is also in the process of installing new radios and new in-car video systems into the rest the police fleet of vehicles. These radios and video camera systems were all purchased under Department of Homeland Security grants, and the equipment has all been received by the police department.

The School Resource Officer (SRO) is working in the schools and handling a number of police related calls. The SRO also started teaching DARE classes at Mountain View Elementary.





MEMORANDUM

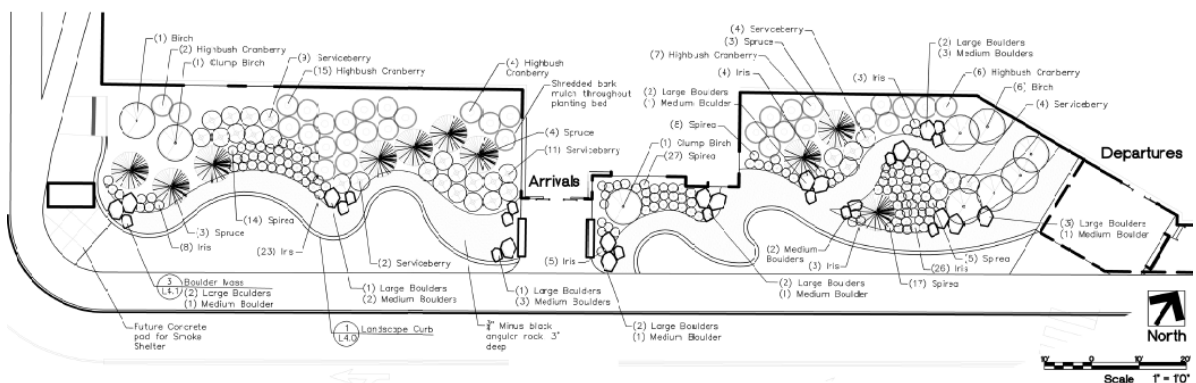
TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Scott Curtin, Public Works Director
DATE: October 2023
SUBJECT: **Mid-Month Report; Public Works / Capital Projects**

Airport Fund Projects:

- Kenai Municipal Airport Sand Storage Facility – This project will provide warm storage for operational sand throughout the Airport. Orion Construction is currently under contract in the amount of \$2,289,000 with a pending Change Order 2 in the amount of \$43,308.03. All utilities have now been brought to the building. All exterior site work is expected to be completed by the end of September. Weather has delayed the progress on the exterior panels which in turn has delayed the start of mechanicals on the interior. The project will not make the targeted substantial completion date of September 30th but is tracking closer to an end of October completion date.



- Kenai Municipal Airport Runway Rehabilitation Project** – This project known as Task 4 within HDL Engineering Consultants LLC term service agreement with the City shall provided an initial assessment of the current condition of the airport runway. This included geotech work, coring numerous locations of the runway. On August 4th, 2021 HDL Engineering and staff successfully completed geotech borings of the runway after hours. On October 13th, 2021 HDL Engineering, City staff and the FAA discussed the findings of the geotech report. On December 6, 2021 the City received the draft Engineer’s Design Report (EDR) along with the draft Geotechnical Report. Ordinance 3278-2022 was approved on April 20th, 2022 to secure HDLs services through Bid Phase with a contract amendment of \$781,833 executed on May 6, 2022, bringing the total cost of design to \$1,031,833. Project has been stalled at 35% Design as Environmental Compliance requirements are being clarified. Project is currently tracking for Runway Rehab Construction in 2025 with the Taxiways 2026 the following year, however this may slide a year, dependent upon FAA funding. Update: Staff meeting was held in Anchorage with FAA Counterparts to discuss project on 3/8/23. March 27, 2023 staff meeting with DEC to discuss path forward for design services. Project is now moving forward again with Environmental Services toward a 65% design effort. Council approved a purchase order increase to HDL Engineering at the June 7th, 2023 to allow the environmental work to move forward. Airport Manager and Public Works Director met with HDL on 8/9/23 and reviewed the environmental documents status. *On October 6, 2023 received email confirmaton that DEC has approved the environmental work plan for the project.*
- Kenai Municipal Airport (KMA) Terminal Landscaping** – A Request for Proposals for Landscape Design Services was released on July 14, 2022 with proposals due on July 28, 2022 where Earthscape LLC was determined to have provided the highest scoring proposal at a cost of \$28,255. The Purchase Order to Earthscape LLC was approved by Council at the 9/7/22 council meeting. Design work continues with final design concepts working through the airport commission and airport administration. Contract is billed out to 65% as of July 5, 2023. On July 12, 2023 Earthscape delivered draft 95% design documents, on July 24, 2023 a preliminary cost estimate was provided. Documents are under staff review at this time. 8/4/23 provided comments back to Earthscape regarding a few plant types, working with interim Airport Manager on a few elements including wind screens at entries and possibility of some bronze statues.





- Kenai Municipal Airport (KMA) Operations Building HVAC Controls Upgrade & Boiler Replacement – This project was released for RFP on July 19, 2022 with proposals due on August 16, 2022. MBA Consulting Engineers was the successful proposer awarded under Resolution 2022-63 approved by Council at the September 7, 2022 Council Meeting. Contract Documents were fully executed with MBA on October 31, 2022 for the contracted amount of \$47,726. November 10, 2022 will be the first site meeting with staff and engineering team. Design work is anticipated to continue through the winter months. 95% design documents were received on January 30, 2023. Project cost estimate is over budgeted amounts and staff is coordinating with design team to refine documents. Introducing Ordinance at the 8/16/23 council meeting to appropriate additional funding in support of the project. Staff has begun conversations with the FAA working toward establishment of grant assistance.
- Kenai Municipal Airport (KMA) Apron Crack Seal and Seal Coat – Staff received a design proposal from HDL Engineering to evaluate and develop bid ready construction documents in support of this project. Staff is coordinating with the FAA on grant approval. Council will see legislation soon in support of this project.



General Fund Projects:

- USACE Kenai Bluff Bank Stabilization Project – This project encompasses approximately 5000 lineal feet of coastal bluff starting at the mouth of the Kenai river extending upriver along the northern river bank. The bluff in this area varies from 55'-70' above the toe. A protective armored rock berm with a crest elevation of approximately 12' in height is planned. The project is approaching execution of a Project Partnership Agreement (PPA) tentatively scheduled for September 25, 2023. Tentative release of an Invitation to Bid (ITB) for Construction is currently tracking for November 20, 2023. Construction is anticipated to continue through the 2024 & 2025 construction seasons. Milestones to date listed below.



- Director's Report April 10, 2019 USACE approved Project Feasibility
- Section 221 Agreement MOU July 7, 2020 allows City to conduct design prior to DA
- Design Agreement (DA) September 14, 2020 executed but not federally funded
- Section 221 Agreement MOU February 11, 2021 allows City to construct prior to PPA
- Design Contract executed with HDR Engineering July 6, 2021
- City's 35% Design submission submitted to USACE on January 25, 2022
- City's 65% Design submission submitted to USACE on April 28, 2022
- Preliminary Engineering Design (PED) funding arrives on May 17, 2022
- Value Engineering (VE) Workshop held with USACE / Design team June 21-24, 2022
- PED / Construction Federal Funding arrives July 28, 2022
- Advanced Technical Review (ATR) begins October 3, 2022



- City of Kenai receives FEMA notification of enrollment in National Flood Insurance Program December 19, 2022, a condition of receiving Federal funding.
 - Water Resources Development Act (WRDA 2022) late December 2022, this Bill has cost repercussions for the project which ultimately change the cost share between the City and USACE from 65% / 35% to 90% USACE / 10% City.
 - Project Cost Certification received January 27, 2023, confirming sufficient funding
 - USACE Headquarters Agreement draft PPA June 6, 2023 received by City
 - City provides USACE Financial Self-Certification in support of PPA June 15, 2023
 - City's 95% Design Submission after completion of all USACE back checks June 30, 2023
 - *Project Partnership Agreement (PPA) was successfully signed on September 25, 2023!*
 - *Staff is coordinating with USACE for an approximate November 20, 2023 construction bid release.*
-
- Community Wildfire Prevention Plan (CWPP) Mitigation – This project will address beetle kill spruce trees on City property. The City has received grant funds in support of this project from the USDA and Alaska Division of Forestry. On November 3rd an Invitation to Bid was released in coordination with the Fire Department and Forest Service to perform mitigation services on approximately 105 acres of land through the No Name Creek Drainage from Redoubt Avenue extending to Cook Inlet. Five Bids were received on 12/13/22 with Doug Koch Professional Tree Service providing the winning bid at a cost of \$282,000. Work is anticipated to take place during allowable time frames over the next year. A Resolution to Award this Contract is before Council at the 12/21/22 Council Meeting. Construction Contract was fully executed on February 28th, 2023 and contractor is actively working on project. Much of the North section is now cut with timber and slash still remaining to haul away, Section 4-5 which is largely a hand felling area has started mitigation, as well as the South section near Municipal Park which has had extensive work completed to date. Contractor has been performing well, work will slow down through the summer months per the grant requirements when beetles are known to spread and work will resume later this fall. Update: May 18, 2023 representatives from the USDA Forest Service as granting agency were in town and provided a tour of the work actively taking place. Review of project documents, invoices, drone footage, etc. was completed and received very well. Tree cutting work has now resumed as of September 5, 2023. To date the contractor has invoiced for \$142,972.41, approximately 50% of the contracted work. Project has proceeded quickly and remains on time and on budget. While tree cutting was stopped for the summer months, contractor has hauled and stock piled slash that was cut earlier in the season. *Contractor has submitted a September invoice in the amount of \$15,033.34. Map sections 4-5 are now complete.*
-
- Recreation Center Improvements – *This project will replace the facilities roof system as well as numerous mechanical roof top HVAC units.* Formal Invitation to Bid was released on February 23, 2023 with bids due on March 23, 2023. Orion Construction was the successful bidder with a total bid of \$1,425,700 as presented to Council through Resolution 2023-25 adopted at the April 5th, 2023 Council meeting. Construction will continue into the fall of 2023. Update: Mechanical HVAC Roof top units remain on order, expected in late December. Project is proceeding well and on schedule. Change Order 1 was executed on August 16,



2023 in the total amount of \$18,548.96, which included four items including replacement of the facilities electrical meter base at HEA's request. *Total contract to date \$1,444,248.96 with \$170,026.75 remaining to be completed.*

- Roadway Improvements – Nelson Engineering was the successful proposer to provide bid ready construction documents for improvements to Wildwood Dr, Willow Ave, First St. as well as multiple smaller misc. repairs. Wildwood Dr will require grant assistance to complete the project. The N. Willow St Roadway Improvements, First Avenue Roadway Repairs, and Misc. Repairs projects were all released for construction bids on May 18th 2023 with Bids due on June 1st, 2023. All three projects received bids in excess of budgeted amounts and there is legislation pending at the June 21st, 2023 Council meeting to provide supplemental funding to award these projects. They are still intended, with Council's approval, to be completed this construction season. Contracts have now all been executed with Foster Construction receiving a Notice to Proceed on July 19th for the First Ave Repairs and Misc Repairs projects, Knik Construction received their Notice to Proceed for N. Willow St. on July 26th. Knik Construction is expected to mobilize to N. Willow on August 14th, Fosters Construction to mobilize to First Ave approximately August 23rd, 2023. *Update: The 2023 Misc Road Repairs and First Avenue Roadway Repairs project are now complete and received Substantial Completion on October 6th. Both projects were completed ahead of schedule and slightly under budget with the Misc Repairs Contract of \$260,080 receiving a Final Adjusting Change Order 1 reducing the cost to \$255,720.23 and the First Avenue Contract of \$205,831 receiving a Final Adjusting Change Order 1 reducing the cost to \$181,741. The N. Willow St project is also now complete with the exception of hydroseeding which will be placed in the spring. This project was also completed on time and while final quantities have not been received, costs are expected to be under budget as well. Photo of N. Willow St. below.*



- Multi-purpose Facility – The Building Maintenance Department completed all of the pressure washing and rust prevention coatings in house. That portion of the project was completed on time and on budget and allowed for ice to go back in on schedule. Staff continues to work on ventilation solutions as well as some UV Heat lamps to replace the natural gas heaters suspended from the ceiling near the seating areas. Once a scope of work is finalized by the department these additional items will be released for bids. Currently roughly \$71,000 of the \$155,000 in funding has been expended. A Proposal Quote Request (PQR) was released on June 30th with quotes due on July 13th. MBA Consulting Engineers was the only respondent at a cost of \$30,580. Design work will cover ventilation, lighting, bleacher radiant heating and will take place through November. Contract documents were fully executed on September 8, 2023.
- Cemetery Expansion – This project is located at the corner of First Ave and Float Plane Rd and will provide for additional burial space as the existing adjacent cemetery has reached capacity. The Public Works Department using in house personnel has already cleared, leveled and graded the site, and placed and compacted a gravel sub-base for the parking area. Staff has successfully surveyed in 64 adult plot sites and 12 infant plot sites. These sites are available through the Clerk's office. Cemetery Phase 2 Fencing was released for bids on July 26th with bids due on August 9th. Council will see legislation for a contract award at the August 16th, 2023 meeting. AAA Fence, Inc was the successful bidder at a cost of \$147,595, their contract was fully executed on September 8, 2023, work is expected to be completed yet this year. *Fence materials were successfully ordered Contractor is tentatively scheduled to begin installation the week of October 16th. Staff will coordinate with Parks and Rec and the design team to finalize project needs for next year. Parking lot paving will not be completed until next construction season along with HEA power being brought into the property.*
- Softball Shelter Dugouts – Larsen Engineering has been awarded the design work for the dugouts. Design requirements are being discussed with the engineer, however this project is moving slowly as staff and engineer are heavily involved in other projects. Project will move forward shortly as staff time becomes available.
- Lilac Ln. Roadway Improvements – RFP was released on 8/8/23 for Professional Civil Engineering and CA Services to develop bid ready construction documents for this project. Proposals are due on 8/28/23. Council will see legislation to award a professional services agreement at either the 9/6/23 or 9/20/23 council meeting. Design work will take place over the winter for a summer 2024 construction date. This project is located between the Spur Highway and Cook Inlet Dr. Resolution 2023-54 was approved by Council at the September 6, 2023 Council meeting. *Nelson Engineering is now actively working on the project design. Test holes have been completed and a site survey is underway. Total contract for design is currently \$38,840.*



- Cemetery Creek Culvert Replacement - RFP was released on 8/8/23 for Professional Civil Engineering and CA Services to develop 35% design documents for this project. Proposals are due on 8/28/23. This project is in coordination with the US Fish & Wildlife. Work involves replacement of several aging culverts with fish passage type culverts. 35% design documents will be used to apply for grant funding. Two proposals were received by the Department with PND Engineer's receiving the highest scoring proposal at a total cost of \$29,577. *PND is now under contract. 9/28/23 a site meet was conducted with PND, City staff, & US Fish & Wildlife to discuss and review the project. 10/11/23-10/12/23 surveyors are on site developing an existing conditions field survey.*

Water & Sewer Fund Projects:

- Lift Station Renovations – Resolution 2021-58 awarded HDL Engineering agreement in the amount of \$59,560 to provide bid ready construction documents for three lift stations. These locations included the stations at mile posts 13 and 14, which are near the soccer fields and Spur / Redoubt Ave respectively, as well as a station on Lawton Drive. These locations are intended to receive new pumps and pump control panels as part of this project. After determination of which lift stations would receive renovations to start, a design meeting was held on 12/3/21 to discuss pump and control panel design. Basis of design memo received on January 6, 2022. Design documents are approaching 95%. Design is finally approaching completion. Challenges with our current SCADA team required some changes to different lift station controllers which has now been resolved.
- Wastewater Plant Digester Blowers Replacements – HDL Engineering was authorized to proceed on design documents for this project through passage of Resolution 2022-29 on May 18, 2022. Design Agreement is currently in the amount of \$382,513 and will provide bid ready construction documents for the replacement of two 40+ year old blowers at the WWTP. The Department received 35% Design Study Report on September 23, 2022 and the project is currently moving toward 65% design documents. A grant for this project has been applied for through Senator Murkowski's office through the Congressional Directed Spending (CDS) program. We are awaiting word on if we were successful in receiving grant funds. This is a high priority project for the department and is anticipated to provide further energy savings similar to the aeration basin blower replacement project completed a few years ago. Final 65% plan reviews are being conducted on site with HDL on 12/19/22, bid documents are expected to be ready 5/1/23 and if funding is in place will be bid immediately, if not will be delayed until funding arrives. Environmental review process is delayed as we are not sure of the grant requirements at this time, and may not know until a future grant is executed. Until then this will be a shovel ready project waiting on funding. May 5th a Community Grants Webinar was held to discuss the pending grant requirements, the Public Works Director and HDL Engineering participated in the webinar. Consultants are reviewing requirements and hope to have the design moving forward shortly. Project will not be able to be bid until funding formally arrives. *Design team is actively working with granting agency.*



- Water Treatment Plant Pumphouse – This project will construct a new pumphouse building and provide replacement distribution pumps for the City's Water System. On August 1, 2023 received letter that the State of Alaska Department of Environmental Conservation (ADEC) has awarded the City of Kenai a \$1,200,000 loan through the state's revolving fund program and that the loan would receive 100% forgiveness in support of this project. *Resolution 2023-56 is up for Council approval at the September 20, 2023 Council Meeting to allow access to these funds.*
- WWTP & WTP Electronic Access Gate & Controls – On August 13, 2023 HDL Engineering provided a proposal under their term agreement to begin design work on the Electronic Access Gates projects at both the Water and Wastewater Plants. The project identified as Task 13 under their agreement has a proposed design cost of \$24,902. Design work will continue over the winter months for construction to take place next summer.

Senior Citizens Fund Projects:

- Senior Center Front Entry Modifications – Capital Project Manager is developing scope of work for this project to address operation of automatic entry doors.

Congregate Housing Fund Projects:

- Vintage Pointe Boiler Replacement – A RFP for design services was released on October 6, 2022 with proposals due on November 3, 2022. Design work will continue into the winter with a construction bid release expected at the end of the first quarter 2023. This project will replace outdated boiler heat systems for the facility as well as providing a direction on backup power generation to support the heating system when grid power is unavailable. No proposals were received, the Department is requesting approval to enter negotiations with RSA Engineering in the hopes of moving the project forward. RSA Engineering is under contract and is expected to start design in early January 2023. On February 3, 2023 RSA Engineering provided draft 65% Design Documents. Staff is currently reviewing. Engineering has a planned site visit for February 15, 2023 scheduled. We are anticipating bid documents being ready for an April Construction Bid release. 100% Design Documents are were received from the RSA Engineering on April 14th. Council approved Resolution 2023-30 on May 3rd to reallocate funds for the project. Invitation to Bid was released on August 2, 2023 with bids due on August 23, 2023. Council approved Resolution 2023-53 at the September 6, 2023 meeting which awarded construction agreement to Orion Construction in the total amount of \$503,850. *Contract has now been executed and submittals are actively in progress in support of the project. Boiler work is not expected to take place until spring when work will be less impactful on residents.*



Other Projects Information:

- DOT Kenai Spur Highway to Sports Lake Rd – This project continues to wait for appropriation of state funds. Reached out to DOT staff on September 13, 2023, no new information provided at this time.
- DOT Bridge Access Road Bike Path – Council passed Resolution 2021-53 on August 4, 2021 authorizing the City Manager execute a memorandum of agreement with DOT for design, construction, and maintenance of the Kenai Bridge Access Road Pathway project. In speaking with representatives from DOT the state has not provided funding as yet for this project to move forward. To date the City has appropriated \$294,947 in support of this project which is intended to provide a 1.2 mile path connecting the paths between the Spur Highway and Beaver Loop. Total cost of project per DOT estimates equals \$3,266,301. Per communications with the DOT, design funding is in place and they are waiting on final signatures for the Reimbursable Services Agreement (RSA) with DNR. Once the RSA is approved they will be able to begin design work. Process is expected to be completed by the end of January. Update: Formal kickoff meeting took place on March 30th with the City Manager and Public Works Director in attendance. From appearances this design process will be a slow one, we are not anticipating seeing construction on the path this calendar year. Will continue to update as more information becomes available. Update: A site meeting will be taking place between the City, DNR, & DOT on 6/9/22 to review the project. HDL Engineering appears to be conducting surveying services in support of the project, crews were in the area on 6/7/22. On June 29, 2022 the City Manager & Public Works Director met with DOT representatives and discussed projects. State funding continues to be an issue. Reached out to DOT staff on September 13, 2023, no new information provided at this time.
- DOT Boat Launch Road Fish Passage Culvert – Council approved a construction easement to allow DOT access to replace the roadway culvert at the intersection of Boat Launch Rd and Bridge Access at the April 5th Council meeting. Work is anticipated to start later this year in coordination with the River Center to minimize impacts to fish entering the watershed.





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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
THROUGH: Kathy Romain, Senior Center Director
FROM: Astrea Piersee, Administrative Assistant III
DATE: October 6, 2023
SUBJECT: September 2023 Monthly Report

September arrived in full fall fashion bringing plenty of last-minute activities and outings for seniors to get out and engage in within the community. A day trip to Hope and the added weekly Soldotna transportation route were a few of the growing uses of the transportation program. Additionally, seniors were provided transportation opportunities to utilize farmers' market coupons and redeem them at area growers for fresh produce. We hope to continue this program in collaboration with the State of Alaska's Farmers Market Coupon Program this next June.

	2023	2022
Home Delivered Meals	1505	1835
Individuals	99	95
Dining Room (Congregate) Meals	1392	778
Individuals	161	126
Transportation (1-way rides)	314	191
Individuals	35	19
Grocery Shopping Assistance	29/52	10/57
Writers Group	31	9
Caregiver Support Group	23	7
Growing Stronger Exercise	65	32
Tai Chi Class	9	9
TOPS Weight Loss Class	16	14
Bluegrass & Music Sessions	66	56
Card Games	45	41
Wii Bowling	9	8
Arts & Crafts	17	38
Total Event Sign-ins *	2279	1888
Individuals *	228	194
Vintage Pointe Manor Vacancies	1	2

* (not including home meals clients)