



Kenai City Council - Regular Meeting

March 17, 2021 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

Agenda

A. CALL TO ORDER

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

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

B. SCHEDULED PUBLIC COMMENTS

(Public comment limited to ten (10) minutes per speaker)

C. UNSCHEDULED PUBLIC COMMENTS

(Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)

D. PUBLIC HEARINGS

- 1. Ordinance No. 3195-2021** - Accepting and Appropriating Funds in the Airport Fund, and Accepting Grants from the Federal Aviation Administration Under the Coronavirus Response and Relief Supplemental Appropriation Act, 2021.
- 2. Resolution No. 2021-14** - Further Extending the Disaster Emergency Declaration for the City of Kenai Made on March 18, 2020 in Response to the COVID-19 Health Emergency.
- 3. Resolution No. 2021-15** - Approving Development Incentives Per Kenai Municipal Code 21.10.100. for a Lease of Airport Reserve Lands Between the City of Kenai and Alaska Air Fuel, Inc. on 2.52± Acre Portion of Lot 5, FBO Subdivision No. 8.
- 4. Resolution No. 2021-16** - Approving an Application Extension Until October 8, 2021 Per Kenai Municipal Code 21.10.050 for Alaska Air Fuel, Inc. for a 2.52± Acre Portion of Lot 5, FBO Subdivision No. 8.
- 5. Resolution No. 2021-17** - Authorizing a Budget Transfer Within the General Fund – Buildings Division for Professional Services as a Result of Personnel Vacancy.

- 6. Resolution No. 2021-18** - Authorizing an Amendment of the Shop Local Economic Stimulus Program to Extend the Dates of the Program and Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with the Kenai Chamber of Commerce and Visitor Center for Administration of the Program.
- 7. Resolution No. 2021-19** - Authorizing an Agreement for Professional Engineering Services to Begin Assessments for the Master Plan for Water & Sewer Facilities and Equipment.

E. MINUTES

- 1.** *Regular Meeting of March 3, 2021.

F. UNFINISHED BUSINESS

G. NEW BUSINESS

- 1.** *Action/Approval - Bills to be Ratified.
- 2.** *Action/Approval - Purchase Orders Over \$15,000.
- 3.** *Ordinance No. 3196-2021 - Accepting and Appropriating Federal Funds from the Institute of Museum and Library Services Passed Through the Alaska State Library for Employee Training.
- 4.** *Ordinance No. 3197-2021 - Amending Kenai Municipal Code Section 23.50.010 - Employee Classification, to Amend the Class, Title, and Range, to Include a Capital Projects Manager.
- 5.** *Ordinance No. 3198-2021 - Amending Kenai Municipal Code Section 1.15.130 - Telephonic Participation, to Provide for Remote Electronic Participation.
- 6.** *Ordinance No. 3199-2021 - Conditionally Waiving Certain Provisions of Title 17- Public Utilities and Enterprises, Related to Penalty, Interest and Shutoff for Nonpayment of Fees for Water and Sewer Utility Customers that Certified to the City That They Were Impacted by COVID-19 Pursuant to the City Manager's Executive Order No. 2 During the Effective Period of the City's Emergency Disaster Declaration.
- 7.** *Ordinance No. 3200-2021 - Accepting and Appropriating an Amendment to a COVID CARES Act for Older Adults and Their Caregivers 2021 Grant Passed through the State of Alaska for Kenai Senior Center Expenditures in Support of its Response to the COVID-19 Public Health Emergency.
- 8.** *Ordinance No. 3201-2021 - Increasing Estimated Revenues and Appropriations in the Airport Fund and Appropriating Funds in the Airport Snow Removal Equipment Capital Project Fund for the Purchase of Snow Removal Equipment – Multi-Purpose Broom/Blower.
- 9.** Action/Approval - Special Use Permit to Alaska Air Fuel, Inc. for Office, Parking and Utilities.
- 10. Discussion** - COVID-19 Response.

11. Discussion - Set Meetings for Council Personnel Evaluations.**H. COMMISSION / COMMITTEE REPORTS**

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

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

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

K. ADDITIONAL PUBLIC COMMENT

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

L. EXECUTIVE SESSION**M. PENDING ITEMS****N. ADJOURNMENT****O. INFORMATION ITEMS**

- [1.](#) Purchase Orders Between \$2,500 and \$15,000
- [2.](#) Kenai Peninsula Orchestra Letter of Thanks

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/85021157210>

Meeting ID: 850 2115 7210 **Passcode:** 245673

OR

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

Meeting ID: 850 2115 7210 **Passcode:** 245673



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3195-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING FUNDS IN THE AIRPORT FUND, AND ACCEPTING GRANTS FROM THE FEDERAL AVIATION ADMINISTRATION UNDER THE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATION ACT, 2021.

WHEREAS, on February 12, 2021, the U.S. Secretary of Transportation announced that the Kenai Municipal Airport is eligible for funds under the Coronavirus Response and Relief Supplemental Appropriations Act (Public Law 116-260); and,

WHEREAS, these funds are intended to assist airport sponsors in addressing the COVID-19 public health emergency; and,

WHEREAS, the Federal Aviation Administration will distribute these funds under the new Airport Coronavirus Response Grant Program; and,

WHEREAS, the Kenai Airport is eligible for \$1,282,840 for costs related to operational expenses directly related to the Airport incurred on or after January 20, 2020; and,

WHEREAS, the Kenai Municipal Airport is also eligible for \$20,398 to provide relief from rent and minimum annual guarantees to airport concessions; and,

WHEREAS, keeping the Airport in reliable, safe operation is in the best interest of the City.

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

Section 1. That the City Manager is authorized to accept a grant in the amount of \$1,282,840 for operational expenses and a grant in the amount of \$20,398 for airport concession relief.

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

Airport Fund:

Increase Estimated Revenues –	
Federal Grants	<u>\$1,303,238</u>

Increase Appropriations –	
Administration - Contingency	<u>\$1,303,238</u>

Section 3. That the City Manager is authorized to accept grant funding for \$1,303,238 from the Federal Aviation Administration and to execute grant agreements and to expend grant funds to fulfill the purpose and intent of this ordinance.

Section 4. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.


Section 5. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 17th day of March, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Approved by Finance: 

Introduced: March 3, 2021
Enacted: March 17, 2021
Effective: March 17, 2021



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Paul Ostrander, City Manager
FROM: Mary Bondurant, Airport Manager
DATE: February 22, 2021
SUBJECT: **Ordinance 3195-2021 – Kenai Airport CRSSA Grants**

On February 12, 2021, the City received two Applications for Federal Assistance from the Federal Aviation Administration for funds under the Coronavirus Response and Relief Supplemental Appropriations Act:

- \$1,282,840 – Funds may be used for operational expenses defined as expenses necessary to operate, maintain, and manage an airport. This includes expenses for payroll, utilities, service contracts and items generally having a limited useful life, including protective equipment and cleaning supplies.
- \$20,398 – Funds to provide relief from rent and minimum annual guarantees to on-airport parking, on-airport car rental, and in-terminal airport concessions.

The City Manager submitted the grant applications on February 19, 2021 for a total of \$1,303,238.

Ordinance 3195-2021 provides legislative action designating authority for execution of the grants and appropriation of the grant offers.

Thank you for your consideration.



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2021 - 14

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, FURTHER EXTENDING THE DISASTER EMERGENCY DECLARATION FOR THE CITY OF KENAI MADE ON MARCH 18, 2020 IN RESPONSE TO THE COVID-19 HEALTH EMERGENCY.

WHEREAS, pursuant to AS 26.23.140 the City Manager, as the principal executive officer of the City, issued a Disaster Emergency Declaration on March 18, 2020 for a period not to exceed seven days in response to the COVID-19 public health emergency; and,

WHEREAS, that same day, the City Council extended the Disaster Emergency Declaration for 90 days, which expired on June 16, 2020; and,

WHEREAS, on June 3, 2020, the City Council passed Resolution 2020-40, extending the Disaster Emergency Declaration for 90 days, with an expiration date of September 15, 2020; and,

WHEREAS, on September 2, 2020, the City Council passed Resolution 2020-73, again extending the Disaster Emergency Declaration to December 31, 2020; and,

WHEREAS, on December 16, 2020, the City Council passed Resolution 2020-96, again extending the Disaster Emergency Declaration to January 31, 2021; and,

WHEREAS, on January 20, 2021, the City Council passed Resolution 2021-02, again extending the Disaster Emergency Declaration to February 28, 2021; and,

WHEREAS, on February 17, 2021, the City Council passed Resolution 2021-09, again extending the Disaster Emergency Declaration to March 31, 2021; and,

WHEREAS, while the City, State and Nation move towards reopening business and resuming certain activities the City Council expects that the continued impact of COVID-19, including public health risks, restrictions on travel, and economic impacts will be of a severity and magnitude that is beyond the authority and capacity of the City to provide an effective response without assistance; and,

WHEREAS, there are public and private facilities that remain closed or only partially opened, and gatherings and other events remain curtailed in order to prevent the transmission of COVID-19; and,

WHEREAS, these events continue to have an impact on business, commerce, and the local economy now and likely in the future, as the COVID-19 vaccine continues to become more available, it is still unknown when it will become widely available and impacts from restrictions imposed to reduce transmission will impact the City into spring; and,

WHEREAS, it is in the best interest of the City to further extend the Disaster Emergency Declaration emergency issued by the City Manager for 60 days, until May 30, 2021.

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

Section 1. That the City Council of the City of Kenai further extends, until May 30, 2021, or until repealed sooner, the Disaster Emergency Declaration issued by the City Manager on March 18, 2020 pursuant to AS 26.23.140, and subsequently previously extended by this Council, due to the current and expected imminent impacts of the COVID-19 health emergency.

Section 2. That the City requests that the State of Alaska provide disaster assistance to the City by making available resources as needed in the ongoing response and recovery from the current and potential impacts of this health emergency, to provide individual assistance for affected businesses and individuals, and to provide technical expertise and guidance, to help the City in its response and recovery from this event.

Section 3. That the City additionally requests assistance from federal agencies where state capability is not adequate.

Section 4. That a copy of this declaration will be promptly filed with the Alaska Division of Homeland Security and Emergency Management.

Section 5. That this resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 17th day of March, 2021.

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Paul Ostrander, City Manager
DATE: March 5, 2021
SUBJECT: **Resolution 2021-14 – Extending the Disaster Emergency Declaration**

The Disaster Emergency Declaration issued on March 18, 2020 and extended by the City Council, is set to expire on February 28, 2021. Based on the continued impact of the COVID-19 public health emergency and uncertainty of federal funding for local governments, an extension until May 30, 2021 is warranted.

Extending the emergency declaration will extend:

1. Temporary leave to employees for absences related to COVID-19
2. City Moratorium on penalty and interest for water and sewer accounts
3. City Moratorium on water and sewer disconnect for non-payment

An extension of the Disaster Emergency Declaration will also allow the Mayor or other current Presiding Officer authority to waive certain provisions of Code related to scheduling, teleconference participation, public participation, and other related provisions of Code pertaining to meetings of the Council and other advisory and adjudicatory bodies, if deemed necessary.

An extension will additionally provide to the City Manager the authority to issue emergency orders that may be necessary to protect critical functions of the City and protect the health and safety of City employees, although it is unlikely that any future emergency orders will be issued during this Disaster Emergency Declaration. Only four emergency orders have been issued under this authority since March of 2020, and two of those emergency orders were rescinded in December of 2020.

Two Ordinances scheduled for introduction at this meeting address amendments to Code to provide a grace period for delinquent water and sewer accounts and virtual participation at Council Meetings in the absence of an emergency declaration. If enacted, these Ordinances would be effective May 7, 2021. Extending the emergency declaration to May 30, 2021 would allow Administration to continue to waive penalties and interest and extend the moratorium on disconnects for water and sewer accounts for residents impacted by the COVID-19 public health emergency, and allow continued virtual participation at Council meetings until this legislation is effective.

Your consideration is appreciated.



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2021-15

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA APPROVING DEVELOPMENT INCENTIVES PER KENAI MUNICIPAL CODE 21.10.100. FOR A LEASE OF AIRPORT RESERVE LANDS BETWEEN THE CITY OF KENAI AND ALASKA AIR FUEL, INC. ON 2.52± ACRE PORTION OF LOT 5, FBO SUBDIVISION NO. 8.

WHEREAS, the Kenai City Council approved a 45-year lease application from Alaska Air Fuel on September 2, 2020, for portion of Lot 5, FBO Subdivision No. 8 to be used as fixed base operator with a hangar and office space; and,

WHEREAS, Alaska Air Fuel submitted an application for temporary development incentives that meets the requirements of Kenai Municipal Code 21.10.100, Temporary Development Incentives on March 1, 2021; and,

WHEREAS, Alaska Air Fuel has provided an estimated value of \$600,000 for the following eligible work activities: clearing and grubbing, unclassified excavation, classified excavation, and utility extensions; and,

WHEREAS, Kenai Municipal Code 21.10.100 requires Council approval of temporary development incentives; and,

WHEREAS, the project will enhance public safety and quality of life while providing economic development on property leased from the City within the Kenai Municipal Airport Reserve.

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

Section 1. That temporary development incentives with an estimated value of \$600,000 for the following eligible work activities: clearing and grubbing, unclassified excavation, classified excavation, and utility extensions is conditionally approved. Upon completion of the eligible work in conformance with applicable City ordinances, rent credit may be applied towards rent for a maximum of five (5) years.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 17th day of March, 2021.

BRIAN GABRIEL SR., MAYOR

Resolution No. 2021-15
Page 2 of 2

ATTEST:

Jamie Heinz, CMC, City Clerk



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Ryan Foster, Planning Director

DATE: March 9, 2021

SUBJECT: **Resolution No. 2021-15 – Approving Development Incentives for a Lease to Alaska Air Fuel**

City Council approved a 45-year lease application from Alaska Air Fuel on September 2, 2020, for portion of Lot 5, FBO Subdivision No. 8 to be used as fixed base operator with a hangar and office space. A lease has not been delivered to Alaska Air Fuel yet, due to requiring the subdivision of Lot 5, FBO Subdivision No. 8 to be finalized and recorded by the Kenai Peninsula Borough before a lease can be delivered. Kenai Municipal Code 21.10.100 requires Council approval of temporary development incentives.

This resolution approves development incentives for this lease. A Development Incentive Application was received on March 1, 2021 for an estimated value of \$600,000 for the following eligible work activities: clearing and grubbing, unclassified excavation, classified excavation, and utility extensions. If approved by Council, the applicant will still need to provide an estimate of the value of the work, including a scope of work, prepared by a qualified engineer licensed to work in Alaska to the City and accepted prior to work being performed. In addition, a certification from a qualified engineer that the accepted scope of work has been completed must be provided to the City and accepted at the completion of the site preparation work in order for the credit to be applied towards rent for a maximum of five years. The annual rent for the first year of the lease is \$17,600.

Thank you for your consideration.

Attachment:

City of Kenai Lease Development Incentive Application received March 1, 2021 from Alaska Air Fuel.



City of Kenai Lease Development Incentive Application

Application Date: _____

Applicant Information

Name of Applicant:	ALASKA AIR FUEL, INC.						
Mailing Address:	3700 W. AVIATION	City:	ANCHORAGE	State:	AK	Zip Code:	99515
Phone Number(s):	Home Phone: 907-317-5368		Work/ Message Phone:				
E-mail: (Optional)	ALASKAAIRFUEL@HOTMAIL.COM						

Lease Information

Eligible development

To qualify for a lease credit toward rent for a **maximum of five years**, an applicant for a new lease, extension, or renewal must complete commercial development on the property within two years to receive the credit, which is based on the value of site preparation work on the leased premises. Examples of eligible work include: clearing and grubbing, unclassified excavation, classified fill and back fill, and utility extensions.

Required documentation

1. An estimate of the value of the work, including a scope of work, prepared by a qualified engineer licensed to work in Alaska must be provided to the City and accepted **prior to work being performed**. Any changes to the estimate must be provided to the City and accepted prior to work being performed to be eligible for the credit.
2. A certification from a qualified engineer that the accepted scope of work has been completed must be provided to the City and accepted at the completion of the work for the credit to be applied.

Application is for:

- Existing Lease Property
- New Land Lease Application

Description of property:

HANGAR W/OFFICES, MAINTENANCE FACILITIES, FBO

Description of work to be completed:

- Clearing and grubbing
- Unclassified Excavation
- Classified Excavation
- Utility Extensions
- Other:

Estimated value of work: \$600,000

Estimated start date: JUNE 1ST, 2021

Estimated completion date: AUGUST 31ST, 2023

Attachment(s):

- Scope of work
- Other:

By signing and dating below, the applicant agrees to fulfill the above requirements and understands that if these requirements are not met, the applicant will not be eligible for a development credit toward rent.

Signature:		Date:	3/1/2021
Print Name:	JOHN K. SLIWINSKI	Title:	OWNER

<p>For City Use Only:</p> <p><input type="checkbox"/> General Fund <input type="checkbox"/> Airport Reserve Land</p> <p><input type="checkbox"/> Airport Fund <input type="checkbox"/> Outside Airport Reserve</p>	<p>Date Application Received: _____</p> <p>Date Scope of Work Approved: _____</p> <p>Amount of Credit Applied: _____</p>
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Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2021-16

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA APPROVING AN APPLICATION EXTENSION UNTIL OCTOBER 8, 2021 PER KENAI MUNICIPAL CODE 21.10.050 FOR ALASKA AIR FUEL, INC. FOR A 2.52± ACRE PORTION OF LOT 5, FBO SUBDIVISION NO. 8.

WHEREAS, the Kenai City Council approved of a 45-year lease application from Alaska Air Fuel for a portion of Lot 5, FBO Subdivision No. 8 to be used as fixed base operator with a hangar and office space requiring a subdivision; and,

WHEREAS, a plat of the subdivision of Lot 5, FBO Subdivision No. 8 must be finalized and recorded in order to lease execution; and,

WHEREAS, a plat is scheduled for Planning and Zoning Commission consideration on March 10, 2021; and,

WHEREAS, if recommended for approval by the Planning and Zoning Commission, the plat will then go to the Kenai Peninsula Borough for the final approval and recording process; and,

WHEREAS, Alaska Air Fuel has requested an application extension due to the length of time needed for the subdivision of Lot 5; and,

WHEREAS, Kenai Municipal Code 21.10.050 requires Council approval of application extensions for a period not to exceed six (6) months; and,

WHEREAS, the project will enhance public safety and quality of life while providing economic development on property leased from the City within the Kenai Municipal Airport Reserve; and,

WHEREAS, the granting of an application extension to Alaska Air Fuel is from April 8, 2021 to October 8, 2021 and is in the best interest of the City.

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

Section 1. That the application period for Alaska Air Fuel lease for a portion of Lot 5, FBO Subdivision No. 8 be extended from April 8, 2021 to October 8, 2021.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 17th day of March, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Ryan Foster, Planning Director

DATE: March 9, 2021

SUBJECT: **Resolution No. 2021-16 – Approving Application Extension for a Lease to Alaska Air Fuel**

City Council approved a 45-year lease application from Alaska Air Fuel on September 2, 2020, for a portion of Lot 5, FBO Subdivision No. 8 to be used as fixed base operator with a hangar and office space requiring a subdivision. A plat of this subdivision must be finalized and recorded in order to deliver Alaska Air Fuel a lease. The plat is scheduled for Planning and Zoning Commission consideration on March 10, 2021. If recommended for approval by the Planning and Zoning Commission, the plat is then sent to the Kenai Peninsula Borough for the final approval and recording process. Per Kenai Municipal Code 21.10.050, applications shall expire twelve (12) months after the date the application has been made if the City and the applicant have not, by that time, entered into a lease, unless the City Council for good cause grants an extension for a period not to exceed six (6) months.

Alaska Air Fuel has requested a six-month application extension allowed by Kenai Municipal Code due to the unforeseen circumstances created by the subdivision of Lot 5. If City Council approves, Resolution 2021-16 would extend the application period for Alaska Air Fuel from April 8, 2021 to October 8, 2021.

Thank you for your consideration.

Attachment:
Email dated March 1, 2021 from Alaska Air Fuel requesting an extension for a lease application.

From: [Alaska Air Fuel](#)
To: [Ryan Foster](#)
Subject: Application for Dev. Incentives
Date: Monday, March 1, 2021 5:22:53 PM
Attachments: [City of Kenai.pdf](#)

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

Ryan,

Thank-you for taking the time to hear me out on our phone call. Please find here the completed Lease Development Incentive App.

Additionally, we'd like to hereby request an extension on the application for the airport lease, as per our telephone conversation.

Appreciate your help. Have a good evening.

John Sliwinski
Alaska Air Fuel, Inc.
907-317-5368



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2021-17

A RESOLUTION OF THE CITY OF KENAI, ALASKA, AUTHORIZING A BUDGET TRANSFER WITHIN THE GENERAL FUND – BUILDINGS DIVISION FOR PROFESSIONAL SERVICES AS A RESULT OF PERSONNEL VACANCY.

WHEREAS, the City’s current Building Official submitted his resignation on February 16, 2021 with his anticipated last day of employment being March 19, 2021; and,

WHEREAS, a pending recruitment is expected to close on March 31, 2021 with potential interviews scheduled the first week of April 2021; and,

WHEREAS, the Public Works Department – Buildings Division, has utilized a professional services agreement in the past to provide inspection and plan review services to minimize disruptions to the general public; and,

WHEREAS, it is expected that these professional services will continue until the position is filled; and,

WHEREAS, sufficient funds are available in the departments wage categories as a result of the position’s vacancy, and require transfer to the professional services account.

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

Section 1. Council authorizes the City Manager to utilize professional services to maintain Building Official responsibilities until the position is filled.

Section 2. Council authorizes the following budget transfer to be made:

General Fund

Increase Appropriations:	
Buildings – Professional Services	<u>\$10,000</u>
Decrease Appropriations:	
Buildings – Salaries	\$8,200
Buildings – PERS	<u>\$1,800</u>
	<u>\$10,000</u>

Resolution No. 2021-17
Page 2 of 2

Section 3. That this resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 17th day of March, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: *Sean R. Bent*



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Scott Curtin

DATE: March 7, 2021

SUBJECT: **Resolution 2021-17 – Building Official Professional Services**

The purpose of this memo is to request the Council's support of Resolution 2021-17 transferring funds within the building's budget to secure professional services to provide for interim building inspections and plan reviews until such time as a new Building Official can be recruited and hired.

Our current Building Official of nearly five years is moving out of state. On February 16, 2021, he provided his notice and is staying on until March 19, 2021 to allow the Public Works Department some time to plan for the transition. Public Works has worked with Human Resources and the Administration and has modified the Building Official job description slightly to remove some responsibilities that were specifically focused on the management of Capital Projects.

Going forward those responsibilities will be included in a pending Capital Projects Manager position included in Ordinance 3197-2021. The Building Official will continue with inspections and plan reviews as well as the supervision of two building maintenance personnel. A renewed focus on facilities management for maintaining the City's existing properties will be a continued requirement of the new Building Official.

The Public Works Department is negotiating the details of interim services with Bob Springer, who has provided these services in the past when the Building Official is on vacation. Mr. Springer, having been employed in this position by the City in the past, is well suited to provide these services.

Council should be aware; however, that if for any reason Mr. Springer becomes unable or unwilling to continue with the required services, it would be the intent of the Department to continue providing these services under a professional services agreement with another qualified individual or firm, understanding those services are to remain within budgeted amounts, until such time as the position is filled.

Council's support is respectfully requested.



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2021-18

A RESOLUTION OF THE CITY OF KENAI, ALASKA, AUTHORIZING AN AMENDMENT OF THE SHOP LOCAL ECONOMIC STIMULUS PROGRAM TO EXTEND THE DATES OF THE PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH THE KENAI CHAMBER OF COMMERCE AND VISITOR CENTER FOR ADMINISTRATION OF THE PROGRAM.

WHEREAS, on January 20, 2021, the Council passed Ordinance 3177-2021 authorizing the City Manager to establish a Shop Local Economic Stimulus Program in the amount of \$350,000 and execute a professional service agreement with the Kenai Chamber of Commerce and Visitor Center, Inc. for administration of the program for a total cost not to exceed \$15,000 including up to \$10,000 to promote the program and up to \$5,000 for program administration and support; and,

WHEREAS, the program allows for individuals who spend \$100 or \$200 on discretionary items in Kenai to receive one (1) \$50 or one (1) \$100 voucher, respectively, to spend at Kenai businesses participating in the program on a first-come, first-serve basis, concluding on April 1 or when funds run out; and,

WHEREAS, Since the “Shop Here All Year in Kenai” shop local program began on February 1, the Kenai Chamber reported the program had awarded \$57,050 in vouchers as of the March 3 City Council Meeting, leaving a large share of the direct incentives available under the program remaining; and,

WHEREAS, based on the participation in the program in the first month (February 1 through March 1), additional funds remain in the program that would allow for an extension of the program for an additional month; and,

WHEREAS, City Administration has worked directly with the Kenai Chamber of Commerce and Visitor Center to monitor the success of the program and recommends an extension of the program for an additional month, concluding May 1, 2021; and,

WHEREAS, the success of the City is dependent upon the success of the local economy and its businesses and an extension of a program to reward local shopping, promote Kenai businesses, and continue the community’s recovery from the COVID-19 Public Health Emergency is in the best interest of the City and its residents.

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

Section 1. That the City Manager is authorized to extend the Shop Local Economic Stimulus Program for an additional month, concluding May 1, 2021.

Section 2. That the City Manager is authorized to execute an amendment to the Agreement with the Kenai Chamber of Commerce and Visitor Center, Inc. to extend the time of completion

Resolution No. 2021-18
Page 2 of 2

from April 20, 2021 to May 1, 2021 and increase the administrative costs from up to \$15,000 to up to \$23,500 and fund the program for direct incentive to shoppers up to \$326,500.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 17th day of March, 2021.

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Paul Ostrander, City Manager
DATE: March 5, 2021
SUBJECT: Resolution 2021-18 – Extending the Shop Local Program

At its January 20, 2021 meeting, the City Council passed Ordinance 3177-2021 authorizing the Shop Local Economic Stimulus Program in the amount of \$350,000, and the City entered into a Professional Services Agreement with the Kenai Chamber of Commerce and Visitor Center, Inc. for administration of the program for a total cost not to exceed \$15,000 including up to \$10,000 to promote the program and up to \$5,000 for program administration.

Since the “Shop Here All Year in Kenai” shop local program began on February 1, the Kenai Chamber reported the program had awarded \$57,050 in vouchers as of the March 3 City Council Meeting, leaving a large share of the direct incentives available under the program remaining. The program is set to conclude on April 1, 2021. Based on the participation in the program in its first month (February 1 through March 1), additional funds appear likely to remain in the program that would allow for an extension of the program for an additional month.

City Administration has worked jointly with the Kenai Chamber of Commerce and Visitor Center to monitor the success of the program and recommends an extension of the program for an additional month, concluding May 1, 2021. This extension will allow the program to continue at the level of funding previously approved by Council with an increase in actual administrative costs of \$8,500 that will reduce the direct incentive to shoppers from \$335,000 to \$326,500 but continue a successful program that rewards local shopping, promotes Kenai businesses, and assists in our recovery from the COVID-19 pandemic.

Your consideration is appreciated.

CITY OF KENAI

**FIRST ADMENDMENT TO AGREEMENT BETWEEN OWNER
AND SERVICE PROVIDER FOR KENAI SHOP LOCAL ECONOMIC
STIMULUS PROGRAM TO BENEFIT KENAI SMALL BUSINESS**

MADE AS OF THE _____ DAY OF _____ 2021.

BETWEEN the OWNER: CITY OF KENAI
210 Fidalgo Avenue
Kenai, Alaska 99611

AND the SERVICE PROVIDER: Kenai Chamber of Commerce and Visitor Center, Inc.
11471 Kenai Spur Highway
Kenai, AK 99611

FOR the PROJECT: Kenai Shop Local Economic Stimulus Program to Benefit Kenai
Small Business

The Owner and Service Provider agree as set forth below.

ARTICLE 1

THE WORK

The Service Provider shall perform all the work described in the Proposed Kenai Shop Local Program as Attachment "A" hereto, including but not limited to:

- 1. Basic Services, as described in the Program Description.

ARTICLE 2

TIME OF COMMENCEMENT AND COMPLETION

WHEREAS: on January 20, 2021, the Kenai City Council adopted Ordinance 3177-2021 authorizing the City Manager to enter into a service agreement with the Service Provider; and,

WHEREAS: the Service Provider's performance of services required by this AGREEMENT shall commence on February 1, 2021 and terminate on April 30, 2021; and,

WHEREAS: on March 17, 2021, the Kenai City Council adopted Resolution 2021-18, authorizing the City manager to execute an amendment of the agreement, extending the termination date to May 1, 2021.

ARTICLE 3

COMPENSATION

WHEREAS: on January 20, 2021, the Kenai City Council adopted Ordinance 3177-2021 authorizing the City Manager to enter into a service agreement with the Service Provider; and,

WHEREAS: The Owner shall compensate the Service Provider for actual administrative as follows:

Administrative Costs not to exceed \$15,000 including up to \$10,000 to promote the program and up to \$5,000 for program administration and support.

And fund the program through the Service Provider for direct incentive to shoppers up to \$335,000;

and,

WHEREAS: on March 17, 2021, the Kenai City Council adopted Resolution 2021-18, authorizing the City manager to execute an amendment of the agreement, amending the compensation to the Service Provider as follows:

Administrative Costs not to exceed \$ 23,500 including up to \$10,000 to promote the program and up to \$13,500 for program administration and support.

And fund the program through the Service Provider for direct incentive to shoppers up to \$326,500

ARTICLE 4

ENUMERATION OF CONTRACT DOCUMENTS

The documents which are specifically incorporated into this AGREEMENT by reference and form the contract documents are listed below. Should any provision or requirement of one portion of the contract documents conflict with any other portion of the contract documents, unless otherwise provided herein, the conflict will be resolved by reference to the contract documents in the following order of priority:

- A. Any and all later modifications, Change Orders, and written interpretations of the Contract Documents issued by the Owner
- B. This AGREEMENT
- C. The Service Provider's Proposal, including Cost Proposal

Any other attachments to this AGREEMENT do not form a part of the AGREEMENT but are for reference or proof of compliance with the requirements of the AGREEMENT, except where the provisions of this AGREEMENT provide such attachments will be or are a part of the AGREEMENT.

These form the contract and what is required by any of the documents shall be as binding as if required by all. The intention of the contract documents is to require the furnishing of all labor, material, equipment, and other items necessary for the proper execution and completion of the program and to prescribe the terms and conditions of the contract and payment, so as to include work and materials which may be necessary to produce the intended results.

ARTICLE 5

INSURANCE

- A. Service Provider shall, at Service Provider's own expense, secure and maintain the following insurance:
 - i. comprehensive general liability insurance, including premises, all operations, property damage, personal injury and death, broad-form contractual coverage with a per occurrence limit of not less than \$1,000,000 combined single limit;
 - ii. worker's compensation insurance with coverage for all employees engaged in work under this Agreement as required by AS 23.30.045 (Service Provider is responsible for worker's

compensation insurance for any subService Provider who directly or indirectly provides services under the Agreement); and,

- iii. comprehensive automobile liability insurance covering all owned, hired, and non-owned vehicles with coverage limits not less than \$1,000,000 combined single limit per occurrence.

Where specific limits are stated, the limits are the minimum acceptable limits. If Service Provider's insurance policy contains higher limits, Owner is entitled to coverage to the extent of the higher limits.

B. All insurance required by this Section shall meet the following additional requirements:

- i. for comprehensive general liability and automobile liability insurance, name the City of Kenai as an additional insured;
- ii. for worker's compensation insurance, general liability, and automobile liability insurance, where possible, include a waiver of subrogation so that the insurer waives all rights of subrogation against the City of Kenai for payments made under the policy;
- iii. provide Owner with at least 30 days' notice before any termination, cancellation, or material change in insurance coverage is effective; and,
- iv. be issued by a company/corporation currently rated "A-" or better by A.M. Best.

C. Service Provider shall submit to Owner proof of insurance coverage in the form of insurance policies, certificates, endorsements, or a combination thereof, and signed by a person authorized by the insurer to bind coverage on its behalf. The effective date of the insurance will be no later than the first day of the term of this Agreement.

D. The indemnification and insurance coverage requirements stated in this Section and in Section 6 below do not relieve Service Provider of any other obligation under this Agreement.

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

ARTICLE 6

Indemnity, Defend, and Hold Harmless

Service Provider shall indemnify, defend, and hold harmless Owner and its agents, employees, and/or insurers from claim, loss, damage, liability, including injury and death or expense in any way related to any act or omission of Service Provider or Service Provider's employees, agents, or invitees arising out of Service Provider's performance of services under this Agreement, except to the extent any negligence of Owner or its employees or agents is a proximate cause of any injury or damage. If a third party asserts a claim against Service Provider and Owner, Service Provider and Owner shall seek in good faith to achieve Agreement to an apportionment of fault as between them without an independent of litigation. This provision shall survive expiration or termination of this Agreement.

ARTICLE 7

All legal notices relating to this contract, including change of address, shall be mailed to the Owner and the Service Provider at the following addresses:

OWNER

City of Kenai
210 Fidalgo Ave
Kenai, Alaska 99611

SERVICE PROVIDER

Kenai Chamber of Commerce
and Visitor Center, Inc.
11471 Kenai Spur Highway
Kenai, Alaska 99611

ARTICLE 8

EXTENT OF AGREEMENT

This AGREEMENT represents the entire and integrated AGREEMENT between the Owner and the Service Provider, and supersedes all prior, inconsistent negotiations, representations, or AGREEMENTS, either written or oral. This AGREEMENT may be amended only by written instrument signed by both Owner and Service Provider.

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed in their respective names by their duly authorized representatives as of the date and year above written.

ARTICLE 9

ATTACHMENTS

In the event there is any difference between an attachment to the original of this AGREEMENT on file with the City of Kenai and any attachment to a duplicate original of the AGREEMENT, the attachments to the original filed with the City shall control.

ARTICLE 10

JURISDICTION: CHOICE OF LAW

This contract shall be governed by the laws of the State of Alaska, and any lawsuit brought thereon shall be filed in the Third Judicial District at Kenai, Alaska.

OWNER and SERVICE PROVIDER each binds themselves, their partners, successors, assigns and legal representatives in respect to all covenants, AGREEMENTs and obligations contained in the Contract Documents.

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed in their respective names or by their duly authorized representatives as of the date and year above written.

OWNER:
CITY OF KENAI

By: _____
Paul Ostrander
City Manager

SERVICE PROVIDER:

By: _____
Name: _____
Title: _____

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ____ day of _____, 2021.

Paul Ostrander, City Manager,
City of Kenai, Alaska, being personally known to me or having produced satisfactory evidence of identification, appeared before me and acknowledged the voluntary and authorized execution of the foregoing instrument on behalf of said City.

NOTARY PUBLIC FOR ALASKA
My Commission Expires: _____

Approved by Legal: _____
Approved by Finance: _____

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on

this ____ day of _____, 2021.

_____,(title)
_____of

_____ being personally known to me or having produced satisfactory evidence of identification, appeared before me and acknowledged the voluntary and authorized execution of the foregoing instrument on behalf of said corporation.

NOTARY PUBLIC FOR ALASKA
My Commission Expires: _____



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2021-19

A RESOLUTION OF THE CITY OF KENAI, ALASKA, AUTHORIZING AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES TO BEGIN ASSESSMENTS FOR THE MASTER PLAN FOR WATER & SEWER FACILITIES AND EQUIPMENT.

WHEREAS, the City of Kenai released a formal Request for Proposals on March 9, 2020 to provide for Professional Engineering Services as a term agreement to cover Capital Projects for our Water, Sewer, and Wastewater facilities and infrastructure; and,

WHEREAS, HDL Engineering was the successful firm provided with a formal Notice of Award on May 15, 2020 to provide for these services; and,

WHEREAS, the FY20 annual budget provided funding to complete Master Planning and Rate Study services which were specifically identified within the Request for Proposals; and,

WHEREAS, the assessment of the City's Wastewater facility took place from June through September 2020 at a cost of \$39,827 and provided the requested detail and information the Public Works Department requires to successfully continue with the development of the City's Capital Improvement Plan; and,

WHEREAS, the Water & Sewer Facilities are the next step in this process, with specific focus on the City's water production wells, water storage and pump stations, water treatment facility, pressure monitoring, sanitary sewer lift stations and associated equipment, manholes and the sewer collection system; and,

WHEREAS, this work identified by agreement as Task 2b, is expected to cost \$82,175 and is agreed to be completed within ninety (90) days of the Notice to Proceed.

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

Section 1. Council authorizes the City Manager to execute a professional services agreement to HDL Engineering Consultants for completion of this work and to provide a Purchase Order to HDL Engineering in the amount of \$82,175.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 17th day of March, 2021.

BRIAN GABRIEL SR., MAYOR

Resolution No. 2021-19
Page 2 of 2

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: *John R. Best*



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Scott Curtin

DATE: March 7, 2021

SUBJECT: **Resolution 2021-19 – Master Plan for Water & Sewer Facilities and Equipment**

The purpose of this memo is to request the Council's Support of Resolution 2021-19 to provide functional assessments of the City's Water & Sewer facilities and equipment.

HDL Engineering Consultants successfully completed the requested assessments of the City's wastewater facilities this past summer. As HDL was a new Engineer to the Department, staff wanted to make sure the assessments would proceed to our expectations prior to releasing the other Water & Sewer facilities. As the wastewater work was completed on time and as requested, we are able to move forward with the next phases of this work now.

The information these assessments are providing is of tremendous value to the Department. They are ensuring we are directing our funding toward priority items and allowing a level of planning and understanding of our deficiencies to assist in how we are managing the utility.

Upon completion of this work, we will have a high-level understanding of all suggested projects, will then move through a Rate Study to determine how we will intend to pay for these projects. Specific projects will be updated annually within the City's five-year Capital Plan. These assessments will likely include project forecasting going out as far as ten years based on current conditions and funding availability.

Council's support is respectfully requested.

**KENAI CITY COUNCIL – REGULAR MEETING
MARCH 3, 2021 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
MAYOR BRIAN GABRIEL, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on March 3, 2021, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Mayor Gabriel led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Brian Gabriel, Mayor
Henry Knackstedt
Jim Glendinger
Victoria Askin

Robert Molloy
Tea Winger
Glenese Pettey

A quorum was present.

Also in attendance were:

Paul Ostrander, City Manager
Scott Bloom, City Attorney
Jamie Heinz, City Clerk

3. Agenda Approval

Mayor Gabriel noted the following revisions to the agenda and packet:

- Add to item G.7. **Resolution No. 2021-13**
- Public Comment

MOTION:

Vice Mayor Molloy **MOVED** to approve the agenda with the requested additions and requested **UNANIMOUS CONSENT**. Council Member Askin **SECONDED** the motion.

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

4. Consent Agenda

MOTION:

Council Member Knackstedt **MOVED** to approve the consent agenda and requested **UNANIMOUS CONSENT**; and Council Member Glendening **SECONDED** the motion.

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

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

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

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

B. SCHEDULED PUBLIC COMMENTS

1. **Tim Dillon** - Kenai Peninsula Economic Development District (KPEDD) Public Outreach and Engagement in the Development of the Kenai Peninsula's Comprehensive Economic Development Strategy.

Tim Dillon presented on KPEDD's Comprehensive Economic Development Strategy (CEDs), explaining what KPEDD does, how it is funded, and why the CEDs is so important right now. He emphasized that this strategy needs to be very diverse to support the large diversity of groups on the Peninsula, and discussed the variety of different outreach efforts that they have initiated. He outlined their main goals, noting that their number one overarching goal is to continue to develop the Kenai Peninsula brand for residents, visitors, and businesses and promote the expansion of recreational amenities and public access. The CEDs timeline was reviewed, along with what the City of Kenai and its community can do to support their goals.

C. UNSCHEDULED PUBLIC COMMENTS

Martin Mativa with Coming Attraction Theaters and the Extreme Fun Center thanked the City Council for making it easy to do business in Kenai, and for supporting local businesses with CARES funding. He noted that Kenai has been the easiest community that he's worked with, and relayed the good experience that he's had working with the City staff.

Brittany Brown, Executive Director of the Kenai Chamber of Commerce provided an update on the "Shop Here All Year" shop local program and touched on the Grocery and Necessary Household Goods program that began on March 1. She noted that, while too early to present data on the grocery program, she had seen how it complemented the shop local program and both programs have been boosted by running them concurrently. She reported that the shop local program now had 55 participating small businesses and 598 participants, and which translated into \$57,050 in direct incentives and a total of \$168,400 spent in our community.

D. PUBLIC HEARINGS

1. **Ordinance No. 3192-2021** - Increasing Estimated Revenues and Appropriations in the General Fund Parks, Recreation and Beautification Department, and Authorizing an Increase to the Multi-Purpose Facility Management Services Purchase Order to Red Line Sports for Additional Ice Maintenance Services.

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3192-2021 and Vice Mayor Molloy **SECONDED** the motion.

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

It was noted that this is a result of the City staff's proactive response to the increased interest in the Kenai Multi-Purpose Facility ice rink. Activity at the rink is significantly greater than previous years, due to the rink being open in January and February when other surrounding rinks were closed. The increased usage of the rink has resulted in greater projected revenues as well as increased maintenance costs.

VOTE:

YEA: Winger, Gabriel, Askin, Glendening, Knackstedt, Molloy, Pettey
NAY:

MOTION PASSED UNANIMOUSLY.

2. **Ordinance No. 3193-2021** - Accepting and Appropriating an Increase in the Title III Grant from the State of Alaska Department of Health and Social Services for Nutrition, Transportation and Support Services and a Grant from the United States Treasury Passed Through the State of Alaska Department of Health and Social Services to Support the Kenai Senior Center's Response to the COVID-19 Public Health Emergency.

MOTION:

Vice Mayor Molloy **MOVED** to enact Ordinance No. 3193-2021 and Council Member Glendening **SECONDED** the motion.

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

Senior Center Director Romain was recognized for her hard work on obtaining these grants.

VOTE:

YEA: Askin, Glendening, Knackstedt, Molloy, Pettey, Winger, Gabriel
NAY:

MOTION PASSED UNANIMOUSLY.

3. **Ordinance No. 3194-2021** - Accepting and Appropriating Insurance Proceeds for Damage to Wellhouse Number One in the Water and Sewer Capital Projects Fund, Authorizing a Budget Transfer in the Water and Sewer Special Revenue Fund – Water Department, and Appropriating the Estimated Residual Amount Needed to Relocate the Damaged Facility to the Water and Sewer Complex on Shotgun Drive in the Water and Sewer and Water and Sewer Capital Project Funds.

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3194-2021 and Council Member Glendening **SECONDED** the motion.

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

City Manager Ostrander clarified that the lot is currently being leased from the State and once the facility is relocated off that site Administration will look into terminating that lease.

VOTE:

YEA: Glendening, Knackstedt, Molloy, Pettey, Winger, Gabriel, Askin
 NAY:

MOTION PASSED UNANIMOUSLY.

4. **Resolution No. 2021-10** - Authorizing the City Manager to Execute a Professional Engineering Services Agreement for the Kenai Water, Sewer, and Waste Water SCADA Programming Services.

MOTION:

Council Member Glendening **MOVED** to adopt Resolution No. 2021-10 and Council Member Knackstedt **SECONDED** the motion.

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

Public Works Director Curtin clarified that HDL Engineering was awarded the overall contract last year, Borealis Controls was the sub-consultant that does that does the SCADA design and integration, and this agreement includes both. The City has been working on assessing current infrastructure and has purchased some equipment to replace outdated equipment.

It was noted that this is likely the first step in a large project as our SCADA system is very outdated and it will require more work to get it where it needs to be, so there may be more legislation brought before Council for this in the future.

UNANIMOUS CONSENT was requested.

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

5. **Resolution No. 2021-11** - Approving the Use of the Fleet Replacement Fund for the Purchase of a Fifteen Passenger Van for the Kenai Senior Center Utilizing the State of Alaska Equipment Fleet Contract.

MOTION:

Council Member Glendening **MOVED** to adopt Resolution No. 2021-11 and Vice Mayor Molloy **SECONDED** the motion.

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

It was clarified that this is part of the City plan that to reduce its fleet of vehicles, therefore reducing costs and acquiring a smaller but more efficient fleet that are safer for employees. This proposed van will replace three vehicles and is intended to be used for ten years before being transferred to Building Maintenance. It was noted that the lead time on this van is 4-5 months and it is expected that by the time it is received the Senior Center transportation program will be up to pre-COVID levels. The need for volunteer drivers was also mentioned.

UNANIMOUS CONSENT was requested.

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

6. **Resolution No. 2021-12** - A Resolution of the Council of the City of Kenai, Alaska Approving Development Incentives Per Kenai Municipal Code 21.10.100 Temporary Development Incentives for a Lease of Airport Reserve Lands Between The City of Kenai and Soar International Ministries on Tract A-2, General Aviation Apron Subdivision No. 7.

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2021-12 and Vice Mayor Molloy **SECONDED** the motion.

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

It was noted that it is good to see an older building being repurposed and used on the airport and it speaks well to airport administration. Clarification was provided that this is the vacant lot along Willow Street directly adjacent to terminal building parking lot and that there are three to four other nearby hangers that there may be incentives for as well.

UNANIMOUS CONSENT was requested.

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

7. **Resolution No. 2021-13** - Requesting the US Secretary of Commerce Veto the North Pacific Fishery Management Council's Adoption of Measures that will Close Commercial Salmon Fishing in the Cook Inlet Exclusive Economic Zone.

MOTION:

Vice Mayor Molloy **MOVED** to adopt Resolution No. 2021-13 and Council Member Askin **SECONDED** the motion.

Mayor Gabriel opened for public hearing.

Roland Maw, Executive Director of the United Cook Inlet Drift Association thanked Council and stated his support for this Resolution. He discussed the history of the Magnuson-Stevens Act in Alaska and how it has changed fishery management, including various amendments over the decades since its implementation, and how these changes relate to Alternatives 1, 2, 3, and 4.

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

Mayor Gabriel passed the gavel to Vice Mayor Molloy. He explained that this resolution is consistent with previous actions the Council has taken on this issue and that the City is well aware of the economic importance of this fishery to our coastal communities. He noted that we are down to very few processing businesses in Cook Inlet and once we lose them it will be very hard to bring them back. He recalled that when Alternative 4 came into play, public comment was overwhelmingly opposed to it yet it still passed; he believes this resolution is the next step in the process to halt this and move towards a more agreeable settlement of this issue. He noted that this would be available for the entire Council to sign. Vice Mayor Molloy returned the gavel.

It was reiterated that a similar resolution was passed by the Kenai Peninsula Borough Assembly, and it would be good to be consistent with them. Council agreed that Alternative 4 would have a severe economic impact, and they agreed they would all like to sign the resolution.

VOTE:

YEA: Askin, Glendening, Knackstedt, Molloy, Pettey, Winger, Gabriel
NAY:

MOTION PASSED UNANIMOUSLY.**E. MINUTES**

1. *Regular Meeting of February 3, 2021.

Approved by the consent agenda.

G. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified.

Approved by the consent agenda.

2. ***Ordinance No. 3195-2021** - Accepting and Appropriating Funds in the Airport Fund, and Accepting Grants from the Federal Aviation Administration Under the Coronavirus Response and Relief Supplemental Appropriation Act, 2021.

Introduced by the consent agenda and Public Hearing set for March 17, 2021.

3. Action/Approval - Confirmation of Sarah Douthit, Nominated by the Mayor to Fill a Vacancy on the Beautification Committee.

MOTION:

Vice Mayor Molloy **MOVED** to confirm Mayoral Nominations for Appointment of Sarah Douthit to the Beautification Committee. Council Member Askin **SECONDED** the motion.

Kaye Reed was thanked for her service.

UNANIMOUS CONSENT was requested.

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

4. Discussion - Remote Electronic Participation in Council Meetings by Council Members and the Public.

Discussion involved how Council Members can participate remotely in the future when they are unable to be at Council in person. Options were reviewed.

City Clerk noted that video conferencing software licensing was purchased for COVID-19, and reviewed the features that were subscribed to adding the total current costs were \$2,000. Reviewed cost of video conferencing features for various options, whether public would be allowed to participate or if it would be limited to Council only, and whether it would involve changes to KMC or the creation of a new policy.

Discussion on this topic included:

- While it's preferable see people in person, a lot of people don't feel comfortable coming to public or crowded places and providing Zoom access to meetings would allow them to still participate;
- Clarification was provided that, prior to COVID-19, all public comment was made in-person and the only remote participation was done telephonically by Council Members;
- People can watch City Council Meetings live or recorded on the City of Kenai's YouTube channel;
- Calling in to a meeting tends to be less effective, especially when you have an item on the agenda. There have been times in the past that three Council members are on the phone due to travel;
- Great for members of the public like Mr. Dillon to have the option participate remotely;
- Good to hear the discussion and look proactively at what could happening after the emergency declaration;
- There seems to be two tracks of consideration: one for public participation, and one for how Council and commission/committees manage their business. It is imperative that commissions get back to meeting in person for more effective discussion;
- If there is a member who doesn't feel comfortable meeting in person, at what point to we say that they must attend in person? We can send correspondence requesting that they meet in person, but demanding it may be a legal question;

- Zoom participation has been a benefit to commissioners with families and with health concerns, but there are also people who are able to come in that choose Zoom instead of in-person attendance;
- Suggestion that a statement be signed by commissioners who choose to Zoom confirming that they are not comfortable attending in person;
- Support for in-person public participation, but allow travelling Council members and scheduled presenters on Zoom;
- During the November 23, 2020 meeting with Dr. Zink, she had suggested her immunity might be achieved by July;
- Would like to see Council take the lead in getting back to normal;
- An ordinance will be developed addressing virtual participation for Council only, and the rest of the discussion regarding commission and public participation will be developed down the road.

5. Discussion - Water and Sewer Service Penalty, Interest, and Shutoffs for Non-Payment Beyond the COVID-19 Disaster Emergency Declaration.

Administration's recommendation of Option No. 2 was discussed, which would provide a grace period after the expiration of the Disaster Declaration which would give customers time to get caught up on delinquent accounts without facing shut off or accruing penalty or interest. There was support for confession of judgement being added, and City Attorney Bloom recommended that we allow for two-year payment plans and suspend all penalty and interest as long as they are current on the payment plan and we hold a confession of judgment in the case of non-payment. He noted that the City frequently worked with people in this situation, and if a payment was missed they allow for some leniency. However if the emergency declaration expires, the City would be bound to follow code, very delinquent accounts would be shut off, and an ordinance would be needed to suspend this code. What could be done is create a unique payment plan which would not accrue penalty and interest as long as they were current on payment plan and it could be completed within two years.

Another option discussed would be to assign all or part of a customer's Permanent Fund Dividend payment, and it was noted that the amount of upcoming PFDs is unknown and also if they will be garnished for other purposes. The option to lien the property was also suggested in the case that the customer falls off the payment plan, and it was noted that the City frequently implements payment plans like this successfully.

The issue of using CARES Act funding for utility relief was raised and it was clarified that there was specific federal guidance during the first round of funding which prohibited it. City Attorney Bloom also explained that if customers do not complete the necessary paperwork to participate in this program, their accounts will be treated pursuant to code and normal shutoff procedures. However, there is still time for them to sign up as long as the Emergency Declaration is in place. The current procedures for delinquent accounts and shutoffs were explained.

It was noted that payment plans are established with very specific parameters that are developed with the customer's financial situation in mind, because the City does not want to push someone into a plan that they cannot afford.

There was a general consensus that Council supported Option No. 2.

6. Discussion - COVID-19 Response.

City Manager Ostrander reported that there was one employee in COVID-19 protocol, and Central Peninsula Hospital reported two hospitalizations. The City is coordinating with local seafood processors to vaccinate employees who will be coming in for the upcoming fishing season, and they will also be holding a vaccination clinic at the Beacon facility on March 13, 2021. He reported that the Senior Center has initiated a phased opening, and will soon be adding back transportation services; they will continue to open slowly as long as numbers stay low. The Kenai Recreation Center will also continue opening more programs as numbers stay low, and plan on adding a basketball league. Discussion included additional services at the Rec Center and the change of management from the Boys & Girls Club to City employees.

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging – No report. Next meeting March 11, 2021 at the Senior Center with social distancing.
2. Airport Commission – No report. Next meeting March 11, 2021.
3. Harbor Commission – No report. Next meeting March 8, 2021.
4. Parks and Recreation Commission – No report. Next meeting March 4, 2021.
5. Planning and Zoning Commission – No report. Next meeting March 10, 2021.
6. Beautification Committee – No report. Next meeting April 13, 2021.
7. Mini-Grant Steering Committee – No report.

I. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Thanked Council for their support on Resolution No. 2021-13;
- Presented the 3rd annual State of the City address with City Manager Ostrander at the Kenai Chamber of Commerce. Thanked City Manager Assistant Cunningham for her work on the presentation;
- City Employee evaluations are coming up.

J. ADMINISTRATION REPORTS

1. City Manager - City Manager P. Ostrander reported on the following:
 - Address concerns raised at the last Council meeting about non-Kenai businesses receiving Kenai CARES funds, and reported that that the business in question did not receive CARES grant funds from the City of Kenai nor the Kenai Peninsula Borough;
 - Attended department budget meetings, and together are working on narratives to ensure meaningful goals that can be measured;
 - The City will be actively recruiting over the next month for four positions, including three administrative positions in Public Works and an Airport Manager;

- Recognized Fire Chief Prior for going above and beyond by becoming our expert in COVID-19 vaccination, getting approved to become a vaccination provider, and doing an excellent job at hosting clinics;
 - Update on Bluff project: RFP opens tomorrow.
2. City Attorney – No report.
 3. City Clerk – City Clerk J. Heinz noted she and the Deputy Clerk had attended virtual training on software that the City owned and thanked Council for the opportunity for training.

K. ADDITIONAL PUBLIC COMMENT

1. Citizens Comments (*Public comment limited to five (5) minutes per speaker*) - None
2. Council Comments

Council Member Askin reported that she had participated in some national Zoom meetings through her work and in speaking to people from other areas had observed that there is envy about Kenai's response to COVID-19 and how we've continued open meetings.

Council Member Glendening noted that had liked Vice Mayor Molloy's approach to include discussion on remote participation before bringing an ordinance to Council. He also stated that he is heartened by the level of participation in the voucher programs.

Council Member Pettey reported that she attended the Chamber of Commerce luncheon and that it was good to see friends and to hear the City's report which provided transparency to the community. Noted that she is thankful to play a part in that.

Council Member Winger recognized that March is Women in History month, and noted historical events relating to women in history. She pointed out the difference in women's rights in the United States as compared to Saudi Arabia. She stated that she would like to see the City of Kenai initiate a campaign to bring awareness to human trafficking and domestic violence.

Vice Mayor Molloy thanked Council Member Winger for her comments about women in history, and noted that our current State law on stalking is inadequate due to needing to prove crimes. He pointed out that in the mid-80's, the City of Kenai donated property to what became the Leeshore Center. He noted that he is looking forward to the City taking management responsibilities of the Recreation Center and adding programs to that; also expressed appreciation for the remote participation discussion. Commended Mayor Gabriel and City Manager Ostrander for the great presentation at Chamber of Commerce luncheon and thanked the public that has been spending money in Kenai as well as the collectors and remitters of sales tax.

Council Member Knackstedt echoed Vice Mayor Molloy's comments and thanked Mayor Gabriel and City Manager Ostrander for presentation at the Chamber of Commerce. He expressed appreciation for the well-done presentation, noting that the visuals were great. Reported that he received his COVID-19 vaccination, and noted that it is good that more vaccines are coming in.

L. EXECUTIVE SESSION – None.

M. PENDING ITEMS – None.

N. ADJOURNMENT

O. INFORMATION ITEMS

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

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

I certify the above represents accurate minutes of the Kenai City Council meeting of March 3, 2021.

Jamie Heinz, CMC
City Clerk

DRAFT

**PAYMENTS OVER \$15,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: MARCH 17, 2021**

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	97,982.21
REBORN AGAIN JANITORIAL	FEBRUARY SERVICES	AIRPORT	REPAIR & MAINTENANCE	4,231.25
ENSTAR NATURAL GAS	GAS USAGE	VARIOUS	UTILITIES	41,164.81
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	123,225.23

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
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**PURCHASE ORDERS OVER \$15,000.00 WHICH NEED COUNCIL APPROVAL
COUNCIL MEETING OF: MARCH 17, 2021**

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
REFRIGERATION & FOOD EQUIPMENT	KITCHEN RANGE	SENIOR CENTER	MACHINERY & EQUIPMENT	15,800.50

INCREASE OF EXISTING PURCHASE ORDER

VENDOR	DESCRIPTION	P.O. # - DEPT.	REASON	AMOUNT	TOTAL PO AMT
UNIVAR SOLUTIONS	FY21 CHEMICALS	120969 - WWTP	ADDITIONAL POLYMER	15,000.00	47,500.00



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Kathy Romain, Senior Center Director
DATE: March 9, 2021
SUBJECT: Purchase Orders over \$15,000

This purpose of this memo is to request approval to purchase a new stove range for the Senior Center.

The COVID Relief for Older Adults and their Caregivers FY21 Grant from the State of Alaska provided the funding for a new range/stove for the Senior Center kitchen.

Three vendors were contacted to provide quotes:

Refrigeration & Food Equipment	\$15,800.50
Commercial Kitchen Solutions	\$16,527.00
Alaska Restaurant Supply	\$20,912.70

Thank you for your consideration.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin
DATE: March 7, 2021
SUBJECT: **Purchase Order Exceeding \$15,000**

The purpose of this memo is to request approval of an increase to Purchase Order Number 120969 to Univar Solutions USA Inc. from \$32,500 to \$47,500. Univar provides various chemicals for the Wastewater Treatment Plant. An Invitation to Bid was released in July 2020, and Univar was the only responsive bidder.

This Purchase Order is specific to the Wastewater Plant. The increase is due to sludge press polymer, which was not included in the original amount and will cover approximately \$12,000 of the needed \$15,000. The remaining approximately \$3,000 difference is for additional chlorine needed to remain in compliance with our discharge permit requirements.

The polymer is a proprietary additive that was originally selected through testing and sampling of our sludge and is approved annually through a sole source. A sole source was inadvertently not included in a separate purchase order this year due to staff error. However, the amounts were included in the operational budget under operational supplies, so additional funding is not required.

Council's support is respectfully requested.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3196-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING FEDERAL FUNDS FROM THE INSTITUTE OF MUSEUM AND LIBRARY SERVICES PASSED THROUGH THE ALASKA STATE LIBRARY FOR EMPLOYEE TRAINING.

WHEREAS, the Kenai Community Library has received \$784 in grant funds from the Institute of Museum and Library Services (IMLS), passed through the Alaska State Library, for Continuing Education expenses of four staff members; and,

WHEREAS, the total cost for the Continuing Education classes is \$784; and,

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

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

Section 1. That the City Manager is authorized to accept four Continuing Education grants totaling \$ 784 from IMLS passed through Alaska State Library for four staff members to attend online classes.

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

General Fund:

Increase Estimated Revenues –	
Federal Grants - Library	\$ <u>784</u>
Increase Appropriations –	
Library – Travel and Transportation	\$ <u>784</u>

Section 3. That the City Manager is authorized to execute grant agreements and to expend the grant funds to fulfill the purpose and intent of this ordinance.

Section 4. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Ordinance No. 3196-2021

Page 2 of 2

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 7th day of April, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: *Sum L Best*

Introduced: March 17, 2021
Enacted: April 7, 2021
Effective: April 7, 2021



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Katja Wolfe, Library Director

DATE: March 8, 2021

SUBJECT: **Ordinance 3196-2021 - Continuing Education Grants**

The Alaska State Library receives funds from the Institute of Museum and Library Services to pay for continuing education grants. These funds allow staff members to attend continuing education workshops or conferences.

The Kenai Community Library has been awarded \$784 for four staff members to each enroll in one distant learning class. Topics include cataloging, collection management, reader's advisory, and other fundamental library competencies.

I respectfully request consideration of the ordinance and accepting and appropriating these grant funds.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3197-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AMENDING KENAI MUNICIPAL CODE SECTION 23.50.010 – EMPLOYEE CLASSIFICATION, TO ADD THE CLASS TITLE AND RANGE FOR A CAPITAL PROJECT MANAGER POSITION.

WHEREAS, pursuant to KMC 23.20.020, the classification plan shall be revised as changing positions require it, with the recommendation of the City Manager and the approval of the City Council; and,

WHEREAS, such revisions may consist of the addition, abolishment, consolidation, division, or amendment of the existing classes; and,

WHEREAS, the City, based on the amount of projects already funded as well as the proposed projects identified within the FY2022-2026 Capital Improvement Plan has a sufficient demand to support the need for this position; and,

WHEREAS, the Public Works Director and Human Resource Director worked with the City Manager to create a new position description, classification, grading and title for a Capital Projects Manager to reflect the current needs of the City in the area of Capital Improvement Projects; and,

WHEREAS, the updated position description for a Capital Projects Manager reflects the scope and responsibility of the newly created position in a role graded appropriately at a range 18; and,

WHEREAS, in order to recruit and hire a Capital Projects Manager under this newly created position in advance of the upcoming construction season requires an increase to the Capital Projects Management Fund in the adopted FY2021 Budget; and,

WHEREAS, this addition of a position does not require an increase to the adopted FY2021 Budget as the cost of the position will be recovered from projects managed; and,

WHEREAS, the City Manager recommends updating the organizational structure within the Public Works Department and the employee classification within the Public Works class to allow for staffing the Capital Project Manager position with a salary range befitting the experience level of candidates qualified for the responsibilities of the position.

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

Section 1. Form: That this is code ordinance.

Section 2. Amendment of Section of the Kenai Municipal Code: That Kenai Municipal Code, Section 23.50.10, Employee Classification, is hereby amended as follows:

(d) PUBLIC WORKS

<u>400</u>	<u>Capital Project Manager</u>	<u>18</u>
401	Building Official/Manager	17
402	Shop Foreman	16
403	Street Foreman	16
404	Wastewater Treatment Plant Operator II	13
405	Water and Sewer Operator II	13
406	Water and Sewer Operator I	10
407	Equipment Operator	11
408	Shop Mechanic	14
409	Equipment Lead Operator	14
410	Water and Sewer Foreman	16
412	Building Maintenance Technician	12
413	Wastewater Treatment Plant Lead Operator	14
414	Sewer Treatment Plant Foreman	16
415	Wastewater Treatment Plant Operator I	10
417	Airport Operations Specialist	11
418	Airport Operations Supervisor	15
419	Building Maintenance Lead Technician	14
420	Water and Sewer Lead Operator	14

Section 3. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances.

Ordinance No. 3197-2021
Page 2 of 3

The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 4. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect thirty (30) days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 7th day of April, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Introduced: March 17, 2021
Enacted: April 7, 2021
Effective: May 7, 2021



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Scott Curtin

DATE: March 9, 2021

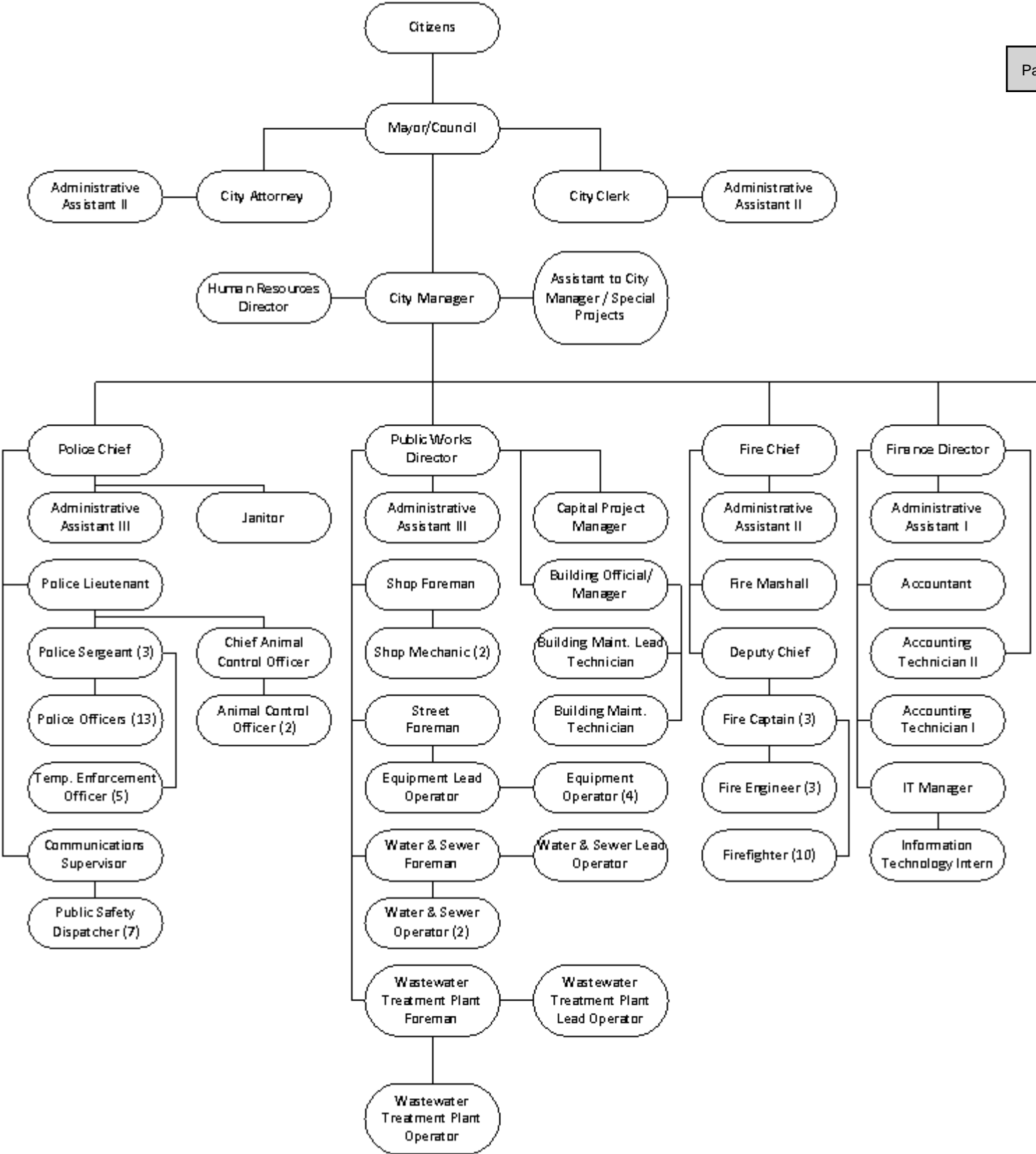
SUBJECT: Ordinance No. 3197-2021 – Capital Project Manager Position

The purpose of this memo is to request Council's approval to hire a Capital Projects Manager for the Public Works Department as a new full-time salaried position. Currently, the Public Works Director is responsible for all Capital Projects from inception to completion. With the development of this past year's Capital Improvement Plan, which forecasted projects out in detail for the next five years, and the continued ongoing assessments of our aging City facilities and assets, it has become clear that the amount of projects in front of us supports the demand for this position.

Fulfillment of this position will allow the Public Works Department to better serve the City by allowing for projects to be released and finished more quickly. The construction season is relatively short, and the number of projects that would need to be ongoing at the same time has proven to be too much for one individual to manage effectively.

The City Council should also be aware this position is intended to be funded directly by the projects themselves. An additional appropriation of funds to the Public Works Administration is not anticipated to be required at this time to cover this position.

Council's support is respectfully requested, and I am available to answer any questions Council may have.





Sponsored by: Vice Mayor Molloy

CITY OF KENAI

ORDINANCE NO. 3198-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AMENDING KENAI MUNICIPAL CODE SECTION 1.15.130 – TELEPHONIC PARTICIPATION, TO PROVIDE FOR REMOTE ELECTRONIC PARTICIPATION IN COUNCIL MEETINGS BY COUNCIL MEMBERS.

WHEREAS, telephonic participation in Council meetings was provided for beginning in 2005 to increase participation by allowing members to take part in meetings when work or family matters require their absence from Kenai; and,

WHEREAS, during the COVID-19 Public Health Emergency ordinances were suspended allowing for remote electronic participation, virtually; and,

WHEREAS, providing virtual remote electronic participation has proved to provide a better experience for the Council member participating remotely and those participating in-person; and,

WHEREAS, additional improvement in remote participation by a Council member could be provided by installing a camera to provide the Council member participating remotely, a view into the room; and,

WHEREAS, the Council recognizes that it is vital for Council members to have effective participation in meetings.

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

Section 1. Amendment of Section 1.15.130 – Telephonic Participation of the Kenai Municipal Code: That Kenai Municipal Code, Section 1.15.130 – Telephonic Participation, is hereby amended as follows:

1.15.130 [TELEPHONIC] Remote electronic participation.

(a) A member of the Council may participate via [TELEPHONE] electronic means in a Council meeting, if the member declares that circumstances prevent physical attendance at the meeting. If the Mayor chooses to participate via [TELEPHONE] electronic means, the Vice-Mayor or president pro tempore shall preside.

(b) No more than the first three (3) members to contact the Clerk regarding [TELEPHONIC] remote electronic participation in a particular meeting may participate via [TELEPHONE] electronic means at any one (1) meeting unless it is a special meeting called to consider an emergency action, in which case all members may participate [TELEPHONICALLY] via remote electronic participation.

- (c) The member shall notify the Clerk's office as soon as reasonably practical, but not less than two (2) hours prior to the start of the Council meeting that the member proposes to attend by [TELEPHONE] remote electronic means. Such notification shall state the reason for [TELEPHONIC] remote electronic participation and, if needed, shall provide the telephone number, and any available facsimile, email, or other document transmission service. Failure to provide the notification within the period of time provided herein shall result in the member's exclusion from attendance of a Council meeting through [TELEPHONIC] remote electronic participation. The Clerk shall notify all Council members of the request.
- (d) At the meeting, the Clerk shall establish the [TELEPHONE] appropriate connection when the call to order is imminent.
- (e) A member participating by [TELEPHONE] remote electronic means shall be counted as present for purposes of discussion, voting, constituting a quorum and attendance.
- (f) The member participating by [TELEPHONE] remote electronic means shall make every effort to participate in the entire meeting. From time to time during the meeting, the presiding officer shall confirm the connection, if necessary.
- (g) The member participating by [TELEPHONE] remote electronic means may ask to be recognized by the Chair to the same extent as any other member.
- (h) To the extent reasonably practicable, the Clerk shall provide backup materials to members participating by [TELEPHONE] remote electronic means at the member's expense.
- (i) If the [TELEPHONE] remote electronic connection cannot be made or is made and then lost, the meeting shall commence or continue as scheduled and the Clerk shall attempt to establish or restore the connection.
- (j) Meeting times shall be expressed in Alaska [T]ime regardless of the time at the location of any member participating by [TELEPHONE] remote electronic means.
- (k) Participation by [TELEPHONE] remote electronic means shall be allowed for regular, special and work session meetings of the Council.
- (l) Remarks by members participating by [TELEPHONE] remote electronic means shall be transmitted so as to be audible by all members and the public in attendance at the meeting, provided that in executive session the remarks shall be audible only to those included in the executive session.
- (m) As used in these rules, "[TELEPHONE] electronic means" means any system for synchronous two (2) or more way voice and/or virtual communication. "Mayor" includes the Vice-Mayor or any other member serving as president pro tempore.
- (n) Each Council member may attend a maximum of four (4) regular meetings by [TELECONFERENCE] remote electronic means during the twelve (12) month period starting November 1st of each year unless an exception provided below applies and any number of special meetings or work sessions.
- (o) A Council member may attend an additional two (2) meetings by [TELECONFERENCE] remote electronic means during a twelve (12) month period starting November 1st of each

year if the member declares that he or she is physically unable to attend the meeting due to the need for extended medical care and treatment of the member or extended medical care and treatment or death of the member’s immediate family.

(p) A Council member may attend an additional two (2) meetings by [TELECONFERENCE] remote electronic means during a twelve (12) month period starting November 1st of each year when the member is traveling on Council approved City business.

(q) In this section, “immediate family” means the spouse of the person, another person cohabitating with the person in a conjugal relationship that is not a legal marriage, a child (including a stepchild or foster child) of the person, a parent, sibling, grandparent, aunt or uncle of the person, or a parent or sibling of the person’s spouse.

(r) In this section “City business” means anytime a member is traveling or in a location outside the City on behalf of the City or attending training, as approved by Council and in compliance with the Council Travel Policy.

(s) In this section “emergency action” means any action which in the judgment of Council is necessary for the immediate preservation of public peace, health or safety.

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 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 7th day of April, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Introduced: March 17, 2021
Enacted: April 7, 2021
Effective: May 7, 2021



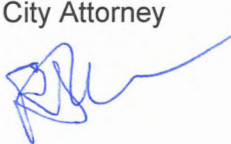
KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

CC: City Manager, City Clerk, City Attorney

FROM: Bob Molloy, Vice Mayor 

DATE: March 9, 2021

SUBJECT: Ordinance 3198-2021, Amending KMC 1.15.130 To Provide For Remote Electronic Participation In Council Meetings By Council Members

When the City's declaration of the COVID-19 Public Health Emergency ends, Code for remote participation by council members at council meetings and work sessions will revert back to **KMC 1.15.130 Telephonic participation**; the means for a council member's remote participation will be limited to participation by telephone only. **Ordinance 3198-2021** will amend **KMC 1.15.130** to allow council member participation by electronic means in regular, special and work session meetings of the Council.

This ordinance does not propose any other changes to existing **KMC 1.15.130**. No more than three council members who are absent will be able to participate virtually, either visually or by telephone, through the City's virtual platform, subject to the other limitations in **KMC 1.15.130**.

The cost for this initial step is minimal.

This ordinance does not apply to the City's other Boards, Commissions and Committees. For example, this ordinance does not apply to Council acting as a Board of Adjustment in appeals from a Planning and Zoning Commission decision under **KMC 14.20.290**. Because those appeals are quasi-judicial matters, **KMC 14.20.290(d)** provides that: "Members of the Board of Adjustment must be present in person for hearings held on appeals in order to participate in rendering a decision or voting on an appeal."¹

This ordinance also does not apply to the public. Council can discuss and may adopt a policy or policies to allow virtual public participation, using the City's virtual platform, at Council meetings and work sessions and at meetings of the City's other Boards, Commissions and Committees.

Council's consideration and support is appreciated.

¹ Similarly, the P&Z Commission's ordinance on telephonic participation allows only Commissioners who are present in person to vote on matters and agenda items that may be appealed to the Board of Adjustment. See, **KMC 14.05.025(e)**.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
FROM: Jamie Heinz, City Clerk
DATE: March 9, 2021
SUBJECT: Ordinance No. 3198-2021

In order to provide for video conferencing for remote electronic participation for Council members, the City would need to maintain the basic hosting license for video conferencing software. At this time, the cost for that is \$150 per year. Additionally, a better experience could be provided to the Council members participating remotely by purchasing and installing a camera in Council chambers. The cost for this would be \$500 or less. There are sufficient funds in the FY2021 Legislative Miscellaneous budget to cover this cost in FY2021. The FY2022 Draft Budget includes sufficient funding to maintain the current level of video conferencing to allow for the in-person/virtual hybrid meetings we have been conducting due to COVID-19. Once it is determined safe to eliminate the hybrid structure, the licensing will be reduced to the basic licensing and sufficient funding will be included in future proposed budgets.

Your consideration is appreciated.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3199-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, CONDITIONALLY WAIVING CERTAIN PROVISIONS OF TITLE 17- PUBLIC UTILITIES AND ENTERPRISES, RELATED TO PENALTY, INTEREST AND SHUTOFF FOR NONPAYMENT OF FEES FOR WATER AND SEWER UTILITY CUSTOMERS THAT CERTIFIED TO THE CITY THAT THEY WERE IMPACTED BY COVID-19 PURSUANT TO THE CITY MANAGER'S EXECUTIVE ORDER NO. 2 DURING THE EFFECTIVE PERIOD OF THE CITY'S EMERGENCY DISASTER DECLARATION.

WHEREAS, the Federal government, State government and City all made various disaster declarations during the COVID-19 public health emergency; and,

WHEREAS, as a part of the State's disaster declaration, the State enacted SB 241, that amongst many other actions, prohibited utilities from disconnecting residential utility customers experiencing financial hardship related to the public health disaster emergency; and,

WHEREAS, the State's moratorium on disconnection of residential utility costumers has since expired; and,

WHEREAS, pursuant to the City's disaster declaration, the City Manager issued Executive Order No. 2 that provided that penalty and interest would not accrue on commercial and residential water and sewer accounts, and that these services would not be shut off during the Disaster Declaration as long as the customers certified they were impacted by COVID-19; and,

WHEREAS, the City's moratorium on penalty, interest and shutoffs for water and utility services for those who certified they were impacted by COVID-19 is effective until the end of the City's Disaster Declaration; and,

WHEREAS, while the City has worked with its utility customers in preparing for an end of the City's moratorium, it is in the best interest of the City and its utility customers to waive certain provisions of Title 17- Public Utilities and Enterprises, related to penalties, interest and shutoff to allow a reasonable opportunity for utility customers to get caught up on late payments, and remain current on current fees for continued water and sewer services at the expiration of the City's Disaster Declaration.

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

Section 1. That notwithstanding KMC 17.05.070 Rules, Regulations and Rates, KMC 17.05.080 Penalty for Late Payment, KMC 17.15.070 Rules Regulations and Rates and KMC 17.15.080 Penalty for Late Payment, as well as any applicable water and sewer regulations, City of Kenai Utility Customers that certified they were impacted by COVID-19 during the City's

declared Disaster Emergency for purposes of City of Kenai utility services will not be assessed penalty and interest, or be subject to shutoff for late, or non-payment of water and sewer utility fees incurred during the City’s declared Disaster Declaration for a period of 60 days after the expiration of the City’s Disaster Declaration. During this 60 day time period customers may enter into a payment agreement with the City, which will provide for continued waiver of penalty and interest of past due amounts incurred during the City’s Disaster Declaration subject to conformance with the terms of the payment agreement, including keeping current of water and sewer fees incurred after the termination of the disaster declaration. The Payment Agreements may be for any time period not exceeding two years, and may be conditioned on the signing of a Confession of Judgment. Nothing in this ordinance, nor in the payment agreement will affect identical provisions in KMC 17.05.080, and 17.15.080 that provide “overdue and unpaid water and sewer utility charges, plus any penalty or interest owing, shall become a lien against the property served.” If after 60 days after the expiration of the City’s Disaster Declaration, the customer has not entered into a payment agreement with the City, or if any terms of a payment agreement with the City are breached, the City will impose penalty and interest on late payments as of the date of the breach or the end of the 60 day period, whichever is applicable and will proceed with collections efforts pursuant to City Code and any applicable terms of the payment agreements.

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 30 days after enactment or at the end of the City’s declared Disaster Declaration, whichever is later.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 7th day of April, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Introduced: March 17, 2021
Enacted: April 7, 2021
Effective: *, 2021



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Scott Bloom, City Attorney
DATE: March 5, 2021
SUBJECT: Ordinance 3199 – 2021 City of Kenai Delinquent Utility Accounts

Pursuant to the City’s Disaster Emergency Declaration, on March 26, 2020, the City Manager issued Executive Order No. 2, which provided that penalty and interest would not accrue on commercial and residential water and sewer accounts and that these services would not be shut off during the Disaster Declaration as long as the customer certified they were impacted by COVID-19. This Executive Order, which supersedes City Code, will expire as soon as the Disaster Declaration expires, and pursuant to City Code, the balance due on delinquent accounts will begin to accrue penalty and interest and be subject to shut off.

This Ordinance will provide a 60 day grace period at the end of the City Disaster Declaration, whenever that may be, to allow City water and sewer utility customers to enter into a payment agreement with the City. The agreements will provide for a two year period in which water and sewer utility customers may pay late due balances, along with current balances without the imposition of any penalty or interest and long as the terms of the agreements are complied with. As part of the payment agreements, the customers will be required to sign a confession of judgment. If no payment agreement is executed, or the terms of the agreements are breached, penalty and interest will be imposed on a go-forward basis, and the City will pursue normal collection efforts.

Your consideration is appreciated.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3200-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING AN AMENDMENT TO A COVID CARES ACT FOR OLDER ADULTS AND THEIR CAREGIVERS 2021 GRANT PASSED THROUGH THE STATE OF ALASKA FOR KENAI SENIOR CENTER EXPENDITURES IN SUPPORT OF ITS RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY.

WHEREAS, the first coronavirus patient in Alaska was diagnosed in Anchorage on March 12, 2020, and many other positive diagnoses have since occurred on the Kenai Peninsula; and,

WHEREAS, Governor Mike Dunleavy issued a Declaration of Public Health Disaster Emergency on March 11, 2020, and the President of the United States issued a Proclamation Declaring a National Emergency on March 13, 2020; and,

WHEREAS, the United States Department of Health and Human Services announced on April 21, 2020, nearly \$1 Billion in CARES Acts Grants to Support Older Adults and People with Disabilities in the community during the COVID-19 Public Health Emergency; and,

WHEREAS, the State of Alaska, Department of Health and Social Services, Division of Senior and Disabilities Services requested proposals from current Senior and Disabilities Services grantees who service Older Alaskans and their Caregivers to provide services through the COVID Relief for Older Adults and their Caregivers program for the State of Alaska in FY21; and,

WHEREAS, the Kenai Senior Center is a long-standing grantee of the Title III funding through the State of Alaska, Department of Health and Social Services, Division of Senior and Disabilities Services; and,

WHEREAS, the Kenai Senior Center has applied and been awarded a grant for \$39,230.83 for services offered beginning January 1, 2021 – June 30, 2021; and,

WHEREAS, in February, 2021, the State of Alaska provided another opportunity for grantees to request additional funding under the COVID Relief for Older Adults and their Caregivers grant FY21; and,

WHEREAS, the Kenai Senior Center has received notice and has also been awarded \$xx,xxx in additional funding through this grant; and,

WHEREAS, acceptance of these funds is in the best interest of the City, its business and its residents.

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

Section 1. That the City Manager is authorized to accept a grant in the amount of \$xx,xxx from the State of Alaska, Department of Health and Social Services, Division of Senior and Disabilities Services for Kenai Senior Center expenditures in support of its response to the COVID-19 Pandemic.

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

Senior Citizen Fund:

Increase Estimated Revenues –
Federal Grants \$xx,xxx

Increase Appropriations –
Equipment \$xx,xxx
Supplies xx,xxx
\$xx,xxx

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 7th day of April, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: _____

Introduced: March 17, 2021
Enacted: April 7, 2021
Effective: April 7, 2021



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Kathy Romain, Senior Center Director

DATE: March 9, 2021

SUBJECT: **Ordinance No. 3200-2021 – COVID CARES Act for Older Adults and Their Caregivers 2021 Grant**

The State of Alaska, Department of Health and Social Services, Division of Senior and Disabilities Services requested proposals from current Senior and Disabilities Services (Title III) grantees to provide services through the COVID Relief for Older Adults and their Caregivers program. The intent of this grant is to provide disaster assistance related to relief services for Coronavirus mitigation and/or health and safety services needed and for grant funds to ensure the health and safety of older adults and their caregivers during the COVID-19 public health emergency.

We received an opportunity to apply for additional funds through an amendment to the COVID Relief for Older Adults and their Caregivers Program. The funding from this grant is to be utilized from April 1, 2021 – June 30, 2021. The Senior Center's application requested funding for a new Alto-Sham holding oven, a commercial deep fryer, additional stainless tables, and reusable water bottles for our senior population.

We anticipate hearing the final amount of the amendment any day. As the funds are to be spent by June 30, 2021, we are requesting approval to introduce this Ordinance without the final amount to ensure we can fulfill the grant timeline.

Your support for Ordinance No. 3200-2021 is greatly appreciated.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3201-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT FUND AND APPROPRIATING FUNDS IN THE AIRPORT SNOW REMOVAL EQUIPMENT CAPITAL PROJECT FUND FOR THE PURCHASE OF SNOW REMOVAL EQUIPMENT – MULTI-PURPOSE BROOM/BLOWER.

WHEREAS, the 1993 OSHKOSH Multi-purpose broom/blower is out-of-service and has exceeded its useful life; and,

WHEREAS, this multi-purpose unit has had the engine rebuilt three times and requires another engine and clutch rebuild with repairs starting at \$45,000; and,

WHEREAS, this multi-purpose unit was scheduled for replacement in FY22; however, due to the extensive and costly repairs needed, the Federal Aviation Administration (FAA) supports adding the replacement of this unit to the FY21 program; and,

WHEREAS, new and reliable equipment will improve the Airport’s capability to effectively address snow and ice conditions with dependable equipment aiding safe aircraft operations; and,

WHEREAS, snow removal equipment is Airport Capital Improvement Plan (AIP) eligible and grant funds are expected in the spring of 2021; and,

WHEREAS, the City intends to advertise an Invitation to Bid in April 2021 to have a bid in hand for the grant application in May 2021; and,

WHEREAS, at that time a follow-up ordinance will be provided to Council showing the final costs, appropriating the FAA grant funds, and City share; and,

WHEREAS, this appropriation is in the best interest of the City.

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

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

Airport Special Revenue Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$800,000</u>

Increase Appropriations –

Transfer to Airport Snow Removal Equipment Capital Fund \$800,000

Airport Snow Removal Capital Project Fund:

Increase Estimated Revenues –
 Transfer from Airport Special Revenue Fund \$800,000

Increase Appropriations –
 Equipment \$800,000

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 7th day of April, 2021

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: *Simon R. Beut*

Introduced: March 17, 2021
Enacted: April 7, 2021
Effective: April 7, 2021



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Mary Bondurant, Airport Manager

DATE: March 9, 2021

SUBJECT: **Ordinance No. 3201-2021 – Fund Appropriation for Airport Snow Removal Equipment**

The Airport is proposing to advertise an Invitation to Bid in April 2021 for a new piece of Snow Removal Equipment (SRE).

The 1993 Oshkosh Multipurpose unit has exceeded its useful life, and repairs again are extensive and costly. This unit was scheduled in the Airport Capital Improvement Plan for replacement in FY22; however, it is down and out of service.

We are electing to move forward as soon as possible for replacement due to the 300 day build time on this unit. The Airport is down to one snow blower.

The FAA is in full support of the adding of this pop-up project to the FY21 program and provided direction to move forward with an Invitation to Bid. The timeline for submitting FY21 grant applications is May 3, 2021.

Thank you for your consideration.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Ryan Foster, Planning Director

DATE: March 9, 2021

SUBJECT: **Special Use Permit to Alaska Air Fuel, Inc. for Office, Parking, and Utilities**

City Council approved a 45-year lease application from Alaska Air Fuel on September 2, 2020, for portion of Lot 5, FBO Subdivision No. 8 to be used as fixed base operator with a hangar and office space requiring a subdivision. A plat of this subdivision must be finalized and recorded in order to deliver Alaska Air Fuel a lease. The plat is scheduled for Planning and Zoning Commission consideration on March 10, 2021. If recommended for approval by the Planning and Zoning Commission, the plat is then sent to the Kenai Peninsula Borough for the final approval and recording process.

Alaska Air Fuel has submitted a Special Use Permit Application for office, parking, and utilities due to the unforeseen circumstances created by the subdivision of Lot 5. A Special Use Permit would allow Alaska Air Fuel to begin site clearing and access for office, parking, and utilities on April 1, 2021 in anticipation of entering into the approved lease once the subdivision is completed. The Special Use Permit would expire in one (1) year on March 31, 2022.

Thank you for your consideration.

Attachment:

Special Use Permit application dated March 8, 2021 from Alaska Air Fuel requesting use of a portion of Lot 5, FBO Subdivision No. 8 for office, parking, and utilities

SPECIAL USE PERMIT

The **CITY OF KENAI** (City), for the consideration, and pursuant to the conditions set out below, hereby grants to **JOHN SLIWINSKI D/B/A ALASKA AIR FUEL, INC.** (PERMITTEE), whose address is 3700 W. Aviation Avenue, Wasilla, AK 99654, the non-exclusive right to use 109,771± square feet of area as described below:

That portion of Lot 5, FBO Subdivision No. 8, as delineated as Lot 5A of the proposed plat of FBO Subdivision No. 10, which will be recorded in the Kenai Recording District, Third Judicial District, State of Alaska.

1. **TERM.** This special use permit shall be for 12 months from April 1, 2021 to March 31, 2022.
2. **CANCELLATION.** Pursuant to requirements of the Federal Aviation Administration, the City reserves the right to cancel this special use permit on 90-days' notice, either delivered in person to the Permittee or by mail. Any or all personal property shall be removed at Permittee's expense upon cancellation or termination of this agreement.
3. **PERMIT FEES.** The Permittee shall be charged an annual permit fee of \$17,600.00 plus applicable sales tax.

The Permittee shall not use the parcels until starting monthly payments to the City for the permit fee.

Checks, bank drafts, or postal money orders shall be made payable to the City of Kenai and delivered to the City Hall, 210 Fidalgo Avenue, Kenai, Alaska 99611.

In addition to the permit fee specified above, the Permittee agrees to pay to the appropriate parties all levies, assessments, and charges as hereinafter provided:

- A. Sales tax not enforced, or levied in the future, computed upon the permit fee payable in monthly installments whether said fee is paid on a monthly or yearly basis;
- B. All necessary licenses and permits; all lawful taxes and assessments which, during the term hereof may become a lien upon or which may be levied by the State, Borough, City, or by any other tax levying body, upon any taxable possessory right which Permittee may have in or to the Premises by reason of its use or occupancy or by reason of the terms of this Permit, provided however, that nothing herein contained shall prevent Permittee from contesting any increase in such tax or assessment through procedures provided by law.
- C. Interest at the rate of eight percent (8%) per annum and penalties of ten percent (10%) of any amount of money owed under this Special Use Permit which are not paid on or before the due date.

- D. Costs and expenses incident to this Special Use Permit, including but not limited to recording costs.
4. **USE.** The use by the Permittee of the Premises is limited to the purpose of an office, parking, and utilities due to the unforeseen circumstances created by the subdivision of Lot 5. A Special Use Permit would allow Alaska Air Fuel to begin site clearing and access for office, parking, and utilities on April 1, 2021 in anticipation of entering into the approved lease once the subdivision is completed. The Special Use Permit would expire in one (1) year on March 31, 2022. Use of the Premises is subject to the following conditions:
- A. Permittee shall use the Premises only for the purpose of an office, parking and utilities.
 - B. At such time as the plat of FBO Subdivision No. 10 has been finalized and recorded, and a lease has been executed by the City of Kenai, Lessor, and Alaska Air Fuel, Inc., Lessee, the Special Use Permit shall be considered terminated.
 - C. The Permittee shall follow requirements of the City Fire Marshal and allow City staff to inspect the premises if requested.
5. **INSURANCE.** Permittee shall secure and keep in force adequate insurance, as stated below, to protect City and Permittee. Where specific limits are stated, the limits are the minimum acceptable limits. If Permittee's insurance policy contains higher limits, the City is entitled to coverage to the extent of the higher limits.
- A. General Liability or Commercial General Liability Insurance, including Premises, all operations, property damage, personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit. The policy must name the City as an additional insured.
 - B. Worker's Compensation Insurance with coverage for all employees engaged in work under this Permit or at the Premises as required by AS 23.30.045. Permittee is further responsible to provide Worker's Compensation Insurance for any subcontractor who directly or indirectly provides services to Permittee under this Permit.
 - C. Commercial Automobile Coverage with not less than \$1,000,000 combined single limit per occurrence. This insurance must cover all owned, hired, and non-owned motor vehicles the Permittee uses for snow moving and storage activities to, from, or on the Premises. The policy must name the City as an additional insured.
 - D. All insurance required must meet the following additional requirements:
 - i. All policies will be by a company/corporation currently rated "A-" or better by A.M. Best.
 - ii. Permittee shall submit to the City proof of continuous insurance coverage in the form of insurance policies, certificates, endorsements, or a

combination thereof, and signed by a person authorized by the insurer to bind coverage on its behalf.

- iii. Permittee shall request a waiver of subrogation against City from Permittee's insurer and the waiver of subrogation, where possible, shall be provided at no cost to City.
- iv. Provide the City with notification at least 30 days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.
- v. Evidence of insurance coverage must be submitted to City by April 1, 2021. The effective date of the insurance shall be no later than April 1, 2021.
- vi. This insurance shall be primary and exclusive of any other insurance carried by the City of Kenai. This insurance shall be without limitation on the time within which the resulting loss, damage, or injury is actually sustained.

6. **INDEMNITY, DEFEND, AND HOLD HARMLESS AGREEMENT.** The Permittee shall fully indemnify, hold harmless, and defend the City of Kenai, its officers, agents, employees, and volunteers at its own expense from and against any and all actions, damages, costs, liability, claims, losses, judgments, penalties, including reasonable Attorney's fees of or for liability for any wrongful or negligent acts, errors, or omissions of the Permittee, its officers, agents or employees, or any subcontractor under this Permit. The Permittee shall not be required to defend or indemnify the City for any claims of or liability for any wrongful or negligent act, error, or omission solely due to the independent negligence of the City. If there is a claim of or liability for the joint negligence of the Permittee and the independent negligence of the City, the indemnification and hold harmless obligation shall be apportioned on a comparative fault basis. Apportionment shall be established upon final determination of the percentage of fault. If any such determination is by settlement, the percentage of fault attributed to each party for purposes of this indemnification provision shall only be binding upon the parties included in the settlement agreement. "Permittee" and "City" as used in this article include the employees, agents, officers, directors, and other contractors who are directly responsible, respectively, for each party. The term "independent negligence of the City" is negligence other than in the City's selection, administration, monitoring, or controlling of the Permittee.

7. **PERMITTEE'S OBLIGATION TO PREVENT AND REMOVE LIENS.** Permittee will not permit any liens, including mechanic's, laborer's, construction, supplier's, mining, or any other liens obtainable or available under existing law, to stand against the Premises or improvements on the Premises for any labor or material furnished to Permittee or to any related entity or claimed entity. The Permittee shall have the right to provide a bond as contemplated by State of Alaska law and contest the validity or amount of any such lien or claimed lien. Upon the final determination of the lien or claim for lien, the Permittee will immediately pay any judgment rendered with all proper costs and charges and shall have such lien released or judgment satisfied at Permittee's own expense.

8. **PERSONALTY.** Permittee shall remove any and all personal property, including all vehicles, from the Premises at the termination of this Permit. Personal property placed or used upon the Premises and not removed upon termination of this Permit will be removed and/or impounded by the City. Property removed or impounded by the City may be redeemed by the owner thereof only upon the payment to the City of the costs of removal plus a storage fee of \$25 per day. The City of Kenai is not responsible for any damage to or theft of any personalty of Permittee or its customers.
9. **FORBEARANCE.** Failure to insist upon a strict compliance with the terms, conditions, and/or any requirement herein contained, or referred to, shall not constitute or be construed as a waiver or relinquishment of the right to exercise such terms, conditions, or requirements.
10. **TERMINATION, DEFAULT.** This Permit may be terminated by either party hereto by giving 30 days advance written notice to the other party. The City may terminate the Permit immediately, or upon notice shorter than 30 days, to protect public health and safety. The City may also terminate this Permit immediately, or upon notice shorter than 30 days, due to a failure of Permittee to comply with conditions and terms of this Permit, which failure remains uncured after notice by City to Permittee providing Permittee with a reasonable time period to correct the violation or breach.
11. **NO DISCRIMINATION.** Permittee will not discriminate on the grounds of race, color, religion, national origin, ancestry, age, or sex against any patron, employee, applicant for employment, or other person or group of persons in any manner prohibited by federal or State law. Permittee recognizes the right of the City to take any action necessary to enforce this requirement.
12. **ASSIGNMENT.** Permittee may not assign, by grant or implication, the whole any part of this Permit, the Premises, or any improvement on the Premises without the written consent of the City. Unless the City specifically releases the Permittee in writing, the City may hold the Permittee responsible for performing any obligation under this permit which an assignee fails to perform.
13. **ASSUMPTION OF RISK.** Permittee shall provide all proper safeguards and shall assume all risks incurred in its activities on the Premises and its exercise of the privileges granted in this Permit.
14. **NO JOINT VENTURE.** The City shall not be construed or held to be a partner or joint venturer of Permittee in the conduct of its business or activities on the Premises.
15. **SURVIVAL.** The obligations and duties of Permittee under paragraphs 5 and 6 of this Permit shall survive the cancellation, termination, or expiration of this Permit.
16. **AUTHORITY.** By signing this Permit, Permittee represents that is has read this agreements and consents to be bound by the terms and conditions herein and that the person signing this Permit is duly authorized by the business to bind the business hereunder.

ATTEST:

Jamie Heinz, MMC, City Clerk

SEAL:

APPROVED AS TO FORM:

Scott M. Bloom, City Attorney



**City of Kenai
Special Use Permit
Application**

Application Date: 3/8/2021

Applicant Information

Name of Applicant:	John Sliwinski D.B.A. Alaska Air Fuel, Inc.						
Mailing Address:	3700 W. Aviation Ave.	City:	Wasilla	State:	AK	Zip Code:	99654
Phone Number(s):	Home Phone: () 907-317-5169		Work/ Message Phone: () 907-317-5368				
E-mail: (Optional)	alaskaairfuel@hotmail.com						
Name to Appear on Permit:	Alaska Air Fuel, Inc.						
Mailing Address:	above	City:		State:		Zip Code:	
Phone Number(s):	Home Phone: () above		Work/ Message Phone: ()				
E-mail: (Optional)	above						
Type of Applicant:	<input type="checkbox"/> Individual (at least 18 years of age) <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Government <input type="checkbox"/> Limited Liability Company (LLC) <input type="checkbox"/> Other _____						

Property Information

Legal or physical description of the property:
2.52 acre portion of lot 5, FBO sub.#8

Description of the proposed business or activity intended: Aviation cargo service

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

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

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

What is the term requested (not to exceed one year)? One year

Requested Starting Date: April 1st, 2021

Signature:		Date:	3/8/2021
Print Name:	John Sliwinski	Title:	Owner/Vp

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



**Lease Application from Alaska Air Fuel
for a Portion of Parcel 04336043
525 North Willow St.
Lot 5, FBO Subd. No. 8**



Portion of Parcel
Requested in
Lease Application

N WILLOW ST

LEGEND

Parcel 04336043

0 40 80 Feet

Date: August 2020

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

**KENAI COUNCIL ON AGING
REGULAR MEETING
FEBRUARY 11, 2021 – 4:30 P.M.
KENAI SENIOR CENTER
CHAIR DON ERWIN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

The meeting was called to order by Chair Erwin at 4:40 p.m.

a. Pledge of Allegiance

Chair Erwin led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Members Present:	D. Erwin, R. Craig, V. Geller, L. Nelson, M. Milewski, S. Modigh, C. Thornton
Members Absent:	R. Williams

A quorum was present.

Staff/Council Liaison Present:	Senior Director Romain, Administrative Assistant Clary, and Council Member Pettey
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c. Elections of Chair and Vice-Chair

MOTION:

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

MOTION:

Member Geller **MOVED** for that Member Thornton be re-elected as Chair and Member Erwin **SECONDED** the motion. There were no objections. **SO ORDERED.**

d. Agenda Approval

MOTION:

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

2. **SCHEDULED PUBLIC COMMENTS** (*Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregate*) – None.

3. **UNSCHEDULED PUBLIC COMMENT** (*Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregate*) -- None.

4. **APPROVAL OF MEETING SUMMARY**

MOTION:

Member Thornton **MOVED** to approve the December 10, 2020, meeting summary as written and Member Modigh **SECONDED** the motion. There were no objections. **SO ORDERED.**

5. **UNFINISHED BUSINESS**

- a. None

6. **NEW BUSINESS** –

- a. **Discussion** – COVID-19 Vaccination

City of Kenai, Fire Chief, Tony Prior presented information to members regarding the COVID vaccine. Members asked questions regarding current vaccine sites, and provided feedback of the difficulty in navigating the State website.

- b. **Discussion/Recommendation** – FY21/FY22 Capital Improvement Plan

Senior Director Romain reviewed items in the current Capital Improvement Plan.

- c. **Discussion** – Tentative Opening of the Senior Center

Senior Director Romain provided information to members regarding re-opening. It was reported that currently, there were a few groups already meeting in person and the plan was to ahead if the current rate of COVID-19 continued to decline.

7. **REPORTS**

- a. Senior Center Director – Senior Director Romain presented the FY21-22 Quarter narrative, and statistical information was shared as well as information regarding COVID-19 grant funds secured by the Center.
- b. Council on Aging Chair – Chair Erwin thanked the Center Staff for all the work accomplished this last year and their dedication to their mission.
- c. City Council Liaison – Council Member Pettey reviewed the Action Agenda for the Council's December 16, 2020; January 6, 2021; January 20, 2021; and February 3, 2021 meetings.

8. **NEXT MEETING ATTENDANCE NOTIFICATION** – March 11, 2021

There were no announcements of absences for the March 11, 2021 meeting.

9. **COUNCIL MEMBERS COMMENTS AND QUESTIONS**

Member Geller welcomed Rachael Craig as a new Member.

Member Thornton noted that it is good to be able to meet in person.

10. **ADDITIONAL PUBLIC COMMENT** – None.
11. **INFORMATION ITEMS** – None.
12. **ADJOURNMENT**

MOTION:

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

There being no further business, the Council on Aging meeting adjourned at 5:49pm.

Meeting summary prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

DRAFT

**KENAI AIRPORT COMMISSION
REGULAR MEETING
FEBRUARY 11, 2021 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
CHAIR GLENDA FEEKEN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

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

a. Pledge of Allegiance

Chair Feeken led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Commissioners Present:	G. Feeken, K. Dodge, D. Leichter, J. Bielefeld, P. Minelga, J. Zirul
Commissioners Absent:	D. Pitts

Staff/Council Liaison Present:	Airport Manager M. Bondurant, Council Liaison H. Knackstedt, Deputy City Clerk M. Thibodeau
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A quorum was present.

c. Agenda Approval

Chair Feeken noted the following revisions to the agenda and packet:

Add to item D.6.	Recommendation to Award Airport Security Guard Services
	<ul style="list-style-type: none"> • Corrected Memorandum

MOTION:

Chair Feeken noted the following revisions to the agenda and packet:

Add to item 6.a.	Discussion/Recommendation – To Award Airport Security Guard Services
	<ul style="list-style-type: none"> • Corrected Memorandum

Chair Feeken **MOVED** to approve the agenda with the requested additions and Commissioner Lichteitler **SECONDED** the motion. There were no objections; **SO ORDERED**.

2. SCHEDULED PUBLIC COMMENT

3. UNSCHEDULED PUBLIC COMMENT – None.

4. APPROVAL OF MEETING SUMMARY

- a. January 14, 2021

MOTION:

Commissioner Lichleiter **MOVED** to approve the meeting summary of January 14, 2021 and Commissioner Zirul **SECONDED** the motion. There were no objections; **SO ORDERED**.

5. UNFINISHED BUSINESS

- a. **Discussion** – Airport FY2020-FY2025 Capital Improvement Program

Airport Manager Bondurant discussed the FY22 Airport Capital Improvement Plan that was submitted to the FAA, and the new changes to the plan, including changes to grant conditions from previous years. An overview of the projects was provided, and it was noted that the snow blower was pulled forward from FY22 to FY21 due to auxiliary motor issues and age. Administration will meet with FAA to finalize.

- b. **Discussion** – Update Terminal Landscaping Design

It was noted that a new sprinkler system will need to be installed in front of the airport, but it may not need to be installed prior to a decision being made on the new landscaping. Parks and Recreation provided a cost for shrubs based on landscaping Exhibit C, which was determined to be the majority favorite at the last commission meeting. Parks Director Frates provided a picture of a mural that is mounted on the building in order to help the commissioners make their decision on the placement. Astroturf and cement were suggested as a means to avoid new sprinkler installation.

- c. **Discussion** – Update on Float Plane Basin Upgrades

Costs for upgrades to the three float plane basin camping spots were provided, including crushed chips, picnic tables and grills. Different options for picnic table materials were discussed, and concrete picnic tables were suggested to prevent damage and theft. It was suggested that donations and fundraising be considered for these improvements, as well as a memorial table at the campground.

It was noted that the runway markings on the gravel strip has not gone forward yet, due to snow removal schedule.

Drafts for float plane basin signage are being designed, which will include a QR code with goes to the City of Kenai app.

- d. **Discussion/Recommendation** – Airport Conference Room Use/Agreement

A new version of the Agreement was presented, which included changes suggested at the last commission and approved by Administration.

Further discussion involved clarification on cleaning fees, whether users can spend the night in the conference room, time the users may use the room and when they must vacate,

soundproofing, options for locking, and pet provisions. Suggestions will be taken into consideration by Administration to create a final version of the Agreement.

6. **NEW BUSINESS**

a. **Discussion/Recommendation** – To Award Airport Security Guard Services

It was reported that three proposals were received and ranked, and Guardian Security was ranked the highest. Noted that Guardian is the service they have been using for the last several years and they have done a great job.

MOTION:

Commissioner Minelga **MOVED** to recommend Council to award the Agreement for Airport Security Guard Services to Guardian Security Services, Inc. Commissioner Lichleiter **SECONDED** the motion. There were no objections; **SO ORDERED**.

b. **Discussion/Recommendation** – Special Use Permit to DNR/Forestry for Aircraft Loading and Parking

Noted they have been doing this from April through June for the last several years.

MOTION:

Commissioner Zirul **MOVED** to recommend Council to approve the Special Use Permit to the State of Alaska DNF/Forestry. Vice Chair Dodge **SECONDED** the motion. There were no objections; **SO ORDERED**.

7. **REPORTS**

a. **Airport Manager** – Bondurant reported on the following:

- Clarified mask mandate is for all airport property, not just terminal;
- Airport Budget was due last Friday, and City Manager required it to be at last year's level or below. Only included a couple special projects, such as getting cameras and Wi-fi put in the terminal;
- Submitted 5-year Capital Program to FAA;
- Working on submitting terminal projects to Northwest Chapter of the AAEE;
- Efficiencies Report is due March 1, 2021.

b. **City Council Liaison** – Council Member Knackstedt reported on the actions of the January 20, 2021 and February 3, 2021 City Council Meetings.

8. **NEXT MEETING ATTENDANCE NOTIFICATION** – March 11, 2021

9. **COMMISSIONER COMMENTS AND QUESTIONS**

Airport Manager Bondurant noted the Informational Items included in the packet. She also announced her retirement on May 7, 2021.

Commissioner Zirul thanked Director Bondurant for her service and commit, noting that it's been a pleasure to work with her and wished her good luck. Noted that he had breakfast at the Airport café with his wife and thought the restoration looks good. He asked where the plaques with commissioner's names are.

Commissioner Lichleiter thanked Director Bondurant and reminisced working with her in past years. Thanked her for doing a great job, and led the commission in a round of applause.

Vice Chair Dodge wished Director Bondurant the best for her retirement, and said she will be missed a lot.

Chair Feeken told Director Bondurant it will be sad to see her go, and it won't be the same without her.

10. ADDITIONAL PUBLIC COMMENT – None.

11. INFORMATION ITEMS

- a. January 2021 Mid-month Report
- b. December 2020 Enplanements
- c. January 25, 2021 Fact Sheet Alaska Aviation Plan
- d. Security Directive 1542-21-01 Face mask Requirements
- e. FAQs for Post Security Directive (SD)/Emergency Amendment (EA) Mask Implementation
- f. Ordinance No. 3181-2021 Lease Extension to Kenai Aviation Operations, LLC

12. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:02 p.m.

Meeting summary prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

**KENAI HARBOR COMMISSION
REGULAR MEETING
FEBRUARY 8, 2021 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
COMMISSION CHAIR DUNN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

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

a. Pledge of Allegiance

Commissioner Chair Dunn led those assembled in the Pledge of Allegiance.

b. Roll Call

Roll was confirmed as follows:

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

Commissioners absent:

Staff/Council Liaison present: Public Works Director S. Curtin, Deputy City Clerk M. Thibodeau, Council Member J. Glendening

A quorum was present.

c. Election of Chair and Vice-Chair

MOTION:

Commissioner Crandall **MOVED** to re-elect Chair Dunn; Commissioner Peters **SECONDED** the motion.

MOTION:

Commissioner Crandall **MOVED** to re-elect Vice-Chair Berga; Commissioner Bornemann **SECONDED** the motion.

UNANIMOUS CONSENT was requested for both motions.

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

d. Agenda Approval

MOTION:

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

2. **SCHEDULED PUBLIC COMMENTS** – None.
3. **UNSCHEDULED PUBLIC COMMENT** – None.
4. **APPROVAL OF MEETING SUMMARY**

a. November 9, 2020

MOTION:

Commissioner Crandall **MOVED** to approve the meeting summary of November 9, 2020 and requested **UNANIMOUS CONSENT**. Commissioner Peters **SECONDED** the motion. There were no objections; **SO ORDERED**.

b. b. January 25, 2021

It was noted that the first page header on this summary read “KENAI HARBOR COMMISSION REGULAR MEETING” and it was actually a Special Meeting. Clarification was provided that the summary would be corrected and included in the next Harbor Commission meeting packet for approval.

5. **UNFINISHED BUSINESS** – None.
6. **NEW BUSINESS**

a. **Discussion** – Request for Proposals (RFP) 2021 City of Kenai Bluff Bank Stabilization Professional Engineering Services

Public Works Director Curtin provided an overview of the project status. He noted that there is an active RFP out right now, and they are in the process of obtaining professional engineering design services. He hopes to have engineering team on board in March 2021, and expects that they will take a year to get through design phase and prepare bid-ready documents. He intends to have the documents ready to go out for construction bids as early as spring 2022, but the release is dependent on the funding they receive from the Army Corps of Engineers.

b. **Discussion** – KMC Title 11.10 Overview of Commission Responsibilities

Public Works Director Curtin provided an overview of commission responsibilities for the benefit of new and returning commissioners.

7. **REPORTS**

a. **Public Works Director** – S. Curtin reported on the following:

- Provided update on dock repair project;
- Discussed upcoming thoughts on future capital project needs;
- Timeframe for capital project considerations to be approved by the commissions at the November meeting.

b. **Harbor Commission Chair** – No report.

- c. **City Council Liaison** – Council Member Glendening reported on the actions of the City Council meetings of November 23, 2020; December 2, 2020; December 16, 2020; January 6, 2021; January 20, 2021 and February 3, 2021.

8. **NEXT MEETING ATTENDANCE NOTIFICATION** – March 8, 2021

9. **COMMISSIONER COMMENTS AND QUESTIONS**

Vice Chair Berga asked Commissioner Bornemann about what kind of data collection and testing had been done by the Kenai Watershed Forum.

Commissioner Bornemann addressed Vice Chair Berga's question. He went on to provide an update on the activities of the Anadromous Waters Habitat Protection task force, from his perspective of sitting on this board. He noted that the Bluff Erosion Project was not taken into consideration during the task force discussions.

Commissioner Peters congratulated Chair Dunn and Vice Chair Berga on their re-election, and welcomed Commissioner Peck to the Harbor Commission.

Commissioner Crandall thanked Chair Dunn and Vice Chair Berga for their continued service to the Harbor Commission.

Chair Dunn said that he enjoys serving as Chair on the Harbor Commission, and hopes they are making a positive impact on the City of Kenai, and he appreciates the help of the Council Liaison and all commissioners.

10. **ADDITIONAL PUBLIC COMMENT** – None.

11. **INFORMATION ITEMS** – None.

12. **ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 7:27 p.m.

Meeting summary prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

**KENAI PARKS & RECREATION COMMISSION
MARCH 4, 2021 – 6:00 PM
KENAI CITY COUNCIL CHAMBERS
CHAIR CHARLIE STEPHENS, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

Chair Stephens called the meeting to order at 6:03 p.m.

a. Pledge of Allegiance

Chair Stephens led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Commissioners present: C. Stephens, M. Bernard, S. Kisen, D. Rigall, T. Wisniewski,

Commissioners absent: J. Dennis, J. Joanis, R. Tomrdle

Staff/Council Liaison present: Parks & Rec Director B. Frates, Council Liaison T. Winger

A quorum was present.

c. Election of Chair and Vice Chair

MOTION:

Commissioner Kisen **MOVED** to re-elect Chair Stephens; Commissioner Rigall **SECONDED** the motion. There being no objections, **SO ORDERED**.

MOTION:

Commissioner Rigall **MOVED** to re-elect Vice-Chair Wisniewski; Commissioner Kisen **SECONDED** the motion. There being no objections, **SO ORDERED**.

d. Agenda Approval

MOTION:

Commissioner Kisen **MOVED** to approve the agenda as presented and Commissioner Rigall **SECONDED** the motion. There were no objections; **SO ORDERED**.

2. SCHEDULED PUBLIC COMMENTS – None.

3. UNSCHEDULED PUBLIC COMMENT

Mark Griffin, lessee of the Kenai Golf Course, wanted to recognize and thank the Parks & Recreation department for their grooming efforts, noting it has been a great venue for the kids and community. Mr. Griffin stated that Nordic grooming started in 1996 and stressed the importance of winter use of the property, as it is key for moving forward and strengthening the

relationship between the City and golf course. Mr. Griffin concluded by saying his is excited about possibilities in the future, including lighted ski trails.

4. APPROVAL OF MEETING SUMMARY

- a. October 1, 2020

MOTION:

Commissioner Kisena **MOVED** to approve the meeting summary of October 1, 2020 and Commissioner Rigall **SECONDED** the motion. There were no objections; **SO ORDERED**.

- b. December 3, 2020

MOTION:

Commissioner Rigall **MOVED** to approve the meeting summary of December 3, 2020 and Commissioner Kisena **SECONDED** the motion. There were no objections; **SO ORDERED**.

- c. February 4, 2021

MOTION:

Commissioner Rigall **MOVED** to approve the meeting summary of February 4, 2021 and Commissioner Kisena **SECONDED** the motion. There were no objections; **SO ORDERED**.

5. UNFINISHED BUSINESS – None.

6. NEW BUSINESS

- a. **Discussion** – Goals & Objectives

Director Frates presented the 2021-2022 Draft Goals and requested any feedback or additions important to the Commission. Frates noted his staff is compiling their list for review and so there may be some changes forthcoming. All but a couple goals and objectives were individually assessed.

Approval was noted for the Training Manual, and it was expressed that it is better than some that have been observed in bigger cities. It was also noted that the department could possibly benefit by using QR codes in parks that would contain specific information about the parks, including providing links for reporting vandalism.

Fundraising was suggested, and Director Frates stated he will mention the idea to the Softball Association.

7. REPORTS

- a. **Parks and Recreation Director** – Director Frates reported that the Parks & Recreation Department's draft budget was submitted to the City Manager for consideration, noting a couple items of interest such as a request for gym floor re-coating, lawn mower, equipment for recording virtual tours and an agriculture flamer.

The Remainder of the draft budget is status quo.

- b. **Commission Chair** – Chair Stephens thanked the commissioners for their involvement and noted a lot of positive feedback and thanks for the groomed ski trails.
- c. **City Council Liaison** – Council Member Winger reported on the recent actions of the City Council, including the emergency declaration, remote participation via Zoom, efforts to fill committees and commissions, and the shop local and grocery voucher programs.

8. NEXT MEETING ATTENDANCE NOTIFICATION – April 1, 2021

9. COMMISSION QUESTIONS & COMMENTS

Commissioner Rigall expressed caution using an agriculture burner to destroy weed seeds as that may have an unintended consequence of allowing other weeds to flourish.

Council Member Winger expressed concern about the beetle-kill trees throughout town and noted there may be an opportunity for saw-mill operators.

10. ADDITIONAL PUBLIC COMMENT – None.

11. INFORMATION

- a. February Multi-Purpose Facility Ice Schedule
- b. March Multi-Purpose Facility Ice Schedule

12. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:15 p.m.

Meeting summary prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
MARCH 10, 2021 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

Commission Chair Twait called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

Commission Chair Twait led those assembled in the Pledge of the Allegiance.

2. Roll Call

Commissioners present: J. Twait, R. Springer, D. Fikes, G. Greenberg, A. Douthit, G. Woodard

Commissioners absent: J. Halstead

Staff/Council Liaison present: Planning Director R. Foster, Planning Assistant W. Anderson, Deputy City Clerk M. Thibodeau, Council Liaison J. Glendening

A quorum was present.

3. Agenda Approval

MOTION:

Commissioner Greenberg **MOVED** to approve the agenda as written and Vice Chair Fikes **SECONDED** the motion. There were no objections; **SO ORDERED**.

4. Consent Agenda

MOTION:

Commissioner Greenberg **MOVED** to approve the consent agenda and Vice Chair Fikes **SECONDED** the motion. There were no objections; **SO ORDERED**.

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

5. *Excused absences – None

B. APPROVAL OF MINUTES

1. *January 27, 2021

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2021-02** – Preliminary Subdivision Plat of FBO Subdivision No. 10, submitted by Segesser Surveys, 30485 Rosland Street, Soldotna, AK 99669, on behalf of the City of Kenai, 210 Fidalgo Avenue, Kenai, AK 99611

Planning Director Foster presented his staff report with information provided in packet, noting that this subdivision is a requirement of City Council Resolution 2020-72, which approved a lease between the City of Kenai and Alaska Air Fuel, Inc. for a period of forty-five years.

Approval of the plat was recommended, subject to the following conditions:

- Further development of the property shall conform to all federal, State of Alaska, and local regulations.

MOTION:

Commissioner Douthit **MOVED** to approve Resolution No. PZ2021-02 and Commissioner Greenberg **SECONDED** the motion.

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

Citing previous discussions on this topic, the question was raised about the possibility of extending the remaining parcel to make it more leasable. Clarification was provided that there was the option to have a re-plat done in the future if a potential lessee came forward but the parcel was too small.

VOTE:

YEA: Twait, Woodard, Greenberg, Fikes, Springer, Douthit

NAY:

MOTION PASSED UNANIMOUSLY.

2. **Resolution PZ2021-07** – Preliminary Subdivision Plat of Townsite of Kenai 2021 Kenaitze Replat, submitted by Edge Survey and Design, LLC, P.O. Box 208, Kasilof, AK 99610, on behalf of Kenaitze Indian Tribe, P. O. Box 988, Kenai, AK 99611

Planning Director Foster presented his staff report with information provided in packet, noting that the property owners wish to vacate the property line between Tract A, and Lot 22-A-1, Block 5 Townsite of Kenai Kenaitze Addition, which will create a larger tract to be described as Tract B, Block 5, Townsite of Kenai 2021 Kenaitze Replat.

Approval of the plat was recommended, subject to the following conditions:

- Further development of the property shall conform to all federal, State of Alaska, and local regulations.

MOTION:

Commissioner Douthit **MOVED** to approve Resolution No. PZ2021-07 and Commissioner Greenberg **SECONDED** the motion.

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

VOTE:

YEA: Twait, Woodard, Greenberg, Fikes, Springer, Douthit

NAY:

MOTION PASSED UNANIMOUSLY.

F. PUBLIC HEARINGS

1. **Resolution PZ2021-05** – Application for a Conditional Use Permit for the breeding and sale of dogs, for the property described as Lot 4, Block 6, Valhalla Heights Subdivision Part 5, located at 140 Richfield Drive, Kenai, AK 99611. The application was submitted by Laura Pabst, 140 Richfield Drive, Kenai, AK 99611

Planning Director Foster reviewed the staff report provided in the packet noting the conditional use permit is primarily for the purpose of breeding and showing dogs, and the sale of puppies is secondary. The conditional use criteria and conditions of approval were reviewed, and it was noted that the applicant must obtain a commercial kennel license from Animal Control.

MOTION:

Commissioner Greenberg **MOVED** to recommend approval of Resolution No. PZ2021-05 with staff recommendations and Commissioner Douthit **SECONDED** the motion.

Chair Twait opened the floor for public testimony.

Laura Pabst described her family's business, clarifying that they show dogs throughout the country and in Canada, and her dogs are trained to perform in many events. She explained that it is a family passion and has proved to be a positive activity for her daughter. She clarified that the breeding aspect of her business is limited, and is something that she does for herself and the puppies that are sold go to show and performance homes. She noted that she does not intend to increase production of puppies.

Edwin Creekmore with Kenai Animal Control clarified that her Animal Control permit is conditional upon this Resolution passing with Commission, and noted that there had been no complaints against her property. He explained that Animal Control will do an annual inspection to check on welfare, safety and living conditions of the animals.

Pabst noted dogs are never outside unattended, because she doesn't want to be nuisance to her neighbors.

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

VOTE:

YEA: Twait, Greenberg, Douthit, Fikes, Springer, Woodard
 NAY:

MOTION PASSED UNANIMOUSLY.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS – None.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Glendening reported on the actions from the February 3, February 17, and March 3, 2021 City Council meetings.
2. **Borough Planning** – Vice Chair Fikes reported on the actions of the Borough Planning Commission meetings of February 8 and February 22, 2021, and the next meeting is March 15, 2021.
3. **City Administration** – Planning Director Foster reported on the following:
 - A plat has been received for consideration, and will be presented at the March 24, 2021 meeting.

K. ADDITIONAL PUBLIC COMMENT

1. Citizens Comments
2. Council Comments

L. INFORMATIONAL ITEMS

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. March 24, 2021

N. COMMISSION COMMENTS & QUESTIONS

Commissioner Greenberg welcomed Commissioner Woodard to Planning & Zoning.

Commissioner Springer noted he had intended to come in person, but withheld because he had a cold.

Commissioner Woodard noted she is looking forward to learning about Planning & Zoning and working with the other commissioners.

Vice Chair Fikes reminded everyone to file their PFD applications, and that financial disclosures are due soon.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 8:10 p.m.

Minutes prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Mary Bondurant, Airport Manager
DATE: March 8, 2021
SUBJECT: **Airport Mid-Month Report March 2021**

2019 Alaska Fire Training Facility Rehabilitation & Acquire Aircraft Rescue and Firefighting Trucks (ARFF) – This project has reached the closeout stage. The two OSHKOSH ARFF vehicles are scheduled for delivery in July 2021.

2020 Land Acquisition – The ALP updates have been made and will be available for City Administration review the week of March 15, 2021. After City review, the updated pages will be submitted to the FAA for review and approval.

2020 Sand/SRE Storage Building – This project is ramping up for the spring start-up. Project is scheduled for completion in fall of 2021.

In-house Activities:

Airport Administration and Operations Staff

- Updated Airport Emergency Control Plan is being distributed to all plan participants.
- The City has received two grant applications from the FAA totaling \$1,303,238 from the Coronavirus Response and Relief Supplemental Appropriation Act, 2021 (CRSSA).
- City Administration met with FAA officials on March 4, 2021, to discuss and review the 5-year Airport Capital Improvement Plan. The FAA is in support of the proposed plan.
- Working on revisions to the Airport's FY22 budget narratives.
- The Kenai Airport land brochure is being updated and will soon be sent to the printer.
- The Operations crew continues to perform snow and ice operations due to the long winter season with many snow events.
- Designing a new sign for the Float Plane Basin that highlights sites to see in the City of Kenai.



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Sue Best, Acting Finance Director

DATE: March 09, 2021

SUBJECT: **Finance Department Mid-Month Report – March 2021**

The FY22 Budget is now a major focus of the department with budget information and revisions being received from Departments. The Council is scheduled to receive its first draft of the FY2022 budget in April. There is much work to be done by all City departments over the next couple of months.

With the assistance of Vice Mayor Molloy and Councilors Askin and Glendening, the department is preparing a request for proposal (RFP) to solicit the City's auditors for the next three years. The RFP is prepared and will be released in March with the expectation to have a resolution of award before Council in April.

FY 2022 BUDGET PREPARATION CALENDAR

Date	Facilitator	Action
January 5	Finance Director	Revenue & COLA estimates to City Manager
January 8	City Manager & Finance Director	Budget guidance and submission requirements provided to department heads with preparation packets.
January 15	Department Heads	Overtime, new positions, and reclassification requests to City Manager.
January 22	City Manager	Personnel requests forwarded for analysis to Human Resource Director.
January 29	Human Resource Director	Personnel requests forwarded for analysis to Finance Director.
February 5	Department Heads	Department operational budget submission due to Finance.
February 5	Department Heads	Department Special Project requests due to Finance.
February 12	Finance Director	Personnel budget submitted to City Manager
February 19	City Manager	City Manager approval of personnel budget requests.
February 19	Finance Director	Consolidated operational budget submitted to City Manager.
February 19	Finance Director	Consolidated Special Project requests submitted to City Manager.
February 24-26 March 1-3	City Manager, Finance Director & Department Heads	Departmental budget meetings with City Manager.
March 24	Finance Director & City Manager	Budget goals public meeting
March 31	Public Works Director	5-year Capital Plan Complete
April 7	Finance Director	Draft budget distributed to Council.
April 12 – April 30	City Manager, Finance Director & Department Heads	Budget work session. Meeting date to be determined by Council.
April 28	Finance Director	Budget Ordinance to City Clerk for May 5 Council packet.
May 5	Finance Director	Introduction of Budget Ordinance.
May 10	Finance Director	Publish notice of public hearing to adopt FY22 Budget.
May 11	Finance Director	Mill Rate Resolution to City Clerk for May 19 Council packet.
May 19	Finance Director	Public hearing and adoption of Budget Ordinance
May 19	Finance Director	Public hearing and approval of Mill Rate Resolution (Must be provided to KPB by 6/15).
June 25	Finance Director	Publication & distribution of Budget document.



MEMORANDUM

TO: Mayor Brian Gabriel and City Council

THROUGH: Paul Ostrander, City Manager

FROM: Tony Prior, Fire Chief

DATE: March 8, 2021

SUBJECT: Fire Department Mid-Month Report – February

Calls for service in February were more consistent with our average as we move further into 2021. February calls for service are as follows:

Year	2020	2021	% change
February total	100	120	20.0%
EMS	82	75	-8.5%
All Other	18	45	150.0%
Year total	242	212	-12.4%

We are continuing our vaccination program with February follow up clinics completed at the Senior Center. We've also conducted a first dose clinic at Beacon Training Center where we gave Pfizer and Moderna Vaccines at the same clinic. Two second dose clinics were completed on 2/27/21 and 3/6/21, to complete vaccination series for 218 individuals. On 3/13/21 we are scheduled to give 300 doses of Moderna vaccines to the current phase/tier of qualified individuals. The State is progressing very quickly through all groups and areas identified in the vaccination plan and will likely be open for all residents soon. Total numbers to date include 290,624 vaccines administered to Alaskans.

Stephen Turkington completed his probationary year and passed his testing throughout the process. Stephen progressed from an EMT 2 to an EMT 3, completed his Expanded Scope medical training, Airport Crash Rescue, and all in-house fire training. Mike Oden participated in an Instructor II class, and he will be taking his State of Alaska test for national certification on 3/17/21.

We have begun the process of updating the City's Emergency Operations Plan and are looking at brining on a temporary employee to help with the process. Many changes within the City, Borough, and State will need to be addressed in the update as we move forward.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager





FROM: Katja Wolfe, Library Director

DATE: March 5, 2021

SUBJECT: Library Mid-Month Report February 2021

The Kenai Community Library is open with a reduced building capacity and Grab & Go services. For more information about all the services we provide, please visit our website at <https://www.kenai.city/library>.

February 2021 at a Glance

Items Borrowed		Feb-20	Feb-21	2021 YTD
Physical		8,149	4,652	7,521
Digital		1,121	1,612	2,991
Visits and Services				
Visitors Welcomed		6,261	1,625	2,495
Number of Curbside Pickups		-	119	500
New Memberships		24	28	60
Programs				
Number of Programs		33	20	37
People Reached (e.g., DIY Kits)		428	161	329
People Reached Virtually		-	966	1,641
Technology Sessions				
Computer sessions		595	215	298
WiFi Sessions		-	3,331	6,398

February 2021 programming highlights

- Virtual programs via Facebook, YouTube, and Zoom
 - Weekly Lego® challenge (104 views)
 - Virtual story times (14 participants, 231 views)
 - Zoom class visit (10 participants)
 - Let's Draw! Velociraptor (149 views)
 - Zoom Star Wars Trivia (24 participants)
 - DIY Dog treats (185 views)
 - Anti-Valentine's Day Reader's Advisory (75 views)
- DIY kits and giveaways
 - DIY Valentine's Card (65)
 - Cut and Color Bookmark (35)
 - String Craft (29)
 - Winter BINGO (39)
- Youth Services' James Adcox was a panelist on a statewide webinar about planning a successful Summer Reading Program. The webinar is now available to librarians nationwide.

February 2021 library services highlights

- Curbside pickup service will continue during library hours
 - Average of 4.25 curbside pickups per day (119 total)
 - Numbers down since we reopened on January 18.
- Transits:
 - We sent 585 items to Alaska Library Catalog member libraries.
 - We borrowed 707 items from Alaska Library Catalog member libraries.
- New collections and services
 - Know Your Neighbor: Kindness kits launched at the end of February 2021
 - Mobile printing is now available. Library users can print documents from their own computers or mobile devices.
- Did you know?
 - The library offers a personal librarian service. Let us choose your next read! <https://www.kenai.city/library/webform/personal-librarian>
 - The library has been expanding its board game collection. Board games are fun, educational, and available for a 3-week checkout.
 - Our eMagazines are now available via the Alaska Digital Library! Library users can choose from over 3,000 publications, in addition to the thousands of eBooks and eAudiobooks. <https://adl.overdrive.com/adl-kenai/content>





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Robert J. Frates, Parks & Recreation Director

DATE: March 8, 2021

SUBJECT: **Mid-month Activity Report - February**

The total number of hours reserved at the Kenai Multi-Purpose Facility for the month of February was 153.75 hours. This includes an increase of 72.75 hours over last year during this time.

Both KMS and KCHS concluded their ski season toward the end of February. Each had successful seasons and their participation numbers indicate continued popularity and strength in the programs. A total of 88.25 hours were spent grooming the trails

Staff accumulated a total of 58.50 hours maintaining various sidewalks, including Library, City Hall, Kenai Visitor & Cultural Center, Chamber Cabin, and Cemetery. Additionally, several hours were recorded plowing various parking lot areas, including the old City yard. Our Laborer, Charlotte Thurman, spent 52 hours removing snow from fire hydrants. A total of 22 hours were devoted to maintaining the Daubenspeck Family Park ice skating pond.

Operator Randy Dodge has been working with the Vocational Instructors at the Wildwood Correctional Facility for the replacement of some of our wooden flower boxes. These should be completed mid-March.

The department received a total of 12 hours of community service arranged through Frontier Community Services. All the picnic tables constructed by Wildwood Corrections earlier this fall have now been painted and are ready to be put into service this spring.

Operator Dodge and Director Frates participated in a teleconference with the Arbor Day Foundation and Jim Renkert, Community Forestry Program Coordinator with Alaska Division of Forestry, to learn more about available tree planting programs.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Ryan Foster, Planning Director
DATE: March 8, 2021
SUBJECT: **Planning and Zoning February 2021 Report**

Planning and Zoning Commission Agenda Items and Resolutions

- No Planning & Zoning Commission Meetings were held in February due to a lack of agenda items.

Building Permit and Site Plan Reviews

Planning and Zoning staff reviews all Building Permits for compliance with the zoning code. The Department conducted three Building Permit reviews in February, 2021.

Code Enforcement

There were no new code enforcement cases opened in February, 2021.

Lands

- On February 3, 2021, City Council approved the lease execution extension to Kenai Aviation Operations, LLC to July 27, 2021.
- On February 19, 2021, staff delivered a lease to Soar International Ministries for Tract A-2, General Aviation Apron Subdivision No. 7 to be used as a hangar with office space.

The City did not receive any applications for Special Use Permits or Leases during February 2021.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Ben Langham, Acting Police Chief

DATE: March 4, 2021

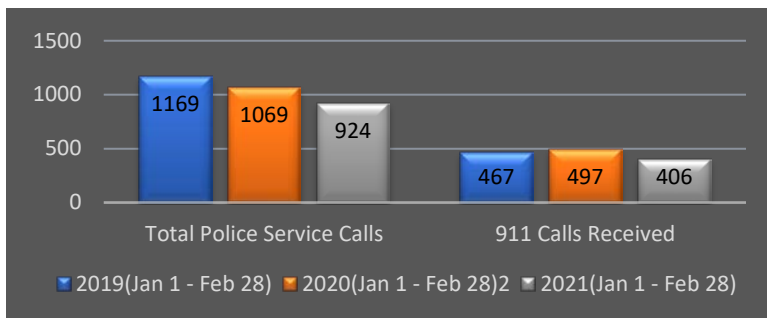
SUBJECT: Police & Communications Department Activity – February 2021

Police handled 454 calls for service in February. Dispatch received 206 9-1-1 calls. Officers made 38 arrests. Traffic enforcement resulted in 213 traffic contacts and 46 traffic citations. There were 4 DUI arrests. Officer investigations were conducted on 18 motor vehicle crashes. There were three collisions involving a moose. There were no collisions involving drugs or alcohol.

Two new officers continued in their field training. Two new officers successfully completed a three-week lateral officer academy in Sitka at the Department of Public Safety Training Academy. A part-time dispatcher began training in Dispatch.

Our School Resource Officer has returned to his regular assignment in the schools. He handled one police-related call in the schools this month and taught DARE classes at Mountain View Elementary. The SRO was away on vacation during portions of February, resulting in lower numbers.

The Dispatch Center hired a part-time and a full-time dispatcher. The part-time dispatcher started in February, and the full-time dispatcher will begin work in March. The large grant-funded dispatch radio console replacement project was completed in February.





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

THROUGH: Ben Langham, Acting Police Chief

FROM: Jessica “JJ” Hendrickson, Animal Control Chief

DATE: March 1, 2021

SUBJECT: February 2021 Monthly Report

This month the Kenai Animal Shelter took in **48** animals. Animal intake and disposition:

DOGS:				
	INTAKE	27	DISPOSITION	15
	Waiver	5	Adopted	6
	Stray	5	Euthanized	0
	Impound	0	Claimed	7
	Protective Custody	1	Field Release	2
	Quarantine	0	Transferred	0
	Microchips	15	Other Dispositions	0
	Other Intakes	1		
CATS:				
	INTAKE	21	DISPOSITION	11
	Waiver	9	Adopted	9
	Stray	12	Euthanized	0
	Impound	0	Claimed	2
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	0

Microchips	0	Other Dispositions	0
Other Intakes	0		0
OTHER ANIMALS:			
INTAKE	0	DISPOSITION	2
Chinchilla	0	Chinchilla	0
Rabbit	0	Rabbit	2
Other	0	Guinea Pig	0
DOA:	11	OTHER STATISTICS:	
Dog	8	Licenses (City of Kenai Dog Licenses)	43
Cat	3		

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

Statistical Data:

- 128** 2019 YTD Intakes
- 205** 2020 YTD Intakes
- 102** 2021 YTD Intakes





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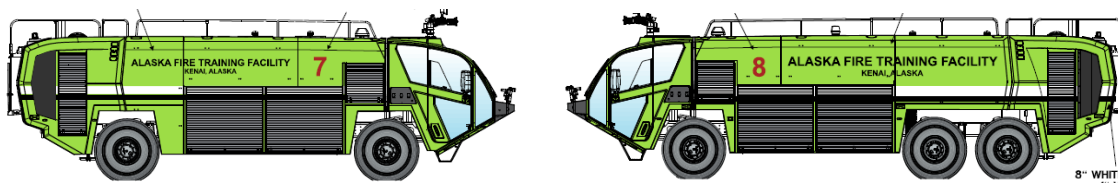
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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin, Public Works Director
DATE: March 2021
SUBJECT: **Mid-Month Report; Public Works / Capital Projects**

-
- Terminal Building Rehabilitation Project – The project reached Substantial Completion on March 27, 2020! Facility is in the warranty period through March 27, 2021. All closeout documentation has been received from the Contractor. Final Notice of Completion was received from the Department of Labor on January 5, 2021. Closeout with the Federal Aviation Administration is expected to start in March 2021. *Final warranty inspections took place on March 2nd, 2021 working with Contractor to complete warrantable items identified.*
 - Alaska Regional Fire Training Facility Building Rehabilitation Project – The project reached Substantial Completion on June 2, 2020 and Fire Training successfully took place this past summer. Staff continues to work with the FAA on project closeout. Project will continue through Warranty phase through June 2021.
 - Alaska Regional Fire Training Facility Equipment Rehabilitation Project - The project reached Substantial Completion on March 13, 2020 and Fire Training successfully took place this past summer. The Contractor did return to complete Punch list items last September, a propane tank inspection was conducted at that time and did identify deficiencies within that part of the equipment. These repairs will take place in the spring coinciding with the next round of training, so the Contractor will be onsite in the event of any operational issues.
 - Alaska Regional Fire Training Facility Aircraft Rescue Fire Fighting (ARFF) Vehicles – The Federal Aviation Administration (FAA) grant that provided funding for the other two projects listed above is also providing for two new ARFF vehicles. One 1500 gal and one 3000 gal unit, images below. Delivery is anticipated for June 2021, PO119953 was issued 3/19/20.





- Kenai Municipal Airport Sand Storage Facility – The City executed a design agreement to HDL Engineering on April 17, 2020 for a new Sand Storage Facility. On August 7, 2020 Final Design Documents were received and a Formal Invitation to Bid was released on August 10th with Bids due on August 31st, 2020. Orion Construction was the successful bidder with a low bid of \$2,289,000. The City successfully executed a grant with the FAA on September 25, 2020 in the amount of \$1,954,101, a second grant is anticipated for next Spring, May 2021, to cover the remaining costs on a total project cost of \$2,835,263. A Notice to Proceed for Construction was issued for October 14, 2020, and the schedule will run 365 days. The Contractor successfully mobilized to the site, cleared the area for the new building and brought in structural fill where required by Contract. Project is now winterized and will start back up in spring. *Submittals are being provided almost daily now in preparation of startup in the Spring.*
- Kenai Municipal Airport Airfield Drainage – Ordinance 3166-2020 Authorized HDL Engineering to begin an assessment on both the existing runway as well as some ongoing drainage issues. On December 14, 2020 an agreement was executed to begin investigations on the Airfield Drainage project. The initial agreement in the amount of \$37,230 will provide for CCTV camera inspections of several thousand feet of storm main near the runway. On January 8, 2021 we received a report from HDL with the condition assessment of the drainage lines that were inspected prior to the Holidays. Based on this information HDL has provided a proposal to complete Construction Documents for the replacement of approximately 500 LF of the most deteriorated pipe, with other sections to wait and be completed along with the future Runway Rehabilitation Project. Ordinance 3185-2021 *was approved at the February 17, 2021 Council Meeting and appropriated additional funds for a total anticipated project cost of \$300,000. As of March 9th, 2021 HDL Engineering is working on design and environmental documents.*
- Dock repair – An Invitation to Bid was released on May 29, 2020 with Bids due on June 19, 2020. No bids were received. On July 10, 2020 the project was re-advertised for bids with bids due on July 27, 2020. The City received one Bid from Endries Company in the amount of \$298,365. Ordinance 3154-2020 was introduced on August 5, 2020 *and approved on August 19, 2020.* Formal contract was executed with Endries Company on August 31, 2020 with a formal Notice to Proceed provided on the same day. Work associated with the Cathodic Protection is now complete. The remaining Work will need to wait until warmer temperatures arrive in the spring. Anticipated final completion June 1, 2021.
- Peninsula Avenue Bluff Erosion 2020 – An Invitation to Bid was released on May 31, 2020 with Bids due on June 19, 2020. Four bids were received with Foster Construction being the lowest responsive responsible bidder at \$94,670. Council approved the project through



passage of Resolution 2020-57 at the July 1, 2020 meeting. Contractor has completed submittals with the Engineers, and is anticipated to mobilize to the site on September 11, 2020 and begin moving dirt the week of the 14th. As of October 13th the project is nearly complete. The project was successful and will require installation of top soil and grass seed in the spring. The December 16, 2020 Council Packet includes a Purchase Order increase request, to Foster's Construction to account additional necessary measures taken to control ground water and runoff during construction, details within the included Memo. The Department would like to thank Fosters Construction and Larsen Engineering for their efforts on the project.

- Vault Restrooms – 100% Design documents were received on June 10, 2020 from Nelson Engineering. An Invitation to Bid was released on June 14, 2020 with Bids due on June 29, 2020. Four bids were received with Polar North Construction being the lowest responsive responsible bidder at \$359,850. Council approved the project through passage of Resolution 2020-58 at the July 1, 2020 meeting. Contract documents were executed on July 23, 2020. Construction is now shutdown for the winter. Pending Change Order 1 shall provide for a credit back to Owner in the amount of \$264 for minor changes to door hardware, and will add time to the contract to allow final painting to take place in spring under warmer temperatures. Construction has proceeded very smoothly, please extend the City's gratitude to Polar North Construction and Nelson Engineering for making this project a success.
- Waste Water Treatment Plant Master Plan – Resolution 2020-48 was approved at the June 17, 2020 Council meeting allowing this work to proceed. On July 2, 2020 HDL staff and consultants spent the day on the property going through all systems of the plant. On August 31, 2020 the first draft assessment was received. Staff continues to work with HDL to develop plans for the facility in preparation of updates to the Capital Plan. HDL also continues to assist the department with the renewal of our APDES Permit which expires every five years.
- Water & Sewer Master Plan – *Resolution 2021-19 is set for Council approval March 17, 2021 awarding \$82,175 to HDL Engineering Consultants to begin assessments of Water & Sewer facilities. A formal report is anticipated within ninety days of their Notice to Proceed.*
- Waste Water Treatment Plant WAS Pumps – Polar North was awarded a Contract on September 22, 2020 in the amount of \$79,703 to demo and replace 40 year old pumps. Both pumps are now installed and operational. Painting of the piping, installation of pipe stands and final cleanup is pending. There is a pending change order #1 in the amount of \$3,865 which provided for installation of air release valves which greatly improved the pumps operation. The Project has been a great success, the pumps were previously 15hp and the new ones are 3hp and work more efficiently, which will further assist with reductions in utility costs for the facility. Polar North and the Waste Water staff ensured this project was completed on time and on budget, their efforts are appreciated.
- Waste Water Treatment Plant Replacement Sludge Press – Resolution 2020-95 approved at the December 16, 2020 Council meeting authorized HDL Engineering to begin the Design Phase of the WWTP Replacement Sludge Press. Contract Documents were executed on January 6, 2021 with a Notice to Proceed issued on January 11, 2021. First step will be to request proposals from various press manufacturers and make a selection to move through



design phases with. Presses of this type typically take six months to manufacturer, goal will be to have an operational new press around late November 2021. On February 3, 2021 HDL staff was on site taking measurements and further detailing the new press location and associated appurtenances. *A Request for Proposals from press manufactures is pending release, likely March 15th, 2021. We anticipate a specific press being placed on order in April 2021.*

- USACE Bluff Erosion – See City Manager’s report. Director’s Report from the Army Corp of Engineers was signed April 10, 2019. On June 17, 2020 Council authorized the City Manager to sign the MOU received from the Corp. PED Agreement arrived on September 2, 2020. The City mailed a check in the amount of \$350,000 on September 18, 2020 to cover the City’s initial share of PED costs. Meetings have begun with the City Manager and Public Works Director with the ACOE. Draft RFP Docs were sent to ACOE Staff for comment on December 8, 2020 during phone conference with ACOE, City Manager and PWD. Comments were received back on December 9th. Formal Request for Proposals was released on January 28, 2021, Pre-proposal zoom meeting was conducted on February 9, 2021 with approximately twenty people attending. *Proposals were received on March 4, 2021 from five firms. Evaluations of the proposals are underway and we expect to be in negotiation with a firm in late March and under contract in April 2021. Design work will take place throughout the summer.*
- Multi-purpose Facility – The Building Maintenance Department went through the Ice Rink and pressure washed all of the algae that has been growing on the steel beams. Nelson Engineering was also able to come out and assess the structure and condition of the rusting. Formal report was received on October 6, 2020. *Work will continue in the spring.*
- Recreation Center – The Building Maintenance Department and Streets Department are performing repairs with in house personnel. Repairs to a drainage issue on the west side of building are being completed, as well as pressure washing of the building and new exterior staining. Photos below. *Work will continue into the spring as weather warms back up.*
- Kenai Municipal Airport (KMA) Tractor & Mower – Invitations to Bid were released on November 20, 2020 with Bids Due on December 8, 2020. This project is in support of Airfield Maintenance Operations and is identified as Project No. 5 for the Airport Fund in the City’s current Capital Improvement Plan. Council can expect to see legislation in December in relation to this Project. Ordinance 3176-2020 *was approved at the January 6th, 2021 Council Meeting with an Award to Craig Taylor Equipment in the amount of \$151,736. Formal Notice of Award was issued on January 12th, contract was formally executed on January 21, 2021 and the equipment is now on order. Anticipated arrival August 2021.*
- Fire Sprinkler Testing, Inspection & Monitoring – Invitations to Bid were released on November 20, 2020 with Bids Due on December 8, 2020. This will be for up to a five year term service agreement for all City Facilities. Resolution 2020-93 with a Contract Award to Yukon Fire Protection was approved at the December 16, 2020 Council meeting. Total contract for five years services totals \$74,373. Contractor will be in Kenai on starting on January 18th going through all City owned facilities. The Contractor has performed all preliminary site inspections with the exception of the Senior Housing which was decided to wait until after their vaccination clinics which were actively taking place when contractor



started. The City received Yukon Fire's formal report on February 2, 2021, the Contractor is set to return in March and begin repairing deficiencies identified during their inspection. Council will see some upcoming legislation to address needs at the Visitors Center and Recreation Center that are beyond the current budgeted contingencies.

- Kenai Well house Relocation – Project was released for Invitations to Bid on March 8, 2021 with bids due on April 1, 2021. Project consists of relocating a small prefabricated steel structure, approximately 20'x28' that suffered foundation damages during the November 2018 earthquake. This project was approved under Ordinance 3194-2021 at the March 3rd, 2021 council meeting.
- SCADA Integration – Resolution 2021-10 approved at the March 3, 2021 Council meeting has authorized a \$125,000 purchase order to HDL Engineering for assessments and repairs to both the Water & Sewer and Wastewater facilities relating to SCADA. Borealis Controls as sub-consultant to HDL Engineering has provided a revised SCADA network diagram, and is working on replacing primary equipment at the public safety building.
- 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. This spring asphalt paving, topsoil and seeding will take place. Additional funds will be sought during the FY22 budget to purchase and install a new perimeter fence.





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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Kathy Romain, Senior Center Director

DATE: March 8, 2021

SUBJECT: February 2021 Monthly Report

Home Delivered Meals	1044
Home Delivered Meals – COVID-19	1273
Pick-Up Meals – COVID-19	152
Grocery Shopping Assistance	7
Vintage Pointe Meals – COVID-19	328

Though the Kenai Senior Center has remained closed to the general public, we successfully held some scheduled meetings as a trial run. Council on Aging, the Kenai Writer’s Group, and Kenai Senior Connection, Inc. met in February and the excitement of being back in the Senior Center was wonderful to see! Comments were very positive on the Center’s renovations.

The second vaccination for the January clinics was also held in February. A special thank you to Kenai & Nikiski Fire Departments and Kenai Safeway Pharmacy for their help to ensure these clinics were a success.

Through the COVID Cares for Older Adults and their Caregivers FY21 grant, the Senior Center was able to hire two temporary part-time drivers to help with meal delivery and operations. These positions are funded through June 30, 2021.

PURCHASE ORDERS BETWEEN \$2,500.00 AND \$15,000.00 FOR COUNCIL REVIEW

COUNCIL MEETING OF: MARCH 17, 2021

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
MUNICIPAL EMERGENCY SERVICES	2 SETS STRUCTURAL GEAR	AIRPORT	SMALL TOOLS	4,735.60



Kenai Peninsula Orchestra

March 4, 2021

Dear Mayor Gabriel and Members of Kenai City Council:

The Kenai Peninsula Orchestra (KPO) would like to extend their heartfelt gratitude for the CARES money received under the 2020 Kenai Small Business and Nonprofit Relief and Recovery Grant Program. These funds allowed KPO to survive 2020 without cutting staff or youth programming. A significant portion of the funds was used to offset lost revenue due to COVID; funds were used to cover rent, utilities, a portion of salary, and programming. The remainder of the funds were used to provide COVID related support to music classes. For example, we purchased 75 additional pairs of plastic rhythm sticks for Mountain View Elementary School. Extra pairs of sticks allowed each student to have their own pair plus these sticks can be easily cleaned on a regular basis. Another example is the 100+ musicians masks and bell-covers KPO purchased for use by the KCHS band students allowing for a safer practice environment.

Again, thank you for your assistance in keeping the music alive in Kenai.

Sincerely,

