



Kenai City Council - Regular Meeting

April 19, 2023 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

www.kenai.city

Agenda

A. CALL TO ORDER

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

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

B. SCHEDULED ADMINISTRATIVE REPORTS

1. Fiscal Year 2022 Audit Report, Joy Merriner, BDO USA, LLP.
2. Spruce Bark Beetle Mitigation Update, City of Kenai Fire Chief Tony Prior.

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

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

E. PUBLIC HEARINGS

1. **Ordinance No. 3342-2023** - Increasing Estimated Revenues and Appropriations in the Congregate Housing Fund for Costs in Excess of Budgeted Amounts. (Administration)
2. **Ordinance No. 3343-2023** - Accepting and Appropriating a Volunteer Fire Assistance Grant from the United States Department of Agriculture Forest Service Passed through the State of Alaska Division of Forestry for the Purchase of Forestry Firefighting Equipment. (Administration)
3. **Ordinance No. 3344-2023** - Amending Kenai Municipal Code Chapter 8.20 - Fireworks Control, by Removing References to City Permits - which are Redundant to the States Firework Display Permit. (Administration)
4. **Resolution No. 2023-26** - Amending the City Council's Procedures for Commissions, Committees and Council on Aging Policy No. 2016-01 and Renumbering to Policy No. 20.020. (Gabriel, Baisden)
5. **Resolution No. 2023-27** - Repealing the City Council's Unnumbered Student Representative Policy, Repealing the Parks and Recreation Commission Student Representative Policy No. 2018-01, and Enacting City of Kenai Student Representative Policy No. 20.100. (Gabriel, Baisden)

- [6.](#) **Resolution No. 2023-28** - Approving a Twelve-Month Extension of Time for Good Cause for the Completion of Permanent Improvements for a Lease Between the City of Kenai and Schillings Rentals, LLC for Airport Reserve Lands Described as Lot 5A, Block 1, FBO Subdivision 2018 Replat. (Administration)

F. MINUTES

- [1.](#) *Regular Meeting of April 5, 2023. (City Clerk)

G. UNFINISHED BUSINESS

H. NEW BUSINESS

- [1.](#) ***Action/Approval** - Bills to be Ratified. (Administration)
- [2.](#) ***Action/Approval** - Non-Objection to the Renewal of a Liquor License for AK Inc., DBA: Speedway Express #60206 - License No. 4544. (City Clerk)
- [3.](#) ***Ordinance No. 3345-2023** - Accepting and Appropriating Donations for Construction of the Kenai Community Dog Park. (Administration)
- [4.](#) ***Ordinance No. 3346-2023** - Increasing Estimated Revenues and Appropriations in the General Fund, Fire Department for the Purchase of an Inflatable Rescue Boat. (Administration)
- [5.](#) ***Ordinance No. 3347-2023** - Establishing the Storefront and Streetscape Improvement Program and Appropriating \$50,000 from the General Fund. (Askin, Sounart)
6. **Discussion/Action** - Scheduling a Council Work Session on Employee Recruitment and Retention Difficulties and Recommendations for May 3, 2023 at 4:30 p.m. (Administration)

I. COMMISSION / COMMITTEE REPORTS

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

J. REPORT OF THE MAYOR

- [1.](#) Mayoral Proclamation Congratulating the Kenai Central Kardinal Cheer Team.

K. ADMINISTRATION REPORTS

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

L. ADDITIONAL PUBLIC COMMENTS

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

M. EXECUTIVE SESSION

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

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

Join Zoom Meeting

<https://us02web.zoom.us/j/83088106692>

Meeting ID: 830 8810 6692 **Passcode:** 205109

OR

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

Meeting ID: 830 8810 6692 **Passcode:** 205109

REPORT TO CITY COUNCIL

CITY OF KENAI, ALASKA

AUDIT WRAP UP:
YEAR ENDED JUNE 30, 2022



Contents

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The following communication was prepared as part of our audit, has consequential limitations, and is intended solely for the information and use of those charged with governance (e.g., City Council) and, if appropriate, management of the City, and is not intended and should not be used by anyone other than these specified parties.

Welcome

March 31, 2023

Honorable Mayor and Members of the City Council
City of Kenai, Alaska

Professional standards require us to communicate with you regarding matters related to the audit, that are, in our professional judgment, significant and relevant to your responsibilities in overseeing the financial reporting process. On July 7, 2022, we presented an overview of our plan for the audit of the financial statements, including the schedule of expenditures of federal awards, of City of Kenai, Alaska (the City) as of and for the year ended June 30, 2022, including a summary of our overall objectives for the audit, and the nature, scope, and timing of the planned audit work.

This communication is intended to elaborate on the significant findings from our audit, including our views on the qualitative aspects of the City’s accounting practices and policies, management’s judgments and estimates, financial statement disclosures, and other required matters.

We are pleased to be of service to the City and look forward to meeting with you on April 19, 2023, to discuss our audit findings, as well as other matters that may be of interest to you, and to answer any questions you might have.

Respectfully,

BDO USA, LLP

BDO USA, LLP, a Delaware limited liability partnership, is the U.S. member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms. BDO is the brand name for the BDO network and for each of the BDO Member Firms.



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Executive Summary

Status of Our Audit

We have completed our audit of the financial statements, federal awards as of and for the year ended June 30, 2022. Our audit was conducted in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards* (GAS) issued by the Comptroller General of the United States. This audit of the financial statements does not relieve management or those charged with governance of their responsibilities.

- ▶ The objective of our audit was to obtain reasonable - not absolute - assurance about whether the financial statements are free from material misstatements.
- ▶ The scope of the work performed was substantially the same as that described to you in our earlier Audit Planning communications.
- ▶ We have issued an unmodified opinion on the financial statements and released our report on March 31, 2023.
- ▶ We have issued our report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with *Government Auditing Standards*.
- ▶ We have issued an unmodified opinion on the City's Single Audit Report, including the Schedule of Expenditures of Federal Awards (SEFA), and released our report dated March 31, 2023.
- ▶ In planning and performing our audit of the SEFA, we considered the City's internal control over compliance with requirements that could have a direct and material effect on its major federal programs to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with GAS and Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance.
- ▶ Our responsibility for other information in documents containing the City's audited financial statements (e.g., budgetary comparisons, schedules of pension and OPEB amounts) does not extend beyond the financial information identified in the audit report, and we are not required to perform procedures to corroborate such other information. However, in accordance with professional standards, we have read the information included by the City and considered whether such information, or the manner of its presentation, was materially inconsistent with its presentation in the financial statements. Our responsibility also includes calling to management's attention any information that we believe is a material misstatement of fact. We have not identified any material inconsistencies or concluded there are any material misstatements of facts in the other information that management has chosen not to correct.
- ▶ All records and information requested by BDO were freely available for our inspection
- ▶ Management's cooperation was excellent. We received full access to all information that we requested while performing our audit, and we acknowledge the full cooperation extended to us by all levels of City personnel throughout the course of our work.



Results of the Audit

ACCOUNTING PRACTICES, POLICIES, AND ESTIMATES

The following summarizes the more significant required communications related to our audit concerning the City’s accounting practices, policies, and estimates:

The City’s significant accounting practices and policies are those included in Note I to the financial statements. These accounting practices and policies are appropriate, comply with generally accepted accounting principles and industry practice, were consistently applied, and are adequately described within Note I to the financial statements.

- ▶ A summary of recently issued accounting pronouncements is included in Note M to the City’s financial statements.
- ▶ In 2022, the City adopted *GASB Statement No. 87 - Leases* - Effective for the year-ended June 30, 2022. This statement addresses accounting and financial reporting for certain lease assets and liabilities for leases that previously were classified as operating leases. This Statement establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. The City did discovery of all active leases and used materiality policies to determine whether they applied to GASB 87, then accounted for those that qualified accordingly.
- ▶ There were no other changes in significant accounting policies and practices during 2022.

Significant estimates are those that require management’s most difficult, subjective, or complex judgments, often as a result of the need to make estimates about the effects of matters that are inherently uncertain. The City’s significant accounting estimates, including a description of management’s processes and significant assumptions used in development of the estimates, are disclosed in Note I of the financial statements. There are no significant estimates identified as applicable to 2022.

Other Accounting Estimates

Allowance for Uncollectible Accounts - Several of the City’s accounts receivable are from granting agencies; these are considered by management to be 100% collectible. Customer accounts receivables, including amounts due related to special assessments, interest income, and various user charges are reviewed by management periodically to determine a reasonable amount of allowance, based on known factors, past history, and age of the outstanding amount.

Net Pension/OPEB Liabilities - The net pension/ OPEB liabilities (assets) and related deferred inflow and outflows of resources are estimated based on actuarial and other actual contribution data provided by the City by the PERS Plan Administrator.

Capital Asset Depreciation - Capital assets including property, plant, equipment and infrastructure assets are being depreciated using the straight-line method from a range of 5 to 50 years depending on the classification of the asset.

Discount Rate - The City is using a 5.00% discount rate for calculations related to leases receivable and payable.

- ▶ Management did not make any significant changes to the processes or significant assumptions used to develop the significant accounting estimates 2022.

Results of the Audit

QUALITY OF THE CITY'S FINANCIAL REPORTING

A discussion was held regarding the quality of the City's financial reporting, which included:



Results of the Audit

CORRECTED AND UNCORRECTED MISSTATEMENTS

There were no corrected misstatements, other than those that were clearly trivial, related to accounts and/or disclosures that we brought to the attention of management.

There were no uncorrected misstatements, other than those that were clearly trivial, related to accounts and/or disclosures that we presented to management.



Internal Control Over Financial Reporting

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion(s) on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

Our consideration of internal control was for the limited purpose described above and was not designed to identify all deficiencies in internal control that might be significant deficiencies or material weaknesses.

We are required to communicate, in writing, to those charged with governance all material weaknesses and significant deficiencies that have been identified in the City's internal control over financial reporting. The definitions of control deficiency, significant deficiency and material weakness follow:

Category	Definition
Control Deficiency	A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis.
Significant Deficiency	A deficiency or combination of deficiencies in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.
Material Weakness	A deficiency or combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, or detected and corrected on a timely basis.

In conjunction with our audit of the financial statements, we noted no material weaknesses or significant deficiencies.

Internal Control Over Financial Reporting

▶ We have communicated to management of the City control deficiencies and provided suggestions for improvement of those deficiencies that were identified as a result of our audit that we did not consider to be material weaknesses or significant deficiencies.

Control Deficiency	Comments
Superusers Access	The Finance Director, Controller, and Accounts Receivable Clerk all have access to enter, post and approve their own journal entries. The Finance Director also has access to the database and OS Layers within the system. We recommend the City should continue to review journal entries completed by the Superusers.
User Access Review	The user access reviews are performed on an ad hoc basis, but the supporting documentation is not being retained. We recommend the City should maintain the documentation from their review of user access rights and this review should be happening at least annually.

Additional Required Communications

Other Required Communications

Following is a summary of other required items, along with specific discussion points as they pertain to the City:

Requirement	Discussion Point
Significant changes to planned audit strategy or significant risks initially identified	There were no significant changes to the planned audit strategy or significant risks initially identified and previously communicated to those charged with governance as part of our Audit Planning communications.
Obtain information from those charged with governance relevant to the audit	There were no matters noted relevant to the audit, including, but not limited to: violations or possible violations of laws or regulations; risks of material misstatement, including fraud risks; or tips or complaints regarding the City’s financial reporting that we were made aware of as a result of our inquiry of those charged with governance.
Nature and extent of specialized skills or knowledge needed related to significant risks	There were no specialized skills or knowledge needed, outside of the core engagement team, to perform the planned audit procedures or evaluate audit results related to significant risks.
Consultations with other accountants	We are not aware of any consultations about accounting or auditing matters between management and other independent public accountants. Nor are we aware of opinions obtained by management from other independent public accountants on the application of generally accepted accounting principles.
Significant findings and issues arising during the audit in connection with the City’s related parties	We have evaluated whether the identified related party relationships and transactions have been appropriately identified, accounted for, and disclosed and whether the effects of the related party relationships and transactions, based on the audit evidence obtained, prevent the financial statements from achieving fair presentation.
Significant findings or issues arising during the audit that were discussed, or were the subject of correspondence, with management	There were no significant findings or issues arising during the audit that were discussed, or were the subject of correspondence, with management

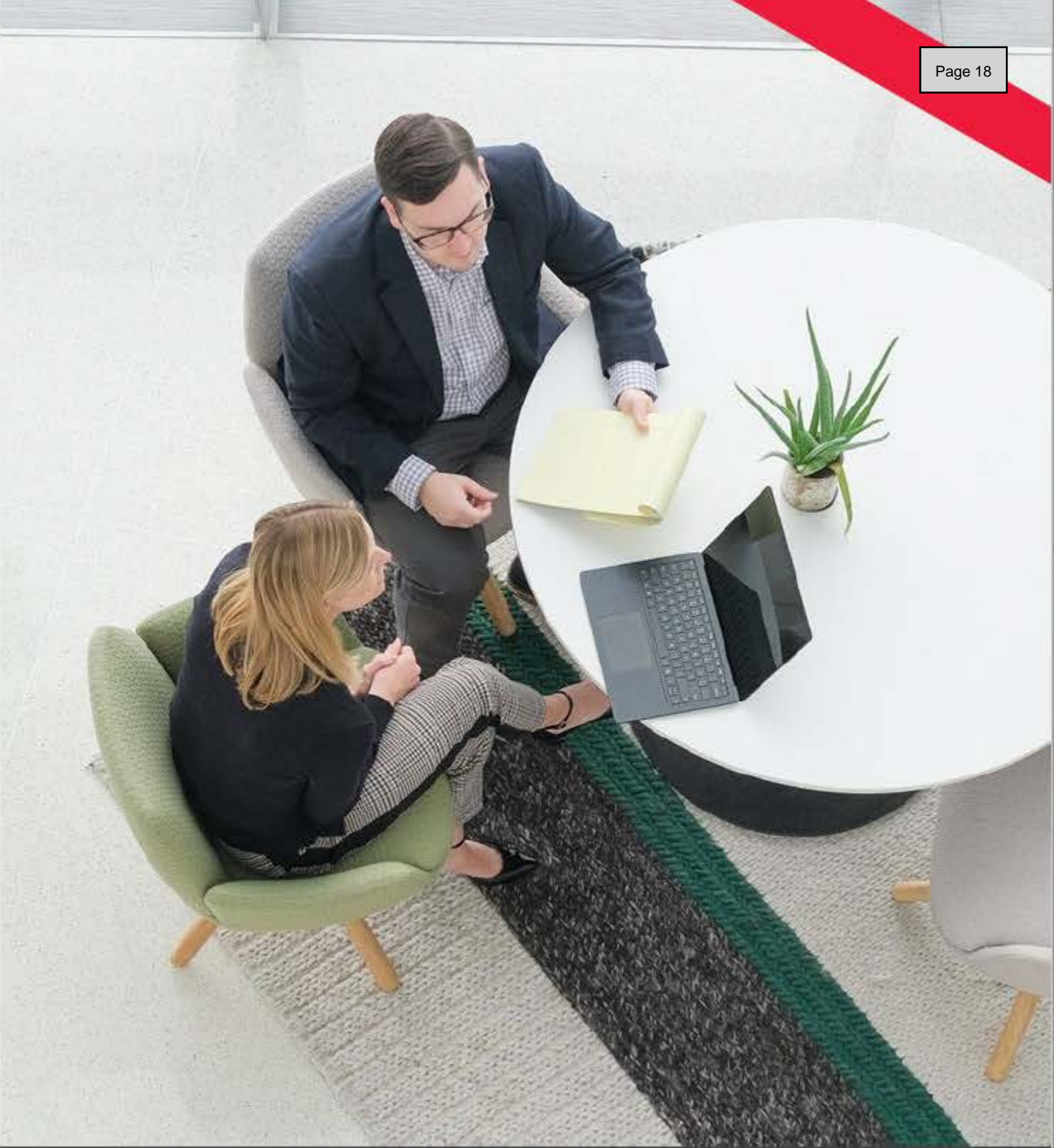
Other Required Communications

Following is a summary of other required items, along with specific discussion points as they pertain to the City:

Requirement	Discussion Point
Disagreements with management	There were no disagreements with management about matters, whether or not satisfactorily resolved, that individually or in aggregate could be significant to the City's financial statements or to our auditor's report.
Significant difficulties encountered during the audit	There were significant delays associated with the implementation of GASB 87 during the fiscal year, which caused delays in issuance of the audit. There were no other significant difficulties encountered during the audit.
Matters that are difficult or contentious for which the auditor consulted outside the engagement team	There were no difficult or contentious matters that we consulted with others outside the engagement team that we reasonably determined to be relevant to those charged with governance regarding their oversight of the financial reporting process.
Representations requested from management	Please refer to the management representation letter.

Independence

Our engagement letter to you dated July 7, 2022, describes our responsibilities in accordance with professional standards and certain regulatory authorities and *Government Auditing Standards* with regard to independence and the performance of our services. This letter also stipulates the responsibilities of the City with respect to independence as agreed to by the City of Kenai. Please refer to that letter for further information.



Attachment

Please refer to the Representation Letter attached for further information.





March 31, 2023

BDO USA, LLP
3601 C Street, Suite 600
Anchorage, AK 99503

Ladies and gentlemen:

We are providing this letter in connection with your audits of the financial statements of the City of Kenai, Alaska (the City), which comprise the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information as of June 30, 2022, and the respective changes in financial position and, where applicable, cash flows for the year then ended, and the related notes to the financial statements, for the purpose of expressing an opinion as to whether the financial statements are presented fairly, in all material respects, in conformity with accounting principles generally accepted in the United States of America. We confirm that we are responsible for the preparation and fair presentation in the financial statements of financial position, changes in net position, and cash flows in conformity with accounting principles generally accepted in the United States of America.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.

We confirm, to the best of our knowledge and belief, as of the date of this representation letter, as entered on the first page, the following representations made to you during your audits:

- (1) We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated July 7, 2022, for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America.
- (2) We have fulfilled our responsibility, as set out in the terms of the aforementioned audit engagement letter, for the design, implementation, and maintenance of internal control

relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

- (3) The financial statements include all properly classified funds and other financial information of the primary government and all component units required to be included in the financial reporting entity by accounting principles generally accepted in the United States of America. All funds required to be presented as major funds are identified and presented as such.
- (4) We have made available to you:
 - (a) All financial records, and related data and federal awards (including amendments, if any, and any other correspondence with federal agencies or pass-through entities relevant to federal programs and related activities), including the names of all related parties and all relationships and transactions with related parties, as agreed upon in the terms of the aforementioned audit engagement letter.
 - (b) All additional information that you have requested from us for the purpose of the audit.
 - (c) Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
 - (d) Minutes of the meetings of the City that were held from July 1, 2021 to the date of this letter, or summaries of actions of recent meetings for which minutes have not yet been prepared.
- (5) There have been no communications from regulatory agencies concerning noncompliance with or deficiencies in financial reporting practices.
- (6) There are no material transactions that have not been properly recorded in the accounting records underlying the financial statements or schedule of expenditures of federal awards (SEFA).
- (7) You have identified and discussed with us in the course of the audit the deficiencies in our internal control over financial reporting listed immediately below:

Control Deficiencies Other Than Material Weaknesses or Significant Deficiencies
Superuser Access: The Finance Director, Controller, and Accounts Receivable Clerk all have access to enter, post and approve their own journal entries. The Finance Director also has access to the database and OS Layers within the system.
User Access Review: The user access reviews are performed on an ad hoc basis, but the supporting documentation is not being retained.



- (8) We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud or noncompliance. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud or noncompliance. We have no knowledge of any:
- (a) Fraud or suspected fraud involving management or involving employees who have significant roles in internal control, whether or not perceived to have a material effect on the financial statements.
 - (b) Fraud or suspected fraud involving others where the fraud could have a material effect on the financial statements.
 - (c) Allegations of fraud or suspected fraud affecting the City received in communications from employees, former employees, regulatory agencies, law firms, predecessor accounting firms, or others.
 - (d) Instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts or grant agreements, or abuse, whose effects should be considered when preparing the financial statements.
- (9) We have no plans or intentions that may materially affect the carrying value or classification of assets, liabilities, or equity.
- (10) The following, where applicable and material, have been properly recorded or disclosed in the financial statements:
- (a) The identity of all related parties and all related party relationships and transactions of which we are aware, including revenues, expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties.
 - (b) Arrangements with financial institutions involving compensating balances or other arrangements involving restrictions on cash balances and line-of-credit or similar arrangements.
 - (c) Guarantees, whether written or oral, under which the City is contingently liable.
 - (d) Significant estimates and material concentrations known to management that are required to be disclosed in accordance with accounting principles generally accepted in the United States of America. In that regard, all accounting estimates that could be material to the financial statements, including key factors and significant assumptions underlying those estimates, have been identified, and we believe the estimates are reasonable in the circumstances. The methods, significant assumptions, and the data used in making the accounting estimates and the related disclosures are appropriate to achieve recognition,



measurement, and disclosure that is in accordance with accounting principles generally accepted in the United States of America.

- (e) The effects of all known actual or possible litigation, claims, and other liabilities or gain or loss contingencies that are required to be accrued or disclosed by accounting principles generally accepted in the United States of America, including:
- Pending or anticipated tax refunds, other potential or pending claims, lawsuits by or against any branch of government or others;
 - Written or oral guarantees, endorsements, or unused letters of credit;
 - Unusual guarantees; or
 - Labor claims or negotiations.

Accounting principles generally accepted in the United States of America require loss contingencies to be accrued if it is probable an asset has been impaired or a liability incurred at the statement of financial position date and the amount of loss can be reasonably estimated. Such contingencies must be disclosed, but may not be accrued, if the loss is reasonably possible (but not probable) or the loss is probable but the amount of loss cannot be reasonably estimated.

- (f) Commitments, such as:
- Major capital asset purchase agreements;
 - More-than-one-year employment arrangements or contracts with suppliers or customers, or one-year-or-longer term leases;
 - Deferred compensation, bonuses, pensions plans, or severance pay; or
 - Pending sale or merger of all or a portion of the business or of an interest therein or acquisition of all or a portion of the business, assets or securities of another entity;
- (g) Joint ventures or other participations, the detailed transactions of which are not carried on our books.

(11) There are no:



- (a) Violations or possible violations of budget ordinances, laws or regulations and provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects could be material to the financial statements whose effects should be considered for disclosure in the financial statements or as a basis for recording a loss contingency.
 - (b) Unasserted claims or assessments that our lawyer has advised us are probable of assertion and must be disclosed in accordance with accounting principles generally accepted in the United States of America.
 - (c) Side agreements or other arrangements (either written or oral) that have not been disclosed to you.
 - (d) Restrictions of net position that were not properly authorized and approved, or reclassifications of net position that have not been properly reflected in the financial statements.
- (12) Receivables recorded in the financial statements represent valid claims against debtors for transactions arising on or before the statement of financial position date and have been appropriately reduced to their estimated net realizable value.
- (13) The City has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
- (14) We have appropriately disclosed the City's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position are available and have determined that net position is properly recognized under the policy.
- (15) We have complied with all aspects of contractual agreements, including debt covenants, that would have a material effect on the financial statements in the event of noncompliance (except as follows:). We have also complied with the SEC disclosure rules for reporting annual financial information and material events to repositories in accordance with SEC Rule N.240, 15c2-12.
- (16) No discussions have taken place with your firm's personnel regarding employment with the City.
- (17) We are responsible for compliance with laws, regulations and provisions of contracts and grant agreements applicable to us and we have identified and disclosed to you all laws, regulations and provisions of contracts and grant agreements that we believe have a direct and material effect on the determination of financial statement amounts.
- (18) Components of net position (net investment in capital assets, restricted and unrestricted) and classifications of fund balance (nonspendable, restricted, committed, assigned and unassigned) are properly classified and, if applicable, approved.



- (19) Revenues are appropriately classified in the statement of activities within program revenues, contributions, and general revenues. Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
- (20) In regards to the Net Pension and OPEB Liability (Asset), services performed by you, we have: (1) assumed all management responsibilities, (2) designated an individual, Terry Eubank, Finance Director, with suitable skill, knowledge, or experience to oversee the services, (3) evaluated the adequacy and results of the services performed, and (4) accepted responsibility for the results of the services.
- (21) In regards to the preparation and submission of the required SF-SAC Data Collection Form, services performed by you, we have: (1) assumed all management responsibilities, (2) designated an individual, Terry Eubank, Finance Director, with suitable skill, knowledge, or experience to oversee the services, (3) evaluated the adequacy and results of the services performed, and (4) accepted responsibility for the results of the services.
- (22) In regard to the Net Pension and OPEB Liability (Asset):
- (a) We agree with the findings of specialists in evaluating the pension and other postemployment benefits liabilities (assets) and costs and have adequately considered the qualifications of the specialist in determining the amounts and disclosures used in the financial statements and underlying accounting records. We did not give or cause any instructions to be given to specialists with respect to the values or amounts derived in an attempt to bias their work, and we are not otherwise aware of any matters that have had an impact on the independence or objectivity of the specialists.
 - (b) We believe that the actuarial assumptions and methods used to measure pension and/or other postretirement liabilities and costs for financial accounting and disclosure purposes are appropriate in the circumstances.
- (23) We acknowledge our responsibility for presenting the supplementary information in accordance with accounting principles generally accepted in the United State of America and we believe it is fairly presented. The methods of measurement and presentation of the supplementary information have not changed from the prior period and we have disclosed to you any significant assumptions underlying the measurement and presentation of the supplementary information.
- (24) Required supplementary information is measured and presented in accordance with prescribed guidelines.
- (25) We have not completed the process of evaluating the impact that will result from adopting Governmental Accounting Standards Board (GASB) Statement No. 91, 94, 96 and 99 - 101, as discussed in Note M. The City is therefore unable to disclose the impact that adopting GASB Statement No. 91, 94, 96 and 99 - 101 will have on its financial position and the results of operations when such statement is adopted.
- (26) With respect to federal award programs:



- (a) We are responsible for understanding and complying with, and have complied with, the requirements of Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), including requirements relating to the preparation of the schedule of expenditures of federal awards (SEFA).
- (b) We have, in accordance with the Uniform Guidance, identified and disclosed to you in the schedule of expenditures of federal awards (SEFA), expenditures made during the audit period for all government programs and related activities provided by federal agencies in the form of federal awards, grants, federal cost-reimbursement contracts, loans, loan guarantees, property (including donated surplus property), cooperative agreements, interest subsidies, insurance, food commodities, direct appropriations, and other direct assistance.
- (c) We acknowledge our responsibility for the preparation of the SEFA and related notes in accordance with the requirements of the Uniform Guidance, and we believe the SEFA, including its form and content, is fairly presented in accordance with the Uniform Guidance. The methods of measurement or presentation of the SEFA have not changed from those used in the prior period, and we have disclosed to you any significant assumptions and interpretations underlying the measurement or presentation of the SEFA.
- (d) We have notified you of federal awards and funding increments that were received for awards received before December 26, 2014, and differentiated those awards from awards received on or after December 26, 2014, and subject to the audit requirements of the Uniform Guidance.
- (e) We will include the auditor's report on the SEFA in any document that contains the SEFA and that indicates you have reported on such information.
- (f) If the SEFA is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the SEFA no later than the date we issue the SEFA and the auditor's report thereon.
- (g) We are responsible for understanding and complying with, and have complied with in all material respects, the requirements of federal statutes, regulations, and the terms and conditions of federal awards related to each of our federal programs and have identified and disclosed to you the requirements of federal statutes, regulations, and the terms and conditions considered to have a direct and material effect on each federal program.
- (h) We are responsible for establishing and maintaining, and have established and maintained, effective internal control over compliance for federal programs that provides reasonable assurance that we are managing our federal awards in compliance with federal statutes, regulations, and the terms and conditions that could have a material effect on our federal programs. We believe the internal control system is adequate and is functioning as intended. Also, subsequent to the date of the auditor's report as of which compliance was audited, no changes have occurred in internal control over compliance or other factors



that might significantly affect internal control, including any corrective action we have taken regarding significant deficiencies and material weaknesses in internal control over compliance as reported in the schedule of findings and questioned costs.

- (i) We have made available to you all federal award contracts and grant agreements (including amendments, if any) and any other correspondence with federal agencies or pass-through entities relating to each major federal program and related activities that have taken place with federal agencies or pass-through entities.
- (j) We have received no requests from a federal agency to audit one or more specific programs as a major program.
- (k) We have complied, in all material respects, with the direct and material compliance requirements, including when applicable, those set forth in the *OMB Compliance Supplement*, relating to federal awards and have identified and disclosed to you all amounts questioned and all known noncompliance with the direct and material requirements of federal awards, including the results of other audits or program reviews. or confirmed that there were no amounts questioned and no known noncompliance with the direct and material compliance requirements of federal awards. We also know of no instances of noncompliance occurring subsequent to the end of the period audited.
- (l) We have disclosed to you any communications from federal awarding agencies and pass-through entities concerning possible noncompliance with the direct and material compliance requirements, including communications received from the end of the period covered by the compliance audit to the date of the auditor's report.
- (m) Amounts claimed or used for matching were determined in accordance with relevant guidelines in the Uniform Guidance.
- (n) We have disclosed to you our interpretations of compliance requirements that are subject to varying interpretations, if any.
- (o) We have made available to you all documentation related to compliance with the direct and material compliance requirements, including information related to federal program financial reports and claims for advances and reimbursements.
- (p) We have disclosed to you the nature of any subsequent events that provide additional evidence with respect to conditions that existed at the end of the reporting period that affect noncompliance during the reporting period.
- (q) Federal program financial reports and claims for advances and reimbursements are supported by the books and records from which the basic financial statements have been prepared, and are prepared on a basis consistent with the schedule of expenditures of federal awards.



- (r) The copies of federal program financial reports provided to you are true copies of the reports submitted or electronically transmitted, to the respective federal agency or pass-through entity, as applicable.
- (s) We have charged costs to federal awards in accordance with applicable cost principles.
- (t) We are responsible for, and have accurately completed, the appropriate sections of the Data Collection Form as required by the Uniform Guidance. The final version of the applicable audit reporting package, which includes your signed auditor's reports, that we will submit to the Federal Audit Clearinghouse (FAC) will be identical to the final version of such documents that you provided to us.
- (u) We have identified and disclosed to you the findings received and related corrective actions taken for previous audits, attestation engagements, internal or external monitoring, and other studies directly related to the audit objectives of the compliance audit, including findings received and corrective actions taken from the end of the audit period covered by the compliance audit report to the date of the auditor's report.
- (v) We are responsible for and have ensured the reporting package does not contain protected personally identifiable information.
- (27) There have been no known or suspected breaches of sensitive information (e.g., personnel files) caused by cyber-attack or other means, or other cybersecurity incidents, where the breach or other incident could have a material effect on the financial statements.
- (28) In connection with any electronic presentation of the financial statements and your audit report thereon on our web site, we acknowledge that:
- We are responsible for the preparation, presentation, and content of the financial statements in the electronic format.
 - If your audit report is presented on our web site, the full financial statements upon which you reported and to which you appended your signed report will be presented.
 - We will clearly indicate in the electronic presentation on our web site the financial information that is subject to your audit report. We will clearly differentiate any information that may also be presented by us on or in connection with our web site that was contained in the published version of the financial statements and other supplementary information, but which is not part of the audited financial statements or other financial information covered by your audit report.
 - We have assessed the security over financial statement information and the audit report presented on our web site, and are satisfied that procedures in place are adequate to ensure the integrity of the information provided. We understand the risk of potential



misrepresentation inherent in publishing financial information on our web site through internal failure or external manipulation.

- If the electronic financial statements are generally made available to the public on our web site, we will include a notification to the reader that such financial statements are presented for convenience and information purposes only, and while reasonable efforts have been made to ensure the integrity of such information, they should not be relied on. A copy of the printed financial statements will be provided on request.

(29) Our annual report comprises the following documents:

- Introduction Section
- Financial Section
- Statistical Section

Such documents are consistent with the financial statements, and do not contain any material misstatements.

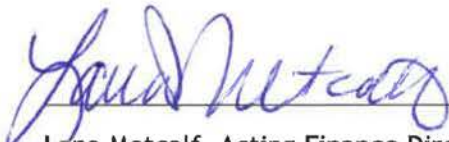
(30) We have considered climate-related events and conditions when preparing the financial statements and necessary disclosures, and have communicated to you such matters, if any, and their impact on our financial reporting.

To the best of our knowledge and belief, no events, including instances of noncompliance, have occurred subsequent to the statement of financial position date and through the date of this representation letter, as entered on the first page, that would require adjustment to or disclosure in the aforementioned financial statements or in the schedule of findings and questioned costs.

Very truly yours,



Terry Eubank, City Manager



Lana Metcalf, Acting Finance Director



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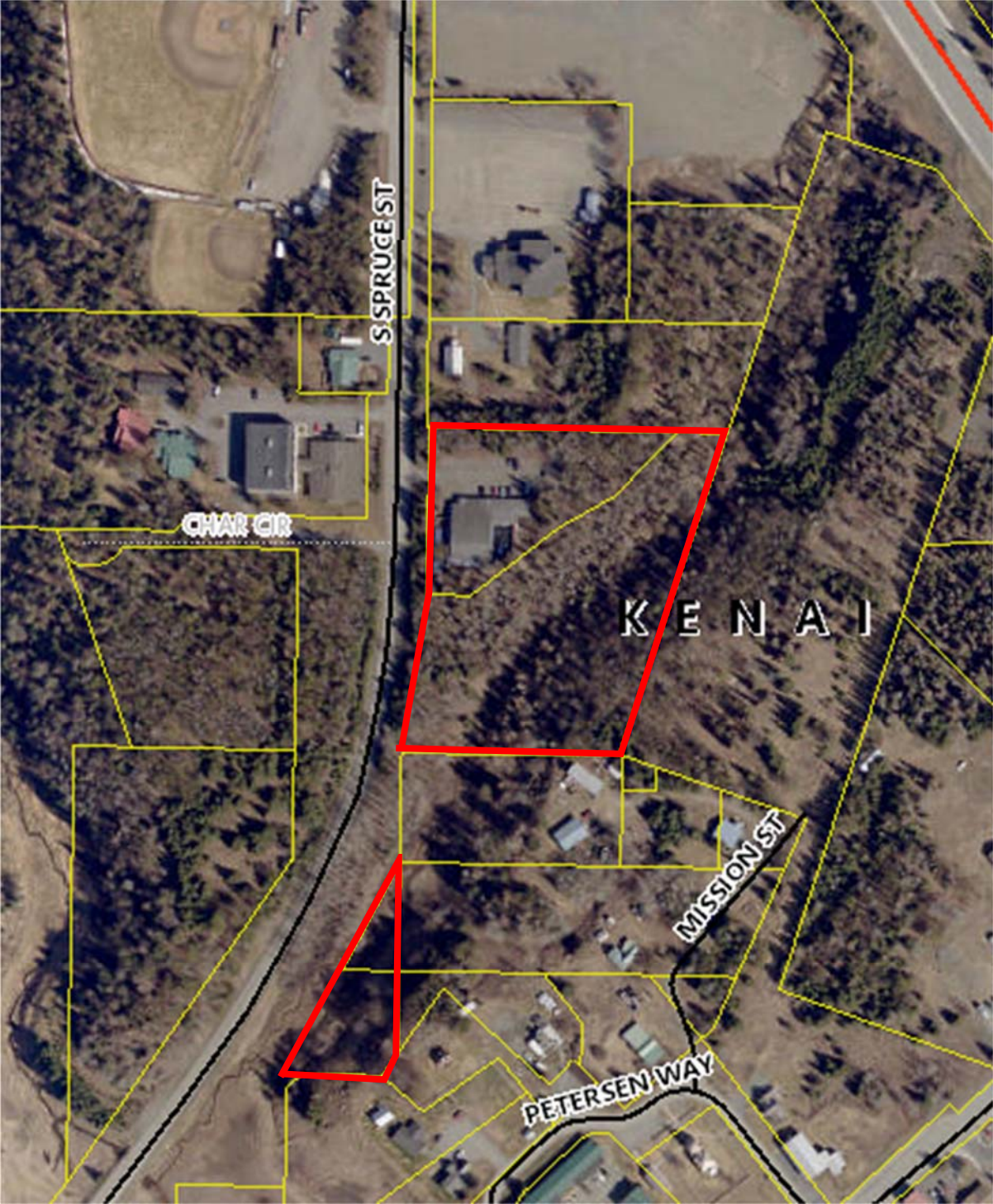
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Phase 2 – Map A
Small area approximately .7 acres
Large area 4.26 acres minus .66 acres for building and parking area
Total approximate area for mitigation 4.3 acres



Phase 2 – Map B
Small area approximately 1.86 acres
Large area approximately 15.20 acres
Total approximate area for mitigation 16.56



Phase 2 – Map C
Total highlighted area encompasses 94.56 acres
Approximate area requiring mitigation totals 71.8 acres



Phase 3 – Map A

Area 1 encompasses 5.13 acres with approximately 3.92 acres for mitigation

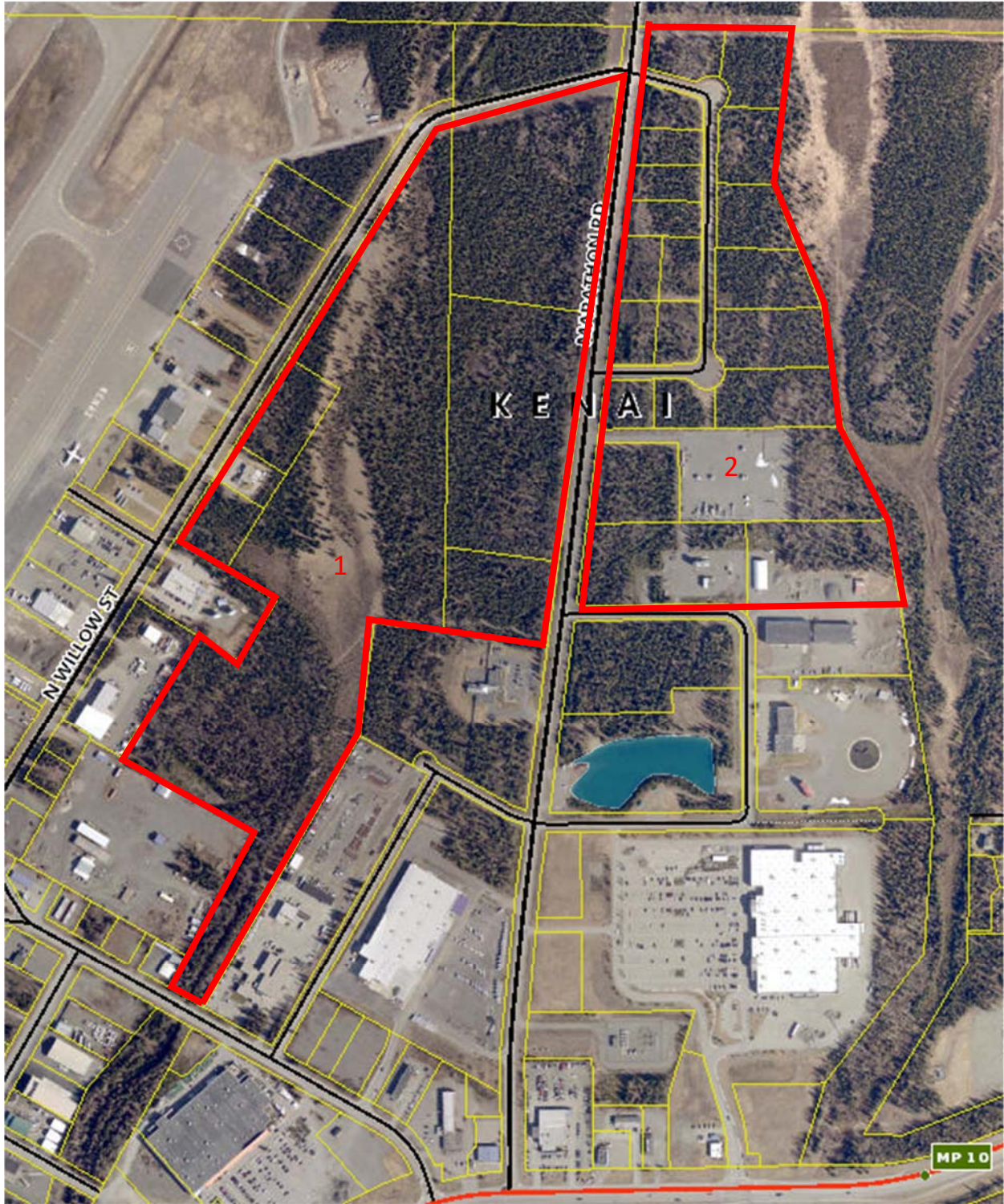
Area 2 encompasses 4.88 acres for mitigation

Area 3 encompasses 13.32 acres with approximately 10.83 acres for mitigation

Possible Additive Alternate



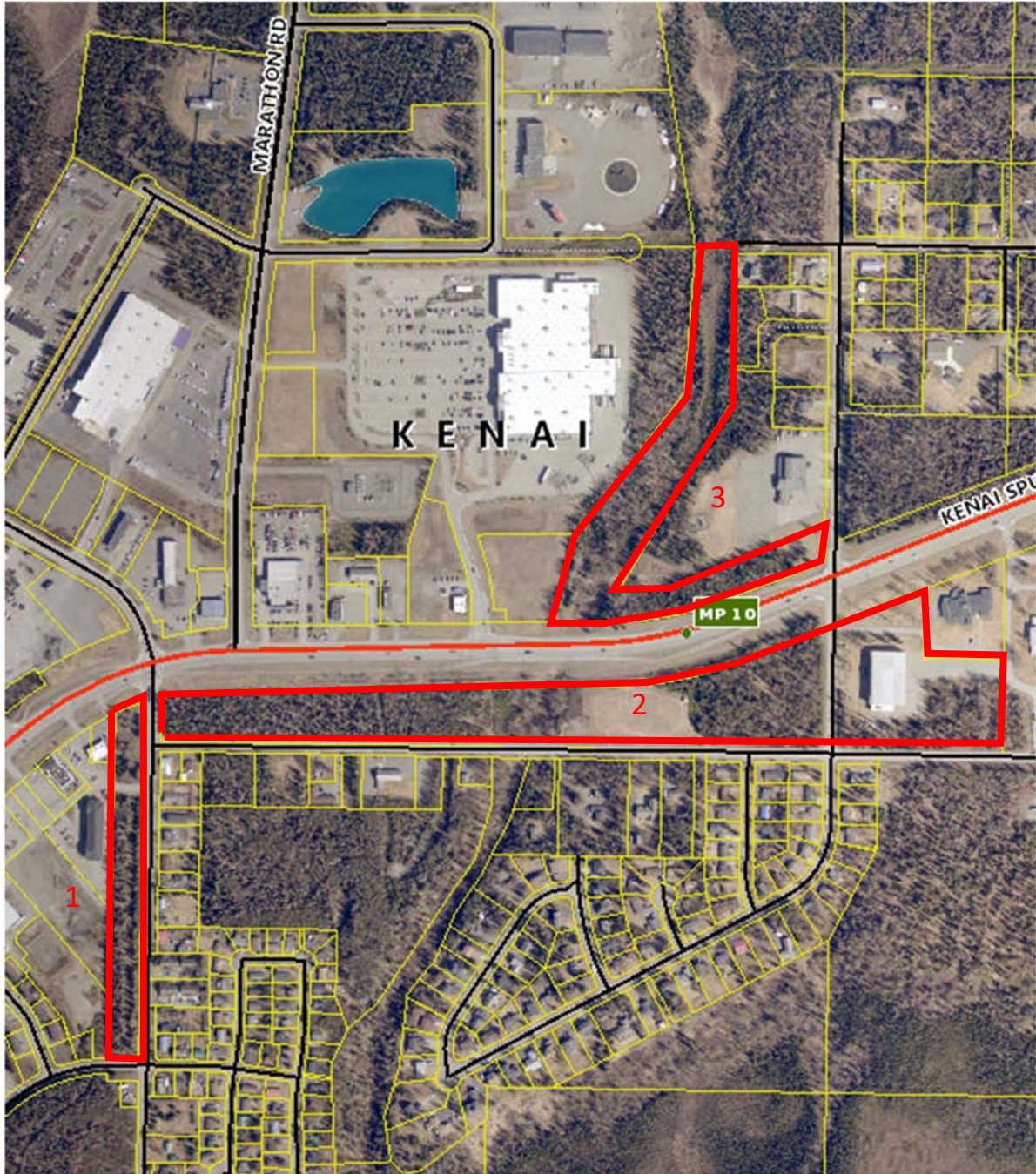
Phase 3 – Map B
Area encompasses approximately 10.47 acres with
approximately 9.73 acres for mitigation



Phase 3 – Map C

Area 1 encompasses approximately 76.73 acres with approximately 67.33 acres for mitigation

Area 2 encompasses approximately 49.97 acres with approximately 37.73 acres for mitigation



Possible Phase 4&5

- Area 1 encompasses approximately 3.64 acres with approximately 3.50 acres for mitigation
- Area 2 encompasses approximately 20.26 acres with approximately 15.06 acres for mitigation
- Area 3 encompasses approximately 9.46 acres with approximately 9.20 acres for mitigation



Map 1 encompasses approximately 139 acres with approximately 66 acres for mitigation

Map 2 encompasses approximately 35.83 acres with approximately 16.70 acres for mitigation

Map 3 encompasses approximately 38.34 acres with approximately 15.58 acres for mitigation

Possible Phase 4&5



Possible Phase 4&5

Area encompasses approximately 108.84 acres with approximately 82.51 for mitigation



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3342-2023**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE CONGREGATE HOUSING FUND FOR COSTS IN EXCESS OF BUDGETED AMOUNTS.

WHEREAS, Vintage Pointe Manor was constructed in 1992; and,

WHEREAS, emergency repairs and snow removal have been in excess of the FY23 Budget for Professional Services; and,

WHEREAS, the amount of \$10,000 is needed to ensure funds are available through the remainder of the FY23; and,

WHEREAS, proper maintenance and repairs are essential to the Facility's long-term life and in the best interest of the residents of Vintage Pointe Manor and the City of Kenai.

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

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

Congregate Housing Fund:

Increase estimated revenues –	
Appropriation of Retained Earnings	<u>\$10,000</u>
 Increase appropriations	
Professional Services	<u>\$10,000</u>

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 19TH DAY OF APRIL, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced:	April 5, 2023
Enacted:	April 19, 2023
Effective:	April 19, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Kathy Romain, Senior Center Director

DATE: March 27, 2023

SUBJECT: **Ordinance 3342-2023 – Vintage Pointe Supplemental Appropriation**

Throughout FY23, there has been an increase in emergency repairs and maintenance for Vintage Pointe with respect to the dry sprinkler system and the tremendous amount of snow. Each of these issues has weighed heavily on our FY23 Budget and will require supplemental funding from the Congregate Housing Enterprise Fund for the remainder of the current fiscal year.

I respectfully request your approval of Ordinance No. 3342-2023



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3343-2023**

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

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

WHEREAS, grant funding will be used to purchase personal protective equipment for our personnel, to be used while responding to forest fire incidents; and,

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

WHEREAS, the State of Alaska Division of Forestry has provided a grant in the amount of \$5,897.94 to assist the City of Kenai Fire Department in purchasing forestry firefighting gear, and,

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

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

Section 1. That the City Manager is authorized to accept a grant from the United States Department of Agriculture Forest Service passed through the State of Alaska Division of Forestry in the amount of \$5,897.94 for the purchase of forestry firefighting equipment and is authorized to execute a grant agreement and to expend the grant funds to fulfill the purpose and intent of this Ordinance.

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

General Fund:

Increase Estimated Revenues –	
Federal Grant – Fire	<u>\$5,897.94</u>

Increase Appropriations –	
Fire Department – Small Tools/Minor Equipment	<u>\$5,897.94</u>

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 19TH DAY OF APRIL, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: *J. Lub*

Introduced:	April 5, 2023
Enacted:	April 19, 2023
Effective:	April 19, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Tony Prior, Fire Chief

DATE: March 23, 2023

SUBJECT: Ordinance 3343-2023 – Volunteer Fire Assistance Grant

The City of Kenai Fire Department has been awarded a Volunteer Fire Assistance (VFA) grant in the amount of \$5,897.94 from the United States Department of Agriculture Forest Service through State of Alaska Division of Forestry for the purchase of forestry firefighting gear. The grant will fund the purchase of forestry firefighting Personal Protective Equipment (PPE), along with equipment to place on our designated forestry response apparatus. This gear and equipment will enable us to respond appropriately with tools needed on forestry incidents.

Your consideration is appreciated.



Division of Forestry

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

March 10th, 2023

Dear Alaska Fire Department:

Thank you for applying for the 2023 Volunteer Fire Assistance (VFA) grants. Thirty-two (32) fire departments applied for a VFA grant requesting a total of \$177,089 in assistance. Thirty-one (31) Alaska Fire Departments will receive up to \$6000 per fire department. A total of \$171,712 will be awarded. This is the letter of official notification.

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

- Checks will be distributed electronically by association with the VFD's SOA vendor number and the SOA electronic payment agreement. Electronic disbursements are expected by May 2023.
- To be eligible for a 2024 VFA grant, compliance documentation, such as copies of receipts for 2023 grant expenditures, must be submitted to your nearest Forestry office at the time of, or prior to, submitting a 2023 application.
- Volunteer Fire Assistance is an award of Federal Financial Assistance with funding from the USDA Forest Service. Prime and sub-recipients to this award are subject to OMB guidance in sub parts A through F of 2 CFR Part 200 as adapted and supplemented by the USDA in 2 CFR Part 400. Adoption by USDA of the OMB guidance in 2 CFR 400 gives regulatory effect to OMB guidance in 2 CFR 200 where full text may be found.
- The brochure, Complying with Civil Rights, FS-850, can be found at:
www.fs.usda.gov/internet/fse_documents/fseprd526908.pdf
- The OMB Circulars are available on the internet at www.ecfr.gov

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

Sincerely,

Sarah Saarloos, Fire Staff Officer

2023 VFA Grant Awards

Fire Department	Amount Requested	Amount Awarded	Division of Forestry Office
Delta Junction VFD	\$5,973.88	\$5,973.88	Delta Area Office
Rural Deltana VFD	\$6,000.00	\$6,000.00	Delta Area Office
Chena-Goldstream Fire & Rescue	\$5,848.20	\$5,848.20	Fairbanks Area Office
Ester VFD	\$5,658.41	\$5,658.41	Fairbanks Area Office
North Pole FD	\$6,000.00	\$6,000.00	Fairbanks Area Office
North Star VFD	\$5,959.89	\$5,959.89	Fairbanks Area Office
Salcha Fire & Rescue	\$5,377.00	\$0.00	Fairbanks Area Office
Bear Creek Fire/EMS Department	\$3,293.55	\$3,293.55	Kenai Kodiak Area Office
Central Emergency Services	\$5,331.60	\$5,331.60	Kenai Kodiak Area Office
Cooper Landing VFD	\$5,384.36	\$5,384.36	Kenai Kodiak Area Office
Kachemak Emerg. Services	\$5,923.60	\$5,923.60	Kenai Kodiak Area Office
Kenai FD	\$5,897.94	\$5,897.94	Kenai Kodiak Area Office
Lowell Point VFD	\$6,000.00	\$6,000.00	Kenai Kodiak Area Office
Moose Pass Vol. Fire Co.	\$5,239.78	\$5,239.78	Kenai Kodiak Area Office
Nikiski FD	\$4,358.47	\$4,358.47	Kenai Kodiak Area Office
Seward FD	\$4,229.32	\$4,229.32	Kenai Kodiak Area Office
Western Emergency Services Area	\$5,844.96	\$5,844.96	Kenai Kodiak Area Office
Butte FD	\$5,999.75	\$5,999.75	Mat Su Area
Girdwood Vol. Fire & Rescue, Inc.	\$5,810.00	\$5,810.00	Mat Su Area
Houston FD	\$5,931.00	\$5,931.00	Mat Su Area
Palmer Fire and Rescue	\$5,759.45	\$5,759.45	Mat Su Area
Sutton VFD	\$5,999.99	\$5,999.99	Mat Su Area
Talkeetna VFD	\$6,000.00	\$6,000.00	Mat Su Area
Trapper Creek	\$6,000.00	\$6,000.00	Mat Su Area
Haines VFD	\$6,000.00	\$6,000.00	Southeast Alaska
Whale Pass VFD	\$3,471.50	\$3,471.50	Southeast Alaska
Bethel FD	\$4,963.68	\$4,963.68	Southwest District
Tok VFD	\$5,992.00	\$5,992.00	Tok Area Office
Gakona VFD	\$5,975.10	\$5,975.10	Valdez-Copper River Area Office
GlennRich Fire Rescue	\$5,611.50	\$5,611.50	Valdez-Copper River Area Office
Kennicott/McCarthy VFD	\$5,367.24	\$5,367.24	Valdez-Copper River Area Office
Kenny Lake VFD	\$5,887.71	\$5,887.71	Valdez-Copper River Area Office
GRAND TOTAL	\$177,089.88	\$171,712.88	



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3344-2023**

AN ORDINANCE AMENDING KENAI MUNICIPAL CODE CHAPTER 8.20 – FIREWORKS CONTROL, BY REMOVING REFERENCES TO CITY PERMITS – WHICH ARE REDUNDANT TO THE STATES FIREWORK DISPLAY PERMIT.

WHEREAS, Kenai Municipal Code establishes rules for the use of fireworks in the City; and,

WHEREAS, there is not a permitting process established by the City for a Fireworks Display; and,

WHEREAS, the State requires a letter from the local fire department stating that they are aware and do not object to the display before a Firework Display Permit is issued; and,

WHEREAS, the Use Permit for the City is redundant to the Firework Display Permit issued by the State.

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

Section 1. Amendment of Section 8.20.020 of Kenai Municipal Code: That Kenai Municipal Code, Section 8.20.020 - Fireworks prohibition-Exceptions, is hereby amended as follows:

8.20.020 Fireworks [P]Prohibition—Exceptions.

Except as specifically provided below, the use of all classes of fireworks are forbidden within the City of Kenai.

- (a) Personal and Private Use. On the days of December 31st and January 1st only, a forty-eight (48) hour period, a person over the age of eighteen (18) may use salable fireworks within the City for personal and private use on real property owned by the person, or other private property with the consent of the property owner.
- (b) Public Use. As specifically provided below, the City, associations and other organizations, or groups holding a current and valid permit issued by the [CITY AND ANY OTHER] State or Federal agency with jurisdiction, may provide a public display of fireworks.
- (c) Official Use. Employees or contractors of the City may use fireworks in the interest of public safety, animal control and animal hazing at the Kenai Municipal Airport.

Section 2. Repeal of Section 8.20.030 of Kenai Municipal Code: That Kenai Municipal Code, Section 8.20.030 – Use permits, is hereby repealed as follows:

[8.20.030 USE PERMITS.

- (A) THE CITY MAY ISSUE A PYROTECHNIC PERMIT TO THE CITY, ASSOCIATION OR OTHER ORGANIZATION, OR GROUPS FOR PUBLIC FIREWORKS DISPLAYS, PROVIDED THAT THE DISPLAY IS TO BE CONDUCTED BY A STATE LICENSED PYROTECHNIC OPERATOR WITHIN THIRTY (30) DAYS FROM THE DATE OF AN APPROVED APPLICATION SHOWING THE FOLLOWING:

- (1) DATES AND LOCATION OF THE PROPOSED DISPLAYS; AND

- (2) THAT ALL APPROPRIATE OR REQUIRED STATE LICENSES OR CERTIFICATES HAVE BEEN PROCURED; AND
 - (3) THAT A POLICY OR CERTIFIED TRUE COPY OF A POLICY OF PUBLIC LIABILITY INSURANCE AND PRODUCTS LIABILITY INSURANCE COVERAGE PROVIDED BY THE APPLICANT OR HIS OR HER EMPLOYER HAS BEEN FILED WITH THE CITY, BOTH ACCIDENT AND OCCURRENCE IN THE AMOUNT OF AT LEAST ONE MILLION DOLLARS (\$1,000,000.00) FOR BODILY INJURY AND DEATH AND AT LEAST FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) FOR PROPERTY DAMAGE; AND
 - (4) THAT THE CITY OF KENAI FIRE DEPARTMENT HAS BEEN NOTIFIED AND INVITED TO BE IN ATTENDANCE FOR FIRE CONTROL PURPOSES; AND
 - (5) THAT THE OFFICE OF THE STATE FIRE MARSHAL HAS ISSUED THE NECESSARY LICENSES OR CERTIFICATES, IF APPLICABLE; AND
 - (6) THE NAME OF THE APPLICANT AND THE NAME AND ADDRESS OF THE STATE LICENSED PYROTECHNIC OPERATOR OR COMPANY WHO WILL BE CONDUCTING THE DISPLAY.
- (B) IN THE EVENT THAT AN OBJECTION IS RECEIVED FROM THE STATE FIRE MARSHAL OR THE CITY OF KENAI FIRE DEPARTMENT, THE CITY MAY DENY THE APPLICATION FOR CAUSE SHOWN.]

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 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 19TH DAY OF APRIL, 2023.

 Brian Gabriel Sr., Mayor

ATTEST:

 Michelle M. Saner, MMC, City Clerk

Introduced:	April 5, 2023
Enacted:	April 19, 2023
Effective:	May 19, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Tony Prior, Fire Chief

DATE: March 28, 2023

SUBJECT: **Ordinance 3344-2023 – Amend KMC Fireworks Prohibition**

The City Code Chapter 8.20 Fireworks Control regulates the use of fireworks in the City. This Ordinance requests amendments to KMC Chapter 8.20 to remove reference to City “Use Permits”, as the City does not have an official Permit, or permit process. The State of Alaska has a permit and process in place that the Fire Department approves at the local level.

Before an applicant can receive a Firework Display Permit from the State, the applicant must inform the local fire department and receive a letter from the fire department stating that they are aware and do not object to the display.

The proposed amendments to KMC 8.20 only remove provisions for a local Use permit, thus removing redundancy with State requirements for a Fireworks Display Permit. The result is the same with a clearer and simpler permitting process.

Your consideration is appreciated.



Sponsored by: Gabriel, Baisden

**CITY OF KENAI
RESOLUTION NO. 2023-26**

A RESOLUTION AMENDING THE CITY COUNCIL'S PROCEDURES FOR COMMISSIONS, COMMITTEES AND COUNCIL ON AGING POLICY NO. 2016-01 AND RENUMBERING TO POLICY NO. 20.020.

WHEREAS, the Procedures for Commissions, Committees and Council on Aging Policy was originally adopted by Council on August 4, 2004, and the last amendments to the policy were made in 2019; and,

WHEREAS, it is a best practice to review adopted policies on a regular schedule to ensure the policies remains aligned and suited to the needs of the City; and,

WHEREAS, the purpose of the policy and amendments approved by this Resolution is to provide clear procedures complimenting Kenai Municipal Code for Commissions, Committees and Council on Aging; and,

WHEREAS, the Parks and Recreation Commission at their March 2, 2023 meeting recommended approval; and,

WHEREAS, the Airport Commission at their March 9, 2023 meeting recommended approval; and,

WHEREAS, the Council on Aging at their March 9, 2023 meeting recommended approval; and,

WHEREAS, the Planning and Zoning Commission at their March 22, 2023 meeting recommended approval; and,

WHEREAS, the Beautification Committee at their April 11, 2023 meeting recommended approval.

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

Section 1. That City Council Procedures for Commissions, Committees and Council on Aging Policy No. 2016-01 is hereby renumbered and renamed to City Council Policy No. 20.020 Commissions, Committees and Council on Aging Procedures.

Section 2. That City Council Policy 20.020 Commissions, Committees and Council on Aging Procedures as amended and attached are hereby adopted.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 19TH DAY OF APRIL, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



MEMORANDUM

TO: Council Members

FROM: Shellie Saner, City Clerk

DATE: February 8, 2023

SUBJECT: **Resolution No. 2023-26** - Amending the City Council Procedures for Commissions, Committees and Council on Aging Policy No. 2016-01 and Renumbering to Policy No. 20.020.

The Procedures for Commissions, Committees and Council on Aging were originally adopted by Council action on August 4, 2004, since the adoption the policy has been amended on many occasions.

Periodic reviews of existing policies are recommended to ensure that all portions of the policy are still applicable and align with current practices. The recommended amendments to the Procedures for Commissions, Committees and Council on Aging Policy are as follows:

- The scope of the policy has been expanded to include references to code sections that are applicable to each commission.
- The amendment to paragraph 3.b. is at the request of the Airport Manager and would move Airport Commission meetings from City Hall Council Chambers to the Conference Room of the Kenai Municipal Airport terminal building.
- The amendment to paragraph 3.c. would remove the specific times for each commission meeting from the policy. Meetings schedules and times would still require Council approval.
- The amendments to paragraph 3.e. will include rescheduling meetings when a meeting may be rescheduled instead of cancelled.
- The amendment to paragraph 4.b. would change the type of minutes kept for commissions from Summary minutes to Action minutes. Action minutes capture what was done, not what was said. When acting as an advisory body recommendation that were acted on and approved by the majority of the body are the ones that should be forwarded and considered by the City Council. Exception: Summary minutes will be produced for the Planning and Zoning Commission when they are acting on quasi-judicial items.
- The amendments to paragraph 6.b. clarify that actions of the commission must be relevant to the authority of the commission.
- Newly inserted paragraph j. clarifies the role of commissioners and that they may only speak on behalf of the commission when authorized to do so by a majority vote of the commission.
- The amendments to Section 7 expand and clarify the role of the Council Liaison as well as the role of a Council Member when attending a meeting as a sponsor to a legislative item.

CITY COUNCIL – 20.020 [2016-01]
COMMISSIONS, COMMITTEES AND COUNCIL ON AGING PROCEDURES

Effective Date: March 5, 2014

Last Action Date:

April 19, 2023

See Also:

Approved by:

City Council

POLICY – 20.020 Commissions, Committees and Council on Aging Procedures
Purpose

The purpose of this policy is to establish procedures, other than those provided in KMC 1.90, for Commissions, Committees and Council on Aging.

Scope

This policy applies to all advisory bodies appointed by the City Council. [In addition to this policy the following Kenai Municipal Code \(KMC\) provisions are applicable:](#)

[Airport Commission is also regulated by KMC 21.20](#)

[Harbor Commission is also regulated by KMC 11.10](#)

[Parks and Recreation Commission is also regulated by KMC 19.05](#)

[THE] Planning and Zoning Commission is also regulated by KMC 14.05.

Policy
[1] A. Appointment and Reappointments

- [a] 1. An application for consideration of appointment or reappointment to a Commission, Committee or Council on Aging must be submitted to the City Clerk.
- [b] 2. The Mayor nominates an applicant for appointment or reappointment and by motion, the City Council confirms.

[2] B. Establishing Subcommittees

- [a] 1. A subcommittee of a commission or committee may be established for a specific function upon approval of Council.

[3] C. Meeting Schedules

- [a] 1. Commission, Committee and Council on Aging meeting schedule is as follows:

Commission / Committee / Council on Aging	Meeting Schedule	Scheduled Meeting Days
Airport Commission	Monthly	Second Thursday of the month
Beautification	Meetings held January, April, May, September and October	Second Tuesday of the month
Council on Aging	Monthly	Second Thursday of the month
Harbor Commission	Meetings held February, March, April, May, June, August, September and November	First Monday after first Council meeting of the month
Library Commission (<i>Suspended as of 2015, Ordinance No. 2815-2015</i>)		

Parks & Recreation Commission	Monthly, except for July	First Thursday of the month
Planning & Zoning Commission	Twice monthly	Second & fourth Wednesday

- [b] 2. All regular meetings will be held in the Kenai City Hall Council Chambers with the exception of the Council on Aging who shall meet at the Senior Center and the Airport Commission who shall meet in the Conference Room of the Kenai Municipal Airport terminal building, unless offsite arrangements are approved by the Clerk. Exceptions for subcommittee meetings may be made with the advance notice of the City Clerk.
- [c] 3. [REGULARLY SCHEDULED MEETINGS SHALL BEGIN AT 7:00 P.M. UNLESS OTHERWISE APPROVED BY COUNCIL VIA MOTION, WITH THE EXCEPTION OF THE COUNCIL ON AGING, WHICH BEGINS AT 4:30 P.M.] Regularly scheduled meeting times will be approved by Council.
- [d] 4. Commissions, Committees and Council on Aging may, with the City Clerk's approval and notification to Council and the City Manager, hold special meetings (for a specific purpose) on an as-needed basis.
- [e] 5. Commissions, Committees and Council on Aging meetings may be cancelled or rescheduled by the City Clerk, with notification to Council and the City Manager, if cancellation or rescheduling is warranted, i.e. lack of agenda items, pre-knowledge of lack of a quorum, etc.
- [f] 6. Any additional commissions or committees established will be set and incorporated into the meeting schedule by the City Council.

[4] D. Minutes & Meeting Recordings

- [a] 1. With exception of the Planning & Zoning Commission, taking notes and electronically recording meetings shall be the responsibility of department liaison to the specific meeting body. The Clerk's Office shall take notes and record the meeting for the Planning and Zoning Commission.
- [b] 2. [SUMMARY] Action minutes will be produced by the Clerk's Office from the department liaisons notes and provided to the City Council as official records of the meetings. Summary minutes will be produced by the Clerk's Office for Planning and Zoning Commission items when the item is quasi-judicial.
- [c] 3. Regularly scheduled meetings shall be electronically recorded and with the exception of Planning & Zoning Commission, shall be kept for two years.
- [d] 4. Planning & Zoning Commission meeting recordings shall be kept for 6 years.

[5] E. Work Sessions

- [a] 1. Work sessions may not be held without the approval of the City Clerk unless they occur on the night of and at the time of a regularly scheduled advertised meeting. Notification of scheduled work session shall be provided to City Council and the City Manager. Work session may be requested by Council, the liaison or Chair of the body.
- [b] 2. During work sessions, only items on the work session agenda may be discussed and no formal actions may be taken.
- [c] 3. At a minimum, work sessions shall be posted on the Official City Bulletin Board in Kenai City Hall and on the city website at least five days prior to the meeting.

[6] F. Basic Meeting Information

- [a] 1. All meetings shall be open to the public.
- [b] 2. At a minimum, meeting notices shall be posted on the Official City Bulletin Board in Kenai City Hall and on the city website at least five days prior to the meeting.
- [c] 3. Meeting agendas shall be established by the Chair and the department liaison and shall be relevant to the authority of the board, commission or committee as designated within the bylaws or Kenai Municipal Code. Items requiring Committee, Commission or Council on Aging action under applicable municipal code prior to final action by the Council, as distinguished from advisory recommendations, will be referred to the respective body prior to any final Council action. The City Council, by motion, may refer any other item to be placed on an agenda seeking a recommendation from the respective Committee, Commission, or Council on Aging.
- [d] 4. The department liaison shall submit items for the agenda and supporting documentation to the Clerk's Office one week prior to a meeting, no later than 2:00 p.m. The Clerk's Office will compile meeting material and distribute. The Planning & Zoning Commission is exempt from this requirement as the Planning Department advertises, compiles meeting material and distributes for its commission.
- [e] 5. Rules of Order: Pursuant to KMC 1.15.120(b) and KMC 1.90.050(c), in all matters of parliamentary procedure, Robert's Rules of Order, as revised shall be applicable and govern all meetings, except as specified in KMC 1.15.060 (Motions), KMC 1.15.100 (Speaking), and KMC 1.15.110 (Voting).
- [f] 6. Quorum: No meeting may proceed in the absence of a quorum, i.e. a quorum is more than one-half of the board/commission (quorum of the whole).
- [g] 7. Motion: Pursuant to KMC 1.15.060(k), all motions require a second. A majority of votes is required to pass a motion.
- [h] 8. Speaking: In a meeting, members should be recognized by the Chair before speaking.
- [i] 9. When is it a Meeting: If any public business is discussed collectively by four or a majority of members of one body.
- 10. Representation of the body: Members of a City of Kenai Board, Commission, Committee or Council on Aging may only speak on behalf of the body when approved to do so by a majority vote of the body; at which time their basic responsibility is to carry out the body's directives identified within the approved motion.

[7] G. Council Participation

- [a] 1. Any Council Member may attend a meeting or work session of any Commission, Committee or the Council on Aging; however, no more than three Council Members may attend any one meeting without additional public notice.
- 2. Only the Council Liaison to the respective, Commission, Committee or Council on Aging may speak on behalf of the Council to the relevant body if approved to do so by a majority vote of the City Council. [PARTICIPATION BY COUNCIL MEMBERS AT COMMISSION, COMMITTEE OR COUNCIL ON AGING MEETINGS SHOULD BE LIMITED TO INTRODUCTION OF LEGISLATION BY ONE COUNCIL LEGISLATIVE SPONSOR. PARTICIPATION BY ANY OTHER COUNCIL MEMBERS, WRITTEN OR ORAL, IS DISCOURAGED.] Participation of the Liaison at Commission, Committee and Council on Aging meetings is limited to updating the body on the actions of the Council and reporting back to the Council the actions of the Commission, Committee or Council on Aging. The Liaison is a non-voting member and may not participate in the debate of an advisory body.
- 3. Participation by Council Members (acting as a Council Member) other than the Liaison should be limited to ONE Council Member who is a sponsor of a legislative item to be considered for recommendation from

the advisory body. The sponsors participation should be limited to three-minute testimony and answering questions from the body. The sponsor of the legislation may not participate in debate of the advisory body. When speaking to the advisory body as the legislate sponsor the following additional rules apply:

- a. The legislative sponsor will not testify from the Dais, testimony from the sponsor shall be made from the area designated for public comment.
- b. If the legislative sponsor is the Liaison to the advisory body, the legislative sponsor will remove themselves from the dais and seat themselves in the public area of the chambers. The legislative sponsor will remain in the public seating area during the discussion, debate and voting on the legislative item in which they sponsored.

- [b] 4. Exception: Council Members may fully participate in any joint work session or other meeting with a Commission, Committee, or the Council on Aging when it has been noticed that the City Council will be in attendance, or there has been a specific delegation of authority by the Council for a member(s) to represent the Council.

Brian Gabriel Sr., Mayor

ATTEST:

Shellie Saner, MMC, City Clerk

Policy History: Action Approval on 08-04-2004; R2017-24; R2018-19; 2019-03; 2023-XX

Note: Between 2004 and 2017 other amendments to the policy were made through the action approval process.



Sponsored by: Gabriel, Baisden

**CITY OF KENAI
RESOLUTION NO. 2023-27**

A RESOLUTION REPEALING THE CITY COUNCIL'S UNNUMBERED STUDENT REPRESENTATIVE POLICY, REPEALING THE PARKS AND RECREATION COMMISSION STUDENT REPRESENTATIVE POLICY NO. 2018-01, AND ENACTING CITY OF KENAI STUDENT REPRESENTATIVE POLICY NO. 20.100.

WHEREAS, the unnumbered City Council Student Representative Policy was adopted by Council Action on March 16, 2005, then amended on September 1, 2010; and,

WHEREAS, the Parks and Recreation Commission Student Representative Policy No. 2018-01 was adopted through Resolution 2018-03 on January 17, 2018, then amended by Resolution 2020-61 on July 15, 2020; and,

WHEREAS, adopting one Student Representative Policy applicable to all City of Kenai governmental bodies will provide standard practices and procedure for all Student Representative applicants and appointees; and,

WHEREAS, becoming a Student Representative helps students develop and strengthen their leadership skills, assist fellow students with having their voices heard, by sharing experiences and participating in issues effecting the City; and,

WHEREAS, the Parks and Recreation Commission at their March 2, 2023 meeting recommended approval with an amendment that would allow junior's or senior's in good standing at a school within the Kenai Peninsula Borough; and,

WHEREAS, the Airport Commission at their March 9, 2023 meeting recommended approval; and,

WHEREAS, the Council on Aging at their March 9, 2023 meeting recommended approval with an amendment that would allow students who attend homeschool or private schools; and,

WHEREAS, the Planning and Zoning Commission at their March 22, 2023 meeting recommended approval; and,

WHEREAS, the Beautification Committee at their April 11, 2023 meeting recommended approval; and,

WHEREAS, it is in the best interest of the City Kenai to adopt one policy for all Student Representatives to the various boards, commissions, committees and councils of the City.

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

Section 1. That unnumbered City Council Student Representative Policy as attached is hereby repealed in its entirety.

Section 2. That Parks and Recreation Commission Student Representative Policy No. 2018-01 as attached is hereby repealed in its entirety.

Section 3. That the City of Kenai Student Representative Policy No. 20.001 as attached is hereby adopted in its entirety.

Section 4. That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 19TH DAY OF APRIL, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



MEMORANDUM

TO: Council Members

FROM: Shellie Saner, City Clerk

DATE: April 7, 2023

SUBJECT: **Resolution No. 2023-27-** Repealing the City Council Unnumbered Student Representative Policy, Repealing the Parks and Recreation Commission Student Representative Policy No. 2018-01, and Enacting City of Kenai Student Representative Policy No. 20.100.

The City of Kenai currently has two student representative policies, one for representatives to the City Council and one for representatives to the Parks and Recreation Commission.

Adoption of one policy that would be applicable to all City of Kenai boards, commissions, committees or councils would ensure a consistent application process for all persons interested in serving as a student representative as well as providing the students an opportunity to serve on one of the many boards, commissions, committees or councils of the City.

The following identifies the more substantive changes in the new policy regarding City Council Student Representatives:

- The purpose and scope of the policy is expanded to provide clarity regarding the purpose of the Student Representative.
- Previously the policy required students attend Kenai Central High School. The new policy would remove that limitation and allow Junior and Senior applicants from all schools within the Kenai City Limits.
- Preference is given for students who are members of Leadership Groups or the Student Council. This ensures the ability for a student to report back to the school the actions or issues that are affecting students.
- The term of the student representative is reduced to 1-Year Terms, to ensure an opportunity for more students to participate as well as consider their academic and athletic schedule when committing to service.
- The student representative will no longer be in rotation of the roll call and will now be called last, to take into consideration that sometimes the issues before the Council are very controversial and the students vote is advisory only.

The following identifies the more substantive changes in the new policy regarding the Parks and Recreation Student Representatives:

- The purpose and scope of the policy were expanded to provide clarity regarding the purpose of the Student Representative.
- Previously the Parks and Recreation Commission Student Representative was required to reside within the Kenai City Limits, the new policy will allow non-residents attending a school within the city limits to participate as student representative to boards, commissions, committees and the Council on Aging. There are provisions within Kenai Municipal Code that allow a certain number of non-residents as members of various boards and commissions.

Kenai Municipal Code 1.90.030 (a) in part establishes, a member of a board, commission or committee must be a resident of the City of Kenai, unless specifically exempted by Council from this requirement.

Kenai Municipal Code 1.90.030 (b) in part establishes, the Beautification Committee, Harbor Commission and Parks and Recreation Commission may at the discretion of the Council have up to two (2) non-resident members.

Kenai Municipal Code 1.90.030 (c) in part establishes, the Planning Commission may have up to one member that is not a resident of the City if they have a controlling ownership interest in a business located in the City.

Note: Student Representatives to City Council will still be required to be residents of the City, which is the same requirement that applies to the Mayor and City Council Members.

Thank you for your consideration.



**CITY COUNCIL – 20.100
STUDENT REPRESENTATIVE**

Effective Date: February 15, 2023
See Also: PRO-20.100; TSK-20.100

Last Approved Date:
Approved by:

April 19, 2023
City Council

POLICY – 20.100 Student Representative Policy**Purpose**

The purpose of this policy is to provide an opportunity for student representation to the various governmental body of the City of Kenai. The policy provides an opportunity for students to develop and strengthen leadership skills by connecting with the various governmental bodies of the City of Kenai and assisting fellow students with having their voices heard.

Scope

The Student Representative is a vital channel of communication between the students and the governmental bodies of the City of Kenai and has a variety of important roles and responsibilities, including representing the views of students on matters of concern to students; as time allows, participation in other events attended by the governmental body; and increased student involvement in matters affecting students. The appointed student acts as a representative leader of the student body.

Policy

It is important to seek out and consider student ideas, viewpoints and reaction to City decisions and policies affecting students. In order to provide student input and involvement, the Kenai City Council may appoint a Student Representative and an Alternate Student Representative to the various governmental bodies of the City as it deems necessary.

Qualifications of Student Representatives

1. Must be a Junior or Senior in good standing at a school within the Kenai City Limits.
2. Residency Requirements are as follows:
 - a. City Council Student Representatives must reside within the Kenai City limits.
 - b. Student Representatives to the Council on Aging, Airport Commission, Harbor Commission, Parks and Recreation Commission, Planning and Zoning Commission or Beautification Committee may but are not required to reside within Kenai City limits.
3. Preference will be given to students who are active members of a School Leadership Group or the Student Council.
4. Must obtain approval from the school administration and their parent or legal guardian.
5. If multiple applications are received for the same governmental body, the Mayor may select one applicant for appointment.

Requirements of Student Representatives

1. Attend and participate in all meetings and work sessions of the governmental body in which the student is appointed to while school is in session, unless excused by the Mayor or Mayors designee.
2. Act as a communication liaison between the governmental body and students by reporting to the students the activities of the governing body; and, providing information and feed back to the governing body on policies and issues affecting the students.
3. Conduct themselves in proper business etiquette when acting as a Student Representative.
4. Should have an interest in public service and utilize this appointment as a way to develop leadership skills.

Limitations of Student Representatives

1. Appointments are for 1-Year terms, beginning in early September of each year and ending in August of the following year.
2. May not move or second items during a meeting.
3. May cast advisory votes on all matters except those subject to executive session discussions; however, the advisory vote will not affect the outcome, the advisory vote will be recorded in the meeting minutes, and the student vote will be last in the roll call order.

Brian Gabriel Sr., Mayor

ATTEST:

Shellie Saner, MMC, City Clerk

Student Representative Policies History: Action Approval 03/16/2005; Action Approval 09/01/2010; Resolutions 2018-03; 2020-61; and, 2023-XX

If approved the following two policies will be repealed in their entirety:

[CITY COUNCIL STUDENT REPRESENTATIVE POLICY. NOT NUMBERED.]

IT IS IMPORTANT TO SEEK OUT AND CONSIDER STUDENTS' IDEAS, VIEWPOINTS AND REACTIONS TO CITY DECISIONS AND POLICIES AFFECTING STUDENTS. IN ORDER TO PROVIDE STUDENT INPUT AND INVOLVEMENT, THE KENAI CITY COUNCIL MAY APPOINT A STUDENT REPRESENTATIVE AND AN ALTERNATE STUDENT REPRESENTATIVE AS IT DEEMS NECESSARY.

LIMITATIONS, QUALIFICATIONS AND REQUIREMENTS:

1. THE STUDENT MAY CAST ADVISORY VOTES ON ALL MATTERS EXCEPT THOSE SUBJECT TO EXECUTIVE SESSION DISCUSSION. ADVISORY VOTES SHALL BE CAST IN ROTATION WITH THE OFFICIAL COUNCIL VOTE AND SHALL NOT AFFECT THE OUTCOME OF THE VOTE. ADVISORY VOTES SHALL BE RECORDED IN THE MINUTES. STUDENT REPRESENTATIVES MAY NOT MOVE OR SECOND ITEMS DURING A COUNCIL MEETING.
2. THE STUDENT(S) SHALL BE RESIDENTS OF THE CITY OF KENAI.
3. THE STUDENT(S) SHALL BE A JUNIOR OR SENIOR IN GOOD STANDING AT KENAI CENTRAL HIGH SCHOOL.
4. THE STUDENT(S) SHALL BE ELECTED BY THE STUDENT COUNCIL OF KENAI CENTRAL HIGH SCHOOL AND SUBJECT OF APPROVAL OF THE KCHS ADMINISTRATION.
5. THE STUDENT(S) SHALL ATTEND ALL CITY COUNCIL MEETINGS AND WORK SESSIONS, UNLESS EXCUSED BY THE MAYOR. THE ALTERNATE SHALL ATTEND MEETINGS IN THE ABSENCE OF THE STUDENT REPRESENTATIVE.
6. THE STUDENT(S) SHOULD HAVE A LONG-TERM INTEREST IN PUBLIC SERVICE/
7. THE STUDENT(S) SHOULD GIVE FEEDBACK TO COUNCIL MEMBERS ABOUT POLICIES IMPACTING YOUNG PEOPLE.
8. THE STUDENT(S) SHOULD USE THIS OPPORTUNITY AS A WAY TO DEVELOP LEADERSHIP SKILLS.
9. THE STUDENT(S) WILL COMMUNICATE WITH STUDENT COUNCIL MEMBERS AT KENAI CENTRAL HIGH SCHOOL TO PROVIDE INFORMATION AND SEEK FEEDBACK FROM OTHER STUDENTS ON CITY ISSUES AFFECTING YOUNG PEOPLE AND COPIES OF ALL WRITTEN REPORTS REGARDING THEIR SERVICE BE PROVIDED TO THE KENAI CITY COUNCIL THROUGH THE CITY CLERK'S OFFICE.]

Action Approval Dates: 03/16/05; 09/01/2010

[PARKS AND RECREATION COMMISSION STUDENT REPRESENTATIVE POLICY. POLICY No. 2018-01]

PURPOSE

THE PURPOSE OF THIS POLICY IS TO PROVIDE FOR A STUDENT REPRESENTATIVE FOR THE PARKS AND RECREATION COMMISSION.

SCOPE

THIS POLICY APPLIES TO THE PARKS AND RECREATION COMMISSION AND ALL STUDENT REPRESENTATIVES APPOINTED TO THE PARKS AND RECREATION COMMISSION.

POLICY

IT IS IMPORTANT TO SEEK OUT AND CONSIDER STUDENTS' IDEAS, VIEWPOINTS AND REACTIONS TO PARKS AND RECREATION DECISIONS. IN ORDER TO PROVIDE STUDENT INPUT AND INVOLVEMENT, THE MAYOR OF THE CITY OF KENAI, MAY APPOINT A STUDENT REPRESENTATIVE TO THE PARKS AND RECREATION COMMISSION AND THE STUDENT REPRESENTATIVE MAY PARTICIPATE IN THE PARKS AND RECREATION COMMISSION MEETINGS PURSUANT TO THE FOLLOWING:

1. LIMITATIONS, QUALIFICATIONS, AND REQUIREMENTS:

- A. THE STUDENT MAY CAST ADVISORY VOTES ON ALL MATTERS EXCEPT THOSE SUBJECT TO EXECUTIVE SESSION DISCUSSION. ADVISORY VOTES SHALL BE CAST IN ROTATION WITH THE OFFICIAL COMMISSION VOTE AND SHALL NOT AFFECT THE OUTCOME OF A VOTE. ADVISORY VOTES SHALL BE RECORDED IN THE MEETING SUMMARIES. STUDENT REPRESENTATIVES MAY NOT MOVE OR SECOND ITEMS DURING A COMMISSION MEETING.
- B. THE STUDENT SHALL BE A KENAI RESIDENT AND A JUNIOR OR SENIOR IN GOOD STANDING WITH THE SCHOOL ADMINISTRATION.
- C. THE STUDENT SHALL BE APPROVED BY SCHOOL ADMINISTRATION; IF MULTIPLE APPLICATIONS ARE RECEIVED, THE MAYOR MAY SELECT AN APPLICANT FOR APPOINTMENT.
- D. THE STUDENT SHALL ATTEND ALL PARKS AND RECREATION COMMISSION MEETINGS AND WORK SESSIONS, UNLESS EXCUSED BY THE PARKS AND RECREATION DIRECTOR.
- E. THE STUDENT SHOULD HAVE AN INTEREST IN PUBLIC SERVICE.
- F. THE STUDENT SHOULD USE THIS OPPORTUNITY AS A WAY TO DEVELOP LEADERSHIP SKILLS.
- G. THE STUDENT WILL COMMUNICATE WITH OTHER STUDENTS TO PROVIDE INFORMATION AND SEEK FEEDBACK FROM OTHER STUDENTS ON PARKS AND RECREATION ISSUES AFFECTING YOUNG PEOPLE.]

Policy History: Resolution No.'s 2018-03; 2020-61

Sponsored by: Administration



**CITY OF KENAI
RESOLUTION NO. 2023-28**

A RESOLUTION APPROVING A TWELVE-MONTH EXTENSION OF TIME FOR GOOD CAUSE FOR THE COMPLETION OF PERMANENT IMPROVEMENTS FOR A LEASE BETWEEN THE CITY OF KENAI AND SCHILLINGS RENTALS, LLC FOR AIRPORT RESERVE LANDS DESCRIBED AS LOT 5A, BLOCK 1, FBO SUBDIVISION 2018 REPLAT.

WHEREAS, Resolution No. 2020-14 approved a lease between the City of Kenai and Schillings Rentals, LLC for Lot 5A, Block 1, FBO Subdivision 2018 Replat; and,

WHEREAS, Ordinance No. 3150-2020 allowed for an extension of execution of the same lease until May 31, 2021; and,

WHEREAS, the lease requires the lessee to construct a steel hanger with crew quarters by May 31, 2023 with an aggregate cost of at least \$1,200,000; and,

WHEREAS, the lessee has requested a two-year extension to complete the improvements due to market challenges related to costs of construction materials and ability to secure and deliver steel structures in a timely manner; and,

WHEREAS, KMC 21.10.080(g)(5) allows the Council to extend the time for completion of permanent improvements required in a lease for up to twelve months for good cause; and,

WHEREAS, market conditions related to construction material costs and the ability to secure steel structures in Alaska constitute good cause justifying a twelve-month lease extension.

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

Section 1. That the City Council agrees to amend the Lease with Schillings Rentals, LLC for Lot 5A, Block 1, FBO Subdivision 2018 Replat to extend the date that improvements are required to be completed to May 31, 2024 for good cause as described above. The Council further authorizes the City Manager to execute a lease amendment with Schillings Rentals, LLC to effectuate the extension.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 19TH DAY OF APRIL, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Scott Bloom, City Attorney
DATE: April 13, 2023
SUBJECT: Resolution 2023-28 – Schillings Lease Extension

Administration has had numerous conversations with Schillings Rentals, LLC regarding options moving forward to complete the intended improvements on the subject lease lot on the airport reserve consisting of a steel hangar and crew quarters. Due to market conditions which have driven construction costs and limited availability of steel structures, Schillings Rentals, LLC has not begun the physical construction process in the preceding two years since lease inception. As you can see from the attached letter from Schillings Rentals, LLC, they have requested a two year extension to complete their required improvements. However, Administration is currently only supportive of a one year extension as allowed in code pursuant to KMC 21.10.080(g)(5). If a building is ordered in a reasonable timeframe but cannot reasonably be delivered or erected in the additional one year period, Administration would be supportive of a future non-code ordinance allowing additional time to complete the project if justified.



Schilling Rentals LLC
PO Box 3426
Kenai, AK 99611
907-931-6676

February 27, 2023

Linda Mitchell, Planning Director
City of Kenai
210 Fidalgo Avenue
Kenai, AK 99611

RE: Extension on Lot 5A, Block 1 (City lease 2021-006562-0)

Dear Linda:

We are writing you in reference to lease 2021-006562-0 for the Premises located at:

Lot Five A (5A), Block One (1), FBO Subdivision 2018 Replat, according to the official plat thereof, filed under Plat Number 2019-2, Kenai Recording District, Third Judicial District, State of Alaska

In review of Article XIV subsection B clause (1) there are certain required improvements as part of the referenced lease. There is a stated deadline to complete improvements by May 31, 2023, with an aggregate cost of \$1,200,000.

Due to unforeseen circumstances regarding Schilling Rentals' intention to develop and further improve the leased Premises, Schilling Rentals will be unable to perform the required improvements before May 31, 2023.

Schilling Rentals still intends to further develop the Premises, however, given the current market conditions and very long lead times from contractors and steel building suppliers, Schilling Rentals requests an extension on the required completion date to May 31, 2025. This requested change would also move the evidence of cost date from July 30, 2023 to July 30, 2025.

The primary reasons for this request:

1. Timeline – even if Schilling Rentals ordered the steel from a steel building supplier today, feedback from multiple suppliers is that due to backlogs in engineering, operations, steel supply, etc. the order would likely not be delivered to Alaska until Summer 2024 at the earliest.
 - a. It should be noted that if the City of Kenai did not approve this request and canceled the existing lease on June 1, 2023; then, a new tenant signed a lease for the Premises, the timeline would simply be shifted to 2025 or later for the new tenant since the building limitations would remain unchanged.
 - b. It should also be noted that due to the short construction window in Kenai, Alaska and a building requirement ending in May (per the current lease), the tenant of the Premises loses a whole summer of erection capabilities.
2. Cost – given the current market environment in steel supply costs and construction labor costs, the erection costs to put up a building on the Premises are cost prohibitive and no potential tenants could afford to sublease the Premises. Schilling Rentals would request that the City of Kenai be reasonable and understand that the proposed use of the Premises is still the best long



Schilling Rentals LLC
PO Box 3426
Kenai, AK 99611
907-931-6676

term use of the land. However, in the current environment it is not feasible for anyone to erect a hangar or structure on the Premises.

We understand that the City of Kenai administration is only supportive of a one-year extension, but we are asking for a two-year extension based on the previously noted reasons.

Project Update

Schilling Rentals' original intention for the Premises was to house the Guardian Hangar #1 project, with a hangar and crew quarters to meet Guardian's needs; however, due to delivery times from suppliers and budgetary limitations we had to remodel an existing hangar to meet Guardian's budget and timeline.

The second plan for the Premises was to house the Guardian #2 project; however, due to the reasons noted in this request and Guardian's budgetary limitations, Schilling Rentals has had to improvise and offer other alternatives so that Guardian does not lease its second location on the Peninsula somewhere other than the Kenai airport. Schilling Rentals is in the process of reviewing options to remove the crew quarters from the project and relocate the hangar that we originally intended to build on the Premises down closer to the Guardian #1 structure (and share/utilize the crew quarters with Guardian #1). Our assumption is that building costs should decrease over time, and we can go back to the original plan to build the Guardian #2 hangar on the Premises with crew quarters. However, it is also entirely possible that building costs could go up even further next year.

We appreciate your consideration of this request. If there is anything further you need from us, please advise.

Best regards,
David K. Lunt
Chief Financial Officer

**KENAI CITY COUNCIL – REGULAR MEETING
APRIL 5, 2023 – 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 April 5, 2023, 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	James Baisden, Vice Mayor
Teea Winger	Deborah Sounart
Alex Douthit	Victoria Askin
Henry Knackstedt	

A quorum was present.

Also in attendance were:

- **Silas Thibodeau, Student Representative
- Terry Eubank, City Manager
- Scott Bloom, City Attorney
- Larry Semmens, Temporary Finance Director
- Jessica Hendrickson, Chief Animal Control Officer
- Scott Curtin, Public Works Director
- Kathy Romain, Senior Center Director
- Shellie Saner, City Clerk

3. Agenda Approval

MOTION:

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

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

4. Consent Agenda

MOTION:

Council Member Knackstedt **MOVED** to approve the consent agenda. Vice Mayor Baisden **SECONDED** the motion.

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

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

UNANIMOUS CONSENT was requested.

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

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

B. SCHEDULED PUBLIC COMMENTS

1. Samantha Springer, Executive Director of the Kenai Chamber of Commerce and Visitor Center.

Samantha Spring, new Executive Director of the Kenai Chamber of Commerce and Visitor Center introduced herself, stated she was looking forward to working with the City and noted that they were working on a volunteer search to establish a list of volunteers for events; working with the Soldotna Chamber of Commerce toward more joint events; and listed upcoming events.

C. UNSCHEDULED PUBLIC COMMENTS

Joe Rizzo, Triumvirate Theater President provided an update regarding the theater project, he noted receiving notification of an additional grant award which brought the current funding for the theater project to \$3.2 million and that the request for proposals for the project would be going out in the following week; and he thanked the City for their support throughout this process.

There was Council discussion regarding the effective process Triumvirate had implemented in recovering from the fire to get to this point for the theater project.

Marion Nelson, Kenai Art Center Board President provided an update regarding the 32nd Annual Kenai Peninsula Borough School District, Juried Student Art Show opening on Friday, and noted that the teachers are the ones who do most of the work for the show.

Kathy Romain, Kenai Senior Center Director reported on the March 31, 2023, March for Meals Event, stating \$15,500 was raised during the dessert auction; already meeting to start working on next years event; and noted her appreciation for all the staff and volunteers who helped make the event a success.

D. PUBLIC HEARINGS

1. **Ordinance No. 3339-2023** - Accepting and Appropriating Donations to the Kenai Animal Shelter for the Care of Animals. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3339-2023. Council Member Winger **SECONDED** the motion.

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

The City Council recognized the donors and stated their appreciation.

VOTE:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED, UNANIMOUSLY.

2. **Ordinance No. 3340-2023** - Accepting and Appropriating a Grant Received through Maddie's Fund to the Kenai Animal Shelter for the Care of Animals. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3340-2023. Council Member Askin **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.

There was discussion regarding how Maddie's Fund was established and appreciation noted for the benefits to our community.

VOTE:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED, UNANIMOUSLY.

3. Ordinance No. 3341-2023 - Accepting and Appropriating a Donation to the Kenai Senior Center. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3341-2023. Council Member Winger **SECONDED** the motion.

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

Ray and Yen-te Verg-in were introduced, the City Council thanked them for their continued support to the Kenai Senior Center.

VOTE:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED, UNANIMOUSLY.

4. Resolution No. 2023-24 - Supporting State of Alaska Legislative Action Increasing the Base Student Allocation by at Least \$1000 to Adequately Fund and Restore Student School Resources and Learning Opportunities. (Knackstedt)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-24. Council Member Douthit **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment.

Tyson Cox, Kenai Peninsula Borough (KPB) Assembly Representative provided an update on similar legislation in Soldotna, Homer and the State of Alaska House and Senate; noting the challenge the School District has when generating a balanced budget prior to knowing their State funding amount; an increase in the BSA would allow for more consistent budgeting; the proposed cuts this year include managers of pools and theaters and an increase to the student teacher ratio.

City Council and Assembly Representative Cox discussed previous increases to the BSA not keeping up with the rate of inflation; the requested amount of \$1000 still did not keep up with inflation; the actual BSA amount could vary in different areas based on multipliers related to the number of special needs students or if the area was rural; the problem with one-time funding was that it could not be relied on in the following year; an increase to the BSA by the State would cause an increase to the KPB funding cap, which would be an increase to local tax payers; concerns related to where the funds would come from and the State not having a physical plan in place; the lack of explanation of how an increase would provide a positive

effect in the classrooms; and that proposed increase would allow things to remain status quo to address increased costs of utilities, healthcare and other administrative costs.

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

There was Council discussion regarding other municipalities passing similar resolutions; the States constitutional obligation to establish and maintain a public school system; the KPB School District facing a \$1.3 million deficit; there being no meaningful increase in the BSA since 2017; the deficit could result in the elimination or reduction of art, theater, music, foreign language, vocational programs and other important programs; the main point of the resolution was to encourage the legislature to increase funding for education; the fact that the state did not have a physical plan to fund the increase and would either have to spend out of the constitutional budget reserves or the PFD; and the importance of education.

MOTION:

Vice Mayor Baisden **MOVED** to table Resolution No. 2023-24. Council Member Winger **SECONDED** the motion.

VOTE ON MOTION TO TABLE:

YEA: Baisden, Askin, Winger

NAY: Douthit, Knackstedt, Sounart, Gabriel

MOTION TO TABLE FAILED.

VOTE ON MAIN MOTION:

YEA: Knackstedt, Gabriel, Douthit

NAY: Sounart, Winger, Baisden, Askin

**Student Representative Thibodeau: YEA

MAIN MOTION FAILED.

MOTION:

Vice Mayor Baisden **MOVED** to reconsider Resolution No. 2023-24. Council Member Winger **SECONDED** the motion.

VOTE ON MOTION TO RECONSIDER:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION TO RECONSIDER PASSED.

[Clerk's Note: Mayor Gabriel passed the gavel to Vice Mayor Baisden.]

MOTION:

Mayor Gabriel **MOVED** to postpone indefinitely Resolution No. 2023-24. Council Member Winger **SECONDED** the motion.

VOTE ON MOTION TO POSTPONE INDEFINITELY:

YEA: Gabriel, Baisden, Askin, Sounart, Winger

NAY: Douthit, Knackstedt

**Student Representative Thibodeau: NAY

MOTION TO POSTPONE INDEFINITELY PASSED.

5. **Resolution No. 2023-25** - Authorizing a Construction Contract and Corresponding Purchase Order for the 2023 Kenai Recreation Center Upgrades Project and an Increase to the Existing Design Services Purchase Order for Construction Administration Services. (Administration)

MOTION:

Council Member Askin **MOVED** to adopt Resolution No. 2023-25. Council Member Winger **SECONDED** the motion.

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

It was reported that adoption of this resolution would address needed repairs to the Kenai Recreation Center; the lack of roof drains contributed to the deterioration and new roof drains were included in the project; the project included six HVAC roof top units; and completion of this work would safeguard the facility and allow for future interior improvements.

There was discussion regarding the age of the building and if it was prudent to continue repairing it or if it was time to consider a new facility.

UNANIMOUS CONSENT was requested.

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

E. MINUTES

1. *Regular Meeting of March 15, 2023. (City Clerk)

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

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

Approved by the consent agenda.

2. ***Action/Approval** - Purchase Orders and Purchase Order Amendments Requiring Council Approval in Accordance with KMC 7.15.020. (Administration)

Approved by the consent agenda.

3. ***Action/Approval** - Non-Objection to the Renewal of a Liquor License for Don Jose's, LLC., DBA: Don Jose's Mexican Restaurant - License No. 3039. (City Clerk)

Approved by the consent agenda.

4. ***Ordinance No. 3342-2023** - Increasing Estimated Revenues and Appropriations in the Congregate Housing Fund for Costs in Excess of Budgeted Amounts. (Administration)

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

5. ***Ordinance No. 3343-2023** - Accepting and Appropriating a Volunteer Fire Assistance Grant from the United States Department of Agriculture Forest Service Passed through the State of Alaska Division of Forestry for the Purchase of Forestry Firefighting Equipment. (Administrations)

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

6. ***Ordinance No. 3344-2023** - Amending Kenai Municipal Code Chapter 8.20 - Fireworks Control, by Removing References to City Permits - which are Redundant to the States Firework Display Permit. (Administrations)

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

7. **Action/Approval** - Granting an Easement on Both Sides of Boat Launch Road to the Alaska Department of Transportation in Support of the Bridge Access Road Pavement Preservation Project. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to authorize the Easement on both sides of Boat Launch Road. Council Member Askin **SECONDED** the motion.

It was clarified that the Department of Transportation would coordinate with the organizations and businesses affected by the project in consideration of the increased tourism traffic during the summer months.

UNANIMOUS CONSENT was requested on the motion.

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

8. **Discussion/Action** - Scheduling a Budget Work Session. (Gabriel)

The budget work session was scheduled for Saturday, April 29, 2023 at 9:00 a.m. in the Kenai City Hall Council Chambers.

9. **Action/Approval** - Scheduling Council Employee Evaluations. (Gabriel)

A Special City Council meeting was scheduled for Thursday, April 27, 2023 at 6:00 p.m. for Council Employee Evaluations in the Kenai City Hall Council Chambers.

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

No report, next meeting April 13, 2023.

2. Airport Commission

Council Member Askin reported on the March 16, 2026 Airport Commission work session.

3. Harbor Commission

No report, next meeting April 10, 2023.

4. Parks and Recreation Commission

April 5, 2023 meeting cancelled, next meeting May 4, 2023.

5. Planning and Zoning Commission

Council Member Knackstedt reported on the March 22, 2023 regular meeting.

6. Beautification Committee

No report, next meeting April 11, 2023.

I. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Participating in the Leeshore Center, Choose Respect Event.
- Meeting with staff and local contractors to discuss the recent building code updates.
- Attending the Kenai Peninsula Transportation Gaps and Solutions meeting to discuss local transportation routes.
- Participating as a Judge in selecting the Boys & Girls Club, Youth of the Year.

- Organizational meeting of the Bycatch Advisory Group, the purpose of the group is to provide guidance for implementation of the Bycatch Task Force recommendations.
- Presenting the Fifth Annual State of the City Address with City Manager Eubank.

J. ADMINISTRATION REPORTS

1. City Manager – City Manager Eubank reported on the following:
 - Meeting with new Kenai Visitor Center and Chamber of Commerce Director Samantha Springer.
 - Meeting with Mayor Gabriel and Peter Evon, Executive Director of the Kenaitze Indian tribe to discuss the Old Town Playground updates.
 - Provided an update on the Bluff Stabilization project.
 - Noted his thanks for having Larry Semmens as the temporary Finance Director while working through the FY2024 Budget process.
 - The Personnel Working Group would be requesting a work session with the Council to discuss some recommended changes to the personnel code.
 - Three scheduled interviews for the Finance Director position; Parks and Recreation Director Walker's last day was this week and position was currently being advertised.
 - The City has a booth at the Job Fair this year and the booth would be staffed by Department Heads.
2. City Attorney - No report.
3. City Clerk - No report.

K. ADDITIONAL PUBLIC COMMENTS

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

Tyson Cox, Kenai Peninsula Borough Assembly Representative addressed the Council stating he was disappointed that Resolution 2023-24 supporting an increase to the Base Student Allocation (BSA) did not pass; he felt there was misinformation on the subject; additional students in a class room is a big deal; outlined the positions that are proposed to be cut in the current school district budget; increases to the BSA provided salaries and benefits to teachers; and recommended attending the School Board Finance meetings.

2. Council Comments

Council Member Douthit stated he had a booth at the Job Fair and noted it was a good event with 53 vendors; and he was looking forward to working with Ms. Springer.

Student Representative Thibodeau reported that Kenai Peninsula School bands met for the Mass Band Concert; the baseball and track season are starting up; and the Prom them is Moonlit Nights.

Council Member Sounart thanked Assembly Representative Cox for his comments; congratulated Student Representative Thibodeau for making the Honor Band; and thanked the Kenai Senior Center staff for making the March for Meals such a great event.

Council Member Askin stated she enjoyed the March for Meals event; and thanked Mr. Simmons for stepping in as the temporary Finance Director.

Council Member Winger thanked staff for clearing the track and fields at the high school; thanked Lieutenant Ryan Browning from Homer for providing a class on Parenting in the Digital Age; thanked the Kenai Senior Center for a great event; and welcomed Ms. Springer.

Vice Mayor Baisden stated he felt Council had great data on their decision on Resolution 2023-24; he felt that it was okay for City Council members to have a different opinion on the subject; he understood the process and his issue was with the State and the fact that they to not have a plan in place; and felt this discussion should be with the State elected representation and not with the City Council.

Council Member Knackstedt welcomed Ms. Springer and welcomed Mr. Simmons back; noted he enjoyed the March for Meals event; and he felt the Mayor and Manager Eubank did a fantastic job presenting the State of the City.

L. EXECUTIVE SESSION - None.

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATIONAL ITEMS - None.

There being no further business before the Council, the meeting was adjourned at 8:45 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of April 5, 2023.

Michelle M. Saner, MMC
City Clerk

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

**PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: APRIL 19, 2023**

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
ENSTAR NATURAL GAS	GAS USAGE	VARIOUS	UTILITIES	44,459.16
PERS	PERS	VARIOUS	LIABILITY	109,765.83
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	114,960.36
REBORN AGAIN JANITORIAL	MARCH SERVICES	AIRPORT	REPAIR & MAINTENANCE	4,231.25

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
FROM: Meghan Thibodeau, Deputy City Clerk
DATE: April 4, 2023
SUBJECT: **Liquor License Renewal – Speedway Express**

The following establishment has submitted applications to the Alcohol and Marijuana Control Office (AMCO) for a renewal of licenses:

Applicant: AK, Inc.
D/B/A: Speedway Express
License Type: Package Store
License No.: 4544

Pursuant to KMC 2.40, a review of City accounts has been completed on the applicants and they have satisfied all obligations to the City. With the approval of Council, a letter of non-objection to the liquor license renewal will be forwarded to the ABC Board and the applicants.

Your consideration is appreciated.

Submit

by Meghan Thibodeau 3/16/2023 1:29:52 PM (Form Submission)

Approve

by Jeremy Hamilton 3/16/2023 2:27:58 PM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: March 27, 2023 5:00 PM
3/16/2023 1:29:53 PM

Approve

by Donald Hendrickson 3/17/2023 11:00:02 AM (Building Official Review)

- The task was assigned to Donald Hendrickson. The due date is: March 27, 2023 5:00 PM
3/16/2023 1:29:53 PM

Approve

by David Ross 3/21/2023 12:58:03 PM (Police Department Review)

- The task was assigned to David Ross. The due date is: March 27, 2023 5:00 PM 3/16/2023 1:29:54 PM

Approve

by Tina Williamson 3/16/2023 2:06:30 PM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: March 27, 2023 5:00 PM
3/16/2023 1:29:54 PM

Approve

by Cindy Herr 3/17/2023 9:21:15 AM (Legal Asst Review)

■ There are no monies owed in restitution or traffic fines.

- The task was assigned to Cindy Herr. The due date is: March 27, 2023 5:00 PM 3/16/2023 1:29:54 PM

Approve

by Linda Mitchell 3/20/2023 2:41:08 PM (Lands Review)

- The task was assigned to Linda Mitchell. The due date is: March 27, 2023 5:00 PM
3/16/2023 1:29:54 PM

Approve

by Terry Eubank 4/4/2023 9:54:02 AM (Finance Review)

- The task was assigned to Terry Eubank. The due date is: March 29, 2023 5:00 PM
3/20/2023 2:41:09 PM

Approve

by Scott Bloom 3/22/2023 12:20:40 PM (Legal Review)

- The task was assigned to Scott Bloom. The due date is: March 29, 2023 5:00 PM 3/20/2023 2:41:09 PM

Approve

by Linda Mitchell 3/20/2023 2:41:45 PM (P&Z Department Review)

- The task was assigned to Linda Mitchell. The due date is: March 29, 2023 5:00 PM
3/20/2023 2:41:10 PM

AMCO License Application

Date

3/16/2023

Establishment Information

License Type

Package Store

Licensee

AK, Inc.

Doing Business As

Speedway Express

Premises Address

11120 Kenai Spur Highway

City, State

Kenai, AK

Contact Information

Contact Licensee

Rawa Anabi

Contact Phone No.

909-394-4728

Contact Email

sireifej@carenterprises.net

Additional Contact Information

Name

Summer Ireifej

Phone No.

909-707-5502

Email

licensing@carenterprises.net

Documents

File Upload

#4544 Complete Renewal Application with Temp.pdf	5.18MB
#4544 LGB Renewal Notice.pdf	260.8KB



THE STATE of ALASKA GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development ALCOHOL & MARIJUANA CONTROL OFFICE 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

March 16, 2023

City of Kenai Kenai Peninsula Borough Via Email: MJenkins@kpb.us; JVanHoose@kpb.us; jratky@kpb.us; Cjackinsky@kpb.us; MAldridge@kpb.us; ncarver@kpb.us; slopez@kpb.us; JBlankenship@kpb.us; assemblyclerk@kpb.us; bcarter@kpb.us; cityclerk@kenai.city

Re: Notice of 2023/2024 Liquor License Renewal Application

Table with 4 columns: License Type, Licensee, Doing Business As, License. Row 1: Package Store, AK, Inc., Speedway Express, 4544.

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Handwritten signature of Joan M. Wilson

Joan Wilson, Director amco.localgovernmentonly@alaska.gov



AB-17: 2023/2024 License Renewal Application

Alcohol and Marijuana Control Office
550 W 7th Avenue,
Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-17: 2023/2024 General Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than 12/31/2022 per AS 04.11.270, 3 AAC 304.160, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any application for renewal or any fees for renewal that have not been postmarked by 2/28/2023 will be expired per AS 04.11.540, 3 AAC 304.160(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the required fees and all documents required, or the application will be returned without being processed, per AS 04.11.270, 3 AAC 304.105
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

Section 1 - Establishment Contact Information

Licensee (Owner):	AK, Inc.	License #:	4544
License Type:	Package Store		
Doing Business As:	Speedway Express #60206		
Local Governing Body:	Kenai, Kenai Peninsula Borough		
Community Council:			

If your mailing address has changed, write the NEW address below:

Mailing Address:					
City:		State:		ZIP:	

Section 2 - Licensee Contact Information

Contact Licensee: The individual listed below must be part of the ownership structure of the licensee listed in Section 1. This person will be the designated point of contact regarding this license, unless the Optional contact is completed.

Contact Licensee:	RAWA Anabi	Contact Phone:	(907)394-4728
Contact Email:	Sireifej@carenterprises.net		

Optional: If you wish for AMCO staff to communicate with anyone other than the Contact Licensee (such as legal counsel) about your license, list their information below:

Name of Contact:	Summer Ireifej	Contact Phone:	907 717 5502
Contact Email:	licensing@carenterprises.net		

Section 3 - for Package Stores ONLY: Written Order Information

Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2022 and/or 2023?

YES NO

AMCO
DEC 14 2022



Form AB-17: 2023/2024 License Renewal Application

Section 4 – Ownership Structure Certification

YES NO

Did the ownership structure of the licensed business change in 2021/2022?

If Yes, and you have **NOT** notified AMCO, list the updated information on form AB-39: Change of Officers and submit with your renewal application.

If No, certify the statement below by initialing the box to the right of the statement.

I certify that the ownership structure of the business who owns this alcohol license did not change in any way during the calendar years 2021 or 2022.

[Handwritten initials]

Section 5 – License Operation

Check **ONE BOX** for **EACH CALENDAR YEAR** that best describes how this liquor license was operated:

	2021	2022
1. The license was operated for more than 240 hours throughout each year. (Year-round)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. The license was only operated during a specified time each year. (Not to exceed 6 months per year) <i>If your operation dates have changed, list them below:</i> _____ to _____	<input type="checkbox"/>	<input type="checkbox"/>
3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year. <i>A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.</i>	<input type="checkbox"/>	<input type="checkbox"/>
4. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendar years. <i>A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated.</i> If you have not met the minimum number of hours of operation in 2021, you are not required to pay the fees, however a complete AB-29 is required with Section 2 marked "Other" and COVID is listed as the reason.	<input type="checkbox"/>	<input type="checkbox"/>

Section 6 - Violations and Convictions

YES NO

Have **ANY** Notices of Violation been issued for this license?

CAB

Has **ANY** person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2021 or 2022?

CAB

If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2)

If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.

Section 7 – Certifications

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, are true, correct, and complete.

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.
- I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the business license, and have provided all required documents for any new or changes of officers.



Form AB-17: 2023/2024 License Renewal Application

- I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 304.465.

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

Rawa Anabi
Signature of licensee

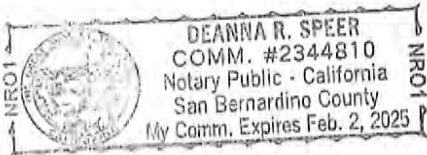
RAWA ANABI
Printed name of licensee

Deanna R. Speer, Notary Public
Signature of Notary Public

Notary Public in and for the State of California

My commission expires: February 2 2025

Subscribed and sworn to before me this 22 day of November, 2022.



- Restaurant and Eating Place** applications must include a completed AB-33: Restaurant Receipts Affidavit
- Recreational Site** applications must include a completed AB-36: Recreational Site Statement
- Tourism** applications must include a completed AB-37: Tourism Statement
- Wholesale** applications must include a completed AB-25: Supplier Certification
- Common Carrier** applications must include a current safety inspection certificate

All renewal and supplemental forms are available online:
<https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx>

FOR OFFICE USE ONLY

100511018

License Fee:	\$ 1500.00	Application Fee:	\$ 300.00	Misc. Fee:	\$
Total Fees Due:					\$ 1800.00

AMCO
DEC 13 2022



Office of the Borough Clerk

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

Michele Turner, CMC
Acting Borough Clerk

3/24/2023

Sent via email: cityclerk@kenai.city

Kenai City Hall
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant : AK, Inc.
Business Name : Speedway Express
License Type : Package Store
License Location : 11120 Kenai Spur Highway, Kenai, AK 99611, City of Kenai
License No. : 4544
Application Type : License Renewal

Dear Ms. Saner,

This serves to advise that the Kenai Peninsula Borough has reviewed the above referenced application and has no objection.

Should you have any questions, or need additional information, please do not hesitate to let us know.

Sincerely,

Michele Turner, CMC
Acting Borough Clerk

cc: licensing@carenterprises.net;

MT/jr



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3345-2023**

AN ORDINANCE ACCEPTING AND APPROPRIATING DONATIONS FOR CONSTRUCTION OF THE KENAI COMMUNITY DOG PARK.

WHEREAS, the Kenai Community Dog Park project is a community project involving volunteers, community fundraising and a partnership with the City to build the City's first dog park; and,

WHEREAS, the City of Kenai provided land at its Daubenspeck Family Park for the new park; and,

WHEREAS, fundraising efforts by Kenai Dog Park Friends, a devoted community group, has raised more than \$43,000 in cash and thousands more in materials, services and volunteer hours for construction of the project; and,

WHEREAS, donations were deposited with the Kenai Community Foundation, a local not-for-profit established to facilitate donations for programs and projects for the betterment of Kenai; and,

WHEREAS, acceptance of the remaining donations will provide supplemental funding to the \$88,000 previously appropriated by the City for construction of the project and is expected to provide sufficient funding to complete the project in the upcoming construction season; and,

WHEREAS, acceptance of and expending these funds consistent with the intended use 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 donated funds in the amount of \$27,323.87 and expend those funds consistent with its intended use and this ordinance.

Section 2. That the following budget revision is authorized:

Park Improvement Capital Project Fund:

Increase/Decrease expenditures –
Donations

\$27,323.87

Increase/Decrease expenditures –
Construction

\$27,323.87

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 3RD DAY OF MAY, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced: April 19, 2023
Enacted: May 3, 2023
Effective: May 3, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Terry Eubank, City Manager
DATE: April 13, 2023
SUBJECT: **Ordinance 3345-2023 Appropriation of donated funds for Kenai Community Dog Park**

Ordinance 3345-2023 will appropriate Kenai Community Dog Park donated funds. Kenai Dog Park Friends have raised more than \$43,000 in cash and thousands more in materials, services, and volunteer hours for the construction of the dog park. These donations were deposited with the Kenai Community Foundation, a local not-for-profit established to facilitate donations for programs and projects for the betterment of Kenai.

To date the City has appropriated \$88,000 to assist in the construction of the dog park and \$8,596 remains unspent and unencumbered at the is time. Appropriation of the remaining donated funds, in the amount of \$27,324, will provide sufficient funding to complete the summer construction plan for the project as detailed below. Your support is respectfully requested.

2023 Construction Plan

1. Construction of the park's pavilion/shelter.
2. Once site conditions permit, excavate and install a French drain through the center of the park to provide increased drainage.
3. Once the drain is complete, install additional fill and grade and prep the site for hydroseeding.
4. Upon completion of the park's pavilion/shelter and French drain, install the park's remaining fencing.
5. Once site work is complete, a volunteer day will be organized to install agility and other park features purchased, built and otherwise acquired by the volunteers.
6. Hydroseeding of the park.
7. If sufficient funding remains once the above tasks are completed, a manual water pump will be installed to provide drinking water for animals during the summer months.
8. Grand opening is expected in July, weather dependent.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3346-2023**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND, FIRE DEPARTMENT FOR THE PURCHASE OF AN INFLATABLE RESCUE BOAT.

WHEREAS, the Fire Department currently lacks the equipment to perform water-based rescue when the City’s boat launch is inaccessible and operable, nor do they have capabilities of responding above the Warren Ames bridge with the current deeper drafting Safe Boat; and,

WHEREAS, the Fire Department’s response areas include the Kenai River, up to Pillars boat launch; and,

WHEREAS, an inflatable rescue boat will provide rapid access to launch off area beaches, and other boat launch on the river that may provide the fastest route to an emergency; and,

WHEREAS, revenues in excess of budgeted amounts from ambulance billing will be used to purchase the inflatable rescue boat, motor, and trailer; and,

WHEREAS, purchase of the boat now will provide an opportunity for training on it during the Department’s upcoming Rescue Boat Operator Course.

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

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

General Fund:

Increase Estimated Revenues –	
Ambulance billing	<u>\$28,543</u>
Increase Appropriations – Fire Department	
Machinery & Equipment	\$24,043
Professional Services	<u>4,500</u>
	<u>\$28,543</u>

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 3RD DAY OF MAY, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced:	April 19, 2023
Enacted:	May 3, 2023
Effective:	May 3, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Tony Prior, Fire Chief
DATE: April 11, 2023
SUBJECT: Ordinance 3346-2023 Inflatable Rescue Boat

The department has the inability to perform water-based rescues in two geographic areas. Our current Safe Boat works for the majority of our rescues, however, when we are unable to launch year round due to the City's launch availability, we lose our ability to respond.

Area 1: Kenai River (from Warren Ames bridge down river) into the inlet. There are times of the year when the boat launch has ice or snow on it and we are unable to launch the Safe Boat, or during a low tide, we are also unable to get our Safe Boat across the sand bar at the convergence of the river and the inlet. These situations have happened multiple times, including recently when we had an individual stuck in the mud during a rising tide. This would have been a perfect opportunity to launch this proposed boat from the North beach and access the person in distress from the water. If we had a plane go down in the water at this particular time of year, it would also be an option for rescue.

Area 2: Our response area on the Kenai River from Warren Ames bridge up to Pillars boat launch. This area of the river is particularly influenced by the tide and can be very shallow in many areas. Our Safe Boat is a heavy boat that draws approximately 3 feet of water. We do not take this boat above the Warren Ames bridge unless there is a large/high tide, and even in that case, it would be a risk to do so. This boat would provide us access to this section of river to affect water-based rescues.

In addition to the 2 areas mentioned above, this additional boat bolsters our water rescue plan for airport emergencies as well as improves our overall capabilities of rescue with 2 boats in the water during any water-based emergency. The survival of any person in the water is crucially dependent upon the speed at which we get to them and how fast we get them out of the water. A person in our cold water has approximately 10 minutes before they lose meaningful movement <https://www.youtube.com/watch?v= ZtAM5ZTn4k&t=72> and 1 hour before they potentially succumb to hypothermia.

We have received additional revenue from the Supplemental Emergency Medical Transport program that was not budgeted in FY23. We are requesting to use a portion of this funding to

purchase this boat and provide training during our upcoming Rescue Boat Operator course in June.

We believe it is in the best interest of the City to improve our rescue capabilities by adding this rescue boat to our fleet and we thank you for your consideration of this Ordinance.





Sponsored by: Askin, Sounart

**CITY OF KENAI
ORDINANCE NO. 3347-2023**

AN ORDINANCE ESTABLISHING THE STOREFRONT AND STREETScape IMPROVEMENT PROGRAM AND APPROPRIATING \$50,000 FROM THE GENERAL FUND.

WHEREAS, a thriving commercial center is a pivotal aspect of the economic vitality in Kenai; and,

WHEREAS, storefront and streetscape improvements are one of the most effective ways of enhancing the image of individual businesses and our community as a whole; and,

WHEREAS, attractive storefronts attract customers, promote business activity, and increase community pride; and,

WHEREAS, Kenai has many older commercial buildings that would greatly benefit from an updated storefront; and,

WHEREAS, the Storefront and Streetscape Improvement Program meets several goals of the Kenai's Imagine Kenai 2030 Comprehensive Plan including the implementation of business-friendly regulations and incentives to create a stable, positive climate for private investment; and,

WHEREAS, the Storefront and Streetscape Improvement Program is intended to encourage and motivate local businesses to reinvest in Kenai by sharing the costs of storefront and streetscape improvement projects; and,

WHEREAS, this program will provide a matching fund source for existing businesses that may require financial assistance to renovate or update storefronts and streetscape up to \$10,000; and,

WHEREAS, participants will be selected based upon submission of a written application on a City form which includes the scope of work, proposed budget for the project, description of how the project will improve the current storefront and streetscape and the lasting impact of the improvement on the overall economic health of the Kenai business community and residents; and,

WHEREAS, grant funds will be disbursed upon submission of a contractor invoices(s) provided to the City and verification of compliance with the Project Agreement, which will be confirmed by a site visit; and,

WHEREAS, allocating \$50,000 from the General Fund to fund the program is a reasonable funding amount that may be reevaluated at a later date; and,

WHEREAS, initiation of a Storefront and Streetscape Improvement Program 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 establish a Storefront and Streetscape Improvement Program in the amount of \$50,000.

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

New Text Underlined; [DELETED TEXT BRACKETED]

General Funds:

Increase Estimated Revenues – Appropriation of Fund Balance	<u>\$50,000</u>
Increase Expenditures – Planning – Grants to Agencies	<u>\$50,000</u>

Section 3. That the City Manager is authorized to execute agreements to expend funds pursuant to the 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 3RD DAY OF MAY, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced:	April 19, 2023
Enacted:	May 3, 2023
Effective:	May 3, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Council Members Victoria Askin and Deborah Sounart

DATE: April 12, 2023

SUBJECT: **Ordinance No. 3347-2023** - Establishing the Storefront and Streetscape Improvement Program and Appropriating \$50,000 from the General Fund.

The Storefront and Streetscape Improvement Program Ordinance is proposed as a way to provide our local brick and mortar businesses an avenue to repair, improve, and enhance their storefront and streetscape; thus, making them more accessible, aesthetically pleasing, and welcoming to potential consumers.

To this end, the Ordinance consists of a matching fund source up to \$10,000 to assist local business owners in renovating their storefront and streetscape.

Upon acceptance and completion of the proposed renovations by the City Planning Department, funds will be disbursed when confirmation of work has been verified by site visit and upon receipt of invoices documenting relevant costs.

The timing is right for this program. Yes, most of our small businesses have survived the pandemic; but, they could benefit from a partnership with the City. Also, the natural foliage of the City, our beautiful spruce trees, have died and are in the process of being cut down, exposing aged buildings.

This program is designed to be an investment-partnership with our business owners and the City. By investing with our City businesses, the City will eventually see an economic return of increased sales tax, resulting in long-term economic health and stability, amongst other benefits.

This Ordinance demonstrates pride, support, and investment of our businesses. Furthermore, this program has the potential to begin developing a more aesthetic atmosphere to our spruce tree mitigated and denuded city.

In addition, it meets some of the goals set forth in our 2030 Comprehensive Plan.

Thank you for your consideration.

**KENAI COUNCIL ON AGING MEETING
MARCH 9, 2023 – 3:00 P.M.
KENAI SENIOR CENTER
361 SENIOR CT., KENAI, AK 99611
CHAIR RACHAEL CRAIG, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

Chair Craig called the meeting to order at approximately 3:00 p.m.

a. Pledge of Allegiance

Chair Craig led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Members Present: R. Craig, R. Williams, K. Ayers, V. Geller, B. Modigh, J. Straughn, F. Kilfoyle, A. Heckert, J. Straughn, G. Pettey

Members Absent:

A quorum was present.

Staff/Council Liaison: Senior Center Administrative Assistant R. Piersee, Volunteer Coordinator K. Feltman, Council Liaison D. Sounart

c. Agenda Approval

MOTION:

Member Pettey **MOVED** for approval of the agenda as presented and Member Straughn **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. January 12, 2023

MOTION:

Member Straughn **MOVED** to approve the January 12, 2023 Meeting Summary. Member Pettey **SECONDED** the motion. There were no objections, **SO ORDERED**.

5. **UNFINISHED BUSINESS** -- None.
6. **NEW BUSINESS**
 - a. **Discussion/Recommendation** – Recommending City Council Approval of the Student Representative Policy No. 20.100

City Clerk Saner clarified that this would repeal both of the existing student representative policies and establish one policy that's applicable to all boards, commissions and councils; she reviewed the proposed changes from the previous policy.

There was discussion regarding resident requirements for the student representative. A preference was expressed for students in leadership roles who could better communicate with their fellow students and City Council on issues affecting students, and for allowing homeschooled and private school students in the qualification section of the policy.

MOTION:

Member Pettey **MOVED** to recommend City Council approval of the Student Representative Policy No. 20.100, with the inclusion of students who attend homeschool or private schools in the Qualifications of Student Representative section of the policy. Member Straughn **SECONDED** the motion. There were no objections, **SO ORDERED**.

- b. **Discussion/Recommendation** – Recommending City Council Approval of Amendments to the City Council Procedures for Commissions, Committees and Council on Aging Policy No. 2016-01

City Clerk Saner reviewed the proposed amendments to the Procedures for Commissions, Committees and Council on Aging Policy.

MOTION:

Member Straughn **MOVED** to recommend City Council approval of amendments to the City Council Procedures for Commissions, Committees and Council on Aging Policy No. 2016-01. Member Pettey **SECONDED** the motion. There were no objections, **SO ORDERED**.

- c. **Discussion** - NCOA Senior Center Accreditation/Building Excellence Program

It was noted that staff will do further research and bring more information back to the committee in the future.

7. **REPORTS**

- a. Senior Center Director – Administrative Assistant Piersee reported on the following:
- Current staffing/job descriptions.
 - Starting of greenhouse planting/planting seeds with Steve Latz.
 - Gearing up for this year's Kentucky Derby themed March for Meals fundraiser.
 - Discussed pocket doors for the entrance doors at Vintage Pointe and through the card room to access the Senior Center, to address the need for seniors who use wheelchairs or scooters to be able to access the center independently.
- b. Council on Aging Chair – Chair Craig discussed the March for Meals event, and the Country Store will be present at the Kentucky Derby fundraiser.
- c. City Council Liaison – Council Member Sounart reported on the actions of the February 15 and March 1, 2023 City Council Meetings.

8. **NEXT MEETING ATTENDANCE NOTIFICATION** – Thursday, April 13, 2023

Council Member Sounart and Council on Aging Member Pettey noted that they will be absent for the April meeting.

9. **COUNCIL MEMBERS COMMENTS AND QUESTIONS**

Member Geller encouraged people to dress up for the Kentucky Derby themed March for Meals fundraiser.

Member Heckert emphasized the importance of ADA compliancy and discussed automatic doors for accessibility. She mentioned that the Kenai Chamber of Commerce will also have a Kentucky Derby theme for their fundraiser event.

Member Pettey recommended the Capital Improvement Project extension of the Senior Center front doors needs to be number one priority to get done.

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

11. **INFORMATION ITEMS** – None.

12. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:54 p.m.

Meeting summary prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

DRAFT

**KENAI HARBOR COMMISSION – REGULAR MEETING
APRIL 10, 2023 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611**

SUMMARY

1. CALL TO ORDER

The meeting was called to order at approximately 6:09 p.m.

a. Pledge of Allegiance

b. Roll Call

There were present:

Christine Hutchison

David Peck

Bob Peters

No quorum was present.

Absent:

Mike Dunn

N. Berga

J. Coston

Also in attendance were:

Scott Curtin, Public Works Director

Lisa List, Administrative Assistant

Shellie Saner, City Clerk

c. Election of Chair and Vice-Chair

d. Agenda Approval

2. SCHEDULED PUBLIC COMMENTS

3. UNSCHEDULED PUBLIC COMMENTS

4. APPROVAL OF MEETING SUMMARY

a. August 8, 2022

b. November 7, 2022

5. UNFINISHED BUSINESS

6. NEW BUSINESS

a. Discussion/Recommendation – Recommending City Council Approval of the Student Representative Policy No. 20.100.

b. Discussion/Recommendation – Recommending City Council Approval of Amendments to the City Council Procedures for Commissions, Committees and Council on Aging Policy No. 2016-01.

7. REPORTS

- a. Public Works Director
- b. Commission Chair
- c. City Council Liaison

8. NEXT MEETING ATTENDANCE NOTIFICATION – May 8, 2023

9. COMMISSION QUESTIONS AND COMMENTS

10. ADDITIONAL PUBLIC COMMENT

11. INFORMATION ITEMS

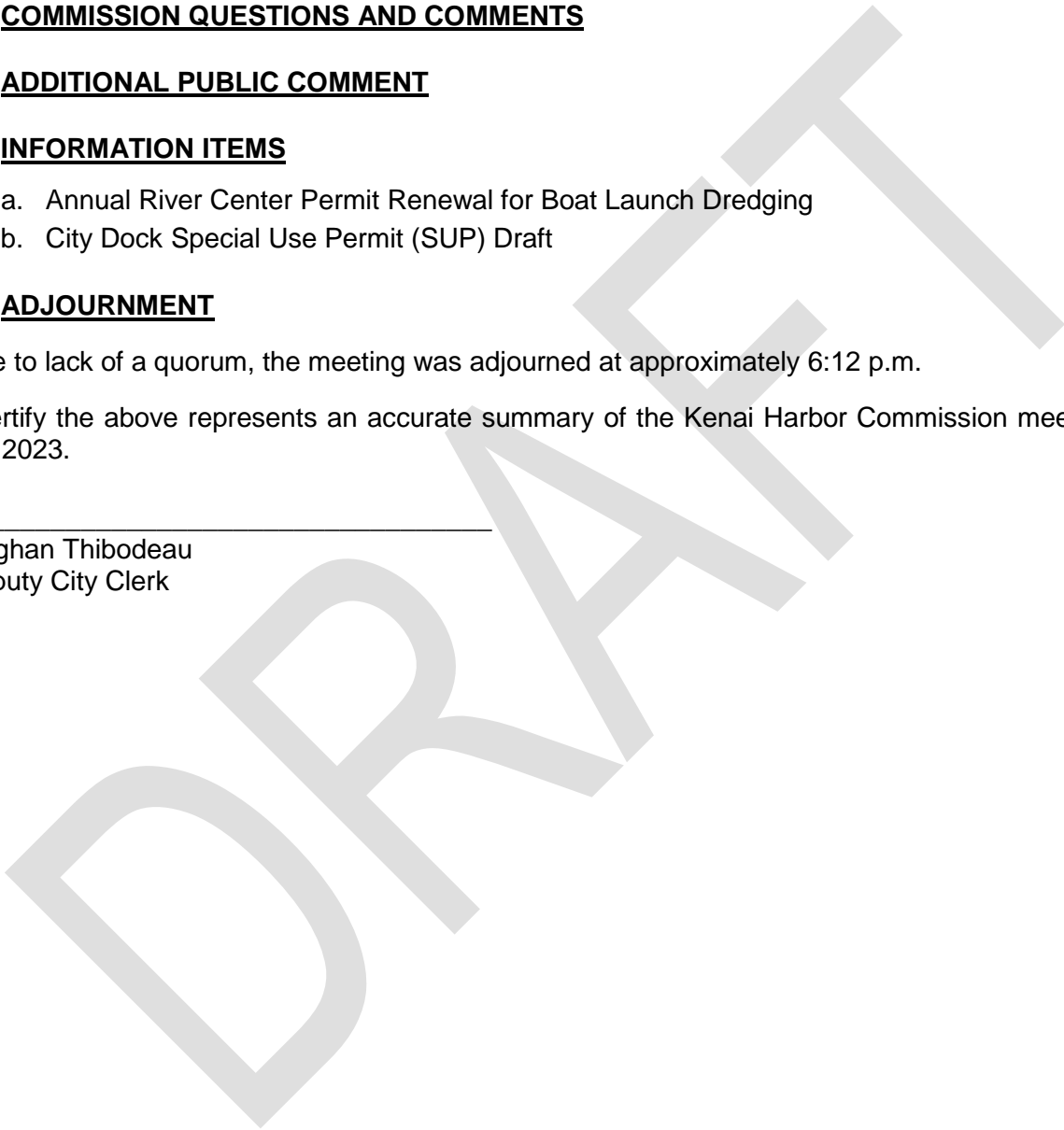
- a. Annual River Center Permit Renewal for Boat Launch Dredging
- b. City Dock Special Use Permit (SUP) Draft

12. ADJOURNMENT

Due to lack of a quorum, the meeting was adjourned at approximately 6:12 p.m.

I certify the above represents an accurate summary of the Kenai Harbor Commission meeting of April 10, 2023.

Meghan Thibodeau
Deputy City Clerk



KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
MARCH 22, 2023 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR JEFF TWAIT, PRESIDING

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on March 22, 2023, in City Hall Council Chambers, Kenai, AK. Chair Twait 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:

Commissioners present: J. Twait, G. Woodard, J. Glendening, D. Fikes, J. Halstead, G. Greenberg, J. Coston (*electronic participation*)

Commissioners absent:

Staff/Council Liaison present: Planning Director L. Mitchell, Council Member H. Knackstedt, City Clerk S. Saner, Deputy Clerk M. Thibodeau

A quorum was present.

3. Agenda Approval

Chair Twait noted the following additions to the Packet:

Add to item F.1

Resolution PZ2023-04

- Public Comment

Add to item L

Informational Items

- General Public Comments
- River Center Open House Flyer

MOTION:

Commissioner Greenberg **MOVED** to approve the agenda with the requested revisions and requested **UNANIMOUS CONSENT**. Commissioner Fikes **SECONDED** the motion.

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

4. Consent Agenda

MOTION:

Vice Chair Halstead **MOVED** to approve the consent agenda. Commissioner Fikes **SECONDED** the motion. There being no objection; **SO ORDERED**.

All items listed with an asterisk () are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a council

member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda as part of the General Orders.

5. *Excused Absences – None.

B. APPROVAL OF MINUTES

1. *Regular Meeting of February 22, 2023

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS - None.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2023-06** – Recommending Approval for Preliminary Plat – Baron Park Triumvirate Addition to Subdivide Tract 4A of Baron Park 2020 Replat into Two (2) Lots.

MOTION:

Commissioner Greenberg **MOVED** to adopt Resolution PZ2023-06. Commissioner Woodard **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet explaining that the applicant intends to subdivide into two lots, and the Commission had previously approved a conditional use permit (CUP) for a performing arts center on the eastern portion of the parcel. Zoning and uses of surrounding lots were reviewed; staff recommended approval to Kenai Peninsula Borough, subject to the following condition:

1. Provide a curve table for C1 and C2 on the plat.

It was noted that this is a housekeeping measure, and part of the development process for the performing art center.

VOTE:

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

NAY: None.

MOTION PASSED UNANIMOUSLY.

F. PUBLIC HEARINGS

1. **Resolution PZ2023-04** - Granting a Conditional Use Permit to Allow Lodging on the Property Located 1035 Angler Drive (Parcel ID: 04939036) in the Rural Residential (RR) Zoning District.

MOTION:

Vice Chair Halstead **MOVED** to adopt Resolution PZ2023-04. Commissioner Greenberg **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet explaining that the applicants had recently acquired the property, that the previous owners had been granted a CUP for lodging and guide service and the new owners would like to continue the use for lodging but not guiding. The criteria for CUPs were reviewed; it was noted the application met the criteria and City staff recommends approval subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.

Applicants Ben and Kathleen Lovejoy explained that they purchased the single-family home for when they visit Alaska, and would like to rent it out when they're not using it. They noted that they have managed other rental properties and intend to work with a property management company, and will be renting it primarily on a short-term basis. Concerns expressed in written public testimony were addressed, and the applicants discussed the house rules they will be putting in place such as quiet hours, number of vehicles allowed, maximum occupancy, and prohibiting guiding and use of the dock.

Chair Twait opened for public hearing.

Greg Anderson noted that the application didn't raise any red flags for him, but he had some concerns about potential use of the dock. He noted that dock use required a permit, and questioned whether dock space will be offered to renters or if trailer traffic will occur. He noted that dock rules are not being enforced on Beaver Creek and the river is already overexploited.

Christy Hudson welcomed the Lovejoys to the neighborhood, discussed ownership and use of the dock space, stated that she was in support of the permit, and noted that she helps to take care of the Lovejoy's property in the winter.

Ron Rogalsky welcomed the Lovejoys, noting that the property has been managed well in the past and seems that will continue under the new ownership. He commended the City for requiring CUPs when there are changes, but expressed concerns about enforcement and the possibility of dock use for guiding activities.

Jim Richardson welcomed the Lovejoys but expressed caution, explaining that there have been past issues with CUPs in this area and it is better to set clear restrictions on CUPs when they are issued rather than address problems in the future. He stated that City enforcement has not been effective in addressing these problems, and urged the Commission to set clear boundaries with what is and is not allowed.

Ben Lovejoy thanked the members of the public for their comments and responded to previous testimony; he expressed respect for conservation efforts in the river, and stated that their dock will only be used for personal use and not for a guide business.

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

There was discussion regarding use of the dock, advertisement, and allowing events such as weddings or other gatherings. Lovejoy clarified that the rental listing would state that there would be no use of the dock on their property, renters would not be allowed to be picked up from their dock but would have use of a nearby public dock. He stated that the property would only be used for fishing and leisure, and that the listing would note that parking RVs or tents on the premises would not be permitted.

The Commission discussed additional conditions that could be added, such as quiet hours or maximum occupancy, and considered what had been added to previous lodging CUPs. Clarification was provided that dock usage was regulated by the State, and it was noted that any commercial transactions outside of lodging would be in violation of their zoning district; any changes in use would require the owner to apply for an amendment to the CUP. Non-commercial dock use by friends of the owners was discussed, and the applicant noted he would communicate with neighbors and they may also use the public dock.

MOTION TO AMEND:

Vice Chair Halstead **MOVED** to amend by adding a condition stating that "Quiet hours are from 10:00 p.m. to 6:00 a.m." Commissioner Woodard **SECONDED** the motion.

There was discussion on what would constitute a reasonable amount of noise.

VOTE ON AMENDMENT:

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

NAY: None.

MOTION PASSED UNANIMOUSLY.**MOTION TO AMEND:**

Commissioner Woodard **MOVED** to amend by adding a condition stating that “Occupancy will be limited to six adults.” Commissioner Greenberg **SECONDED** the motion.

There was discussion on maximum occupancy, including what would be reasonable for the property, and how it could be defined and enforced. It was noted that this could limit business operations and multigenerational families.

The motion to amend was withdrawn with concurrence from the second.

MOTION TO AMEND:

Commissioner Fikes **MOVED** to amend by adding a condition to “Provide a copy of the Alaska Department of Environmental Conservation (ADEC) documentation stating the existing wastewater system supports a three (3) bedroom single-family dwelling.” Commissioner Woodard **SECONDED** the motion.

VOTE ON AMENDMENT:

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

NAY: None.

MOTION PASSED UNANIMOUSLY.**VOTE ON MAIN MOTION AS AMENDED:**

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

NAY: None.

MOTION PASSED UNANIMOUSLY.

Chair Twait noted the 15-day appeal period.

2. **Resolution PZ2023-05** - Granting an Amendment to a Conditional Permit for the Expansion of the Assisted Living Facility on the Property Located at 701 N. Forest Drive (Parcel ID: 04321030) in the Suburban Residential (RS) Zoning District.

MOTION:

Vice Chair Halstead **MOVED** to adopt Resolution PZ2023-05. Commissioner Greenberg **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet explaining that the applicant proposes to construct an addition to an assisted living facility. The addition will include specialized memory care units, additional assisted living suites and various amenities, and will adjoin Buildings 1 and 2 which have both been issued CUPs. The application meets development, parking and access requirements, and the applicant is proposing access through adjacent property connecting to Ponderosa and a ten-foot right of way. The criteria for CUPs was reviewed; it was noted the application met the criteria and City staff recommends approval subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant’s representative shall meet with City staff for an on-site inspection.
3. Obtain a minimum 60-foot right of way easement on the adjacent property for ingress and egress from/to Ponderosa Street.

4. Prior to building permit issuance, a landscape/site plan must be reviewed and approved by the Planning and Zoning Department.
5. Maintain a safe and clear passage of the 10-foot vehicle access so it remains free of obstruction and obstacles created by snow removal or the depositing of snow. Snow removal must not be pushed onto another property.
6. Prior to building permit issuance, provide an as-built survey to Planning & Zoning Department for verification that a minimum of 20 feet width for vehicular access and buffer are provided between the south building façade and the south property line.
7. Applicant must obtain a sign permit for the proposed monument sign.

Applicant Doug Clegg, CEO of Aspen Creek Senior Living, explained the need for a memory care unit on the Peninsula, and discussed the challenges of operating multiple buildings in a campus during harsh weather conditions and the benefits of having a facility that provides amenities for seniors such as exercise facilities, performing art centers, staff training centers, and common areas.

Chair Twait opened for public hearing.

Sasha Fallon expressed support for the expansion of Aspen Creek, noting that she works in the field of senior social services and her mother is a resident at this facility. She cited the need for senior housing on the Peninsula and her positive experiences with the current facility and its management.

Brad Howser discussed the growing population of seniors on the Peninsula and the need for senior facilities, specifically memory care. He explained how connecting the buildings will create a safer facility, and emphasized that Aspen Creek wants to keep seniors on the Peninsula close to their families and provide them with quality of life. He stated that there will be greater need for senior facilities in the future.

In response to questions from the Commission, clarification was provided on the facility's plans for access streets, snow removal, the high demand for memory care, staffing, easement paving and extension of utilities for potential future development in the area, and parking lot lighting.

Renee Bryant expressed excitement about the new amenities that will be available for residents, and the addition of a memory care center that will provide better facilities and engagement for seniors with dementia. She also highlighted the lack of a tracking system for seniors with dementia, which the center will provide, as well as the growing waitlist for senior living spaces.

Christine Smith discussed the value of adding a safe and engaging space for residents with dementia and the challenges of providing activities for residents in two different buildings. Christine emphasized the importance of meeting the residents' activity needs and the impact of the winter weather on their safety and well-being.

Jackie Lane spoke about the importance of training for staff and how the building design will aid in safer movement for residents in wheelchairs or with walkers. She emphasized the importance of providing top-notch training for staff who are taking care of elders in the community. She expressed her belief that the building design will have a huge impact on Aspen Creek in every aspect.

Ashley Nichols expressed support for the building design and layout, stating that it will be beneficial for physical therapy. The addition of a division in the hall will give in-house physical therapists more room to work with, helping to increase their effectiveness.

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

Support was expressed for providing improvements to much-needed facilities. Concerns were raised about Ponderosa Street being small and relatively undeveloped, and it was noted that notices were sent to all property owners within 300 feet and no comments were received from them. Clarification was provided that few residents would be driving and increased traffic would be due to additional staff, and that Aspen Creek specializes in assisted living as opposed to active senior living facilities but there will be a greater need for all senior services in the future.

VOTE:

YEA: Twait, Fikes, Greenberg, Coston, Halstead, Glendening, Woodard
 NAY: None.

MOTION PASSED UNANIMOUSLY.

Chair Twait noted the 15-day appeal period.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. Action/Approval - Recommending City Council Approval of the Student Representative Policy No. 20.100.

It was reported that this would repeal both of the existing student representative policies and establish one policy that would be applicable to all boards, commissions and councils; she reviewed the proposed changes to the policy.

Clarification was provided that the draft policy as currently written would allow Junior's or Senior's in good standing at a school within the Kenai City Limits, this would include homeschool and private school students.

There was discussion regarding the proposed amendments would allow homeschool and private school students.

MOTION:

Vice Chair Halstead **MOVED** to recommend the City Council approval Student Representative Policy No. 20.100. Commissioner Woodard **SECONDED** the motion.

There was discussion regarding the proposed draft policy addressing concerns voiced in the past; support was voiced for reducing the term to a 1-year; the recruitment process would take both the Clerk's Office and the School Administration; the number of possible applicants and the possibility of alternate student representatives.

[Clerk's note: Commissioner Coston exited the meeting following the previous vote.]

VOTE:

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

NAY: None

ABSENT: Coston

MOTION PASSED UNANIMOUSLY.

2. Action/Approval - Recommending City Council Approval of Amendments to the City Council Procedures for Commissions, Committees and Council on Aging Policy No. 2016-01.

City Clerk Saner reviewed the proposed amendments to the Procedures for Commissions, Committees and Council on Aging Policy.

Clarification was provided that video and audio recordings are kept; the proposed amendments would clarify Commissioners may only speak on behalf of the body they are serving on when approved to do so by a majority vote of that body; if a Council Member was in attendance and testifying on an issue as a resident they must clearly state that prior to testifying.

MOTION:

Vice Chair Halstead **MOVED** to recommend the City Council approval of the Amendments to City Council Policy No. 2016-01. Commissioner Woodard **SECONDED** the motion.

There was discussion regarding this being a general housekeeping process; for a Council Member to bring a legislative issue to a Commission, the legislation should have already been introduced by Council;

and because Council Members are part of the final decision making body, it is recommended that they refrain from testifying in front of the Commissions to allow the Commission recommendations to be uninfluenced by the Council Member.

VOTE:

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

NAY: None

ABSENT: Coston

MOTION PASSED UNANIMOUSLY.

I. PENDING ITEMS – None.

J. REPORTS

1. City Council – Council Member Knackstedt reported on the actions of the March 1 and March 15, 2023 City Council meetings, and noted that the City has hired an Interim Finance Director.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the March 20, 2023 Kenai Peninsula Borough Planning Meeting.
3. City Administration – Planning Director Mitchell reported on the following:
 - Noted public comments provided in the laydown, and discussed how short-term rentals will be addressed at future commission work sessions.
 - The River Center is having an open house; the City will be there to answer questions from residents about flood plain development.
 - Reviewed National Flood Plain Insurance training with FEMA in Anchorage; in process of updating map.
 - Update on Administrative Assistant hiring progress.
 - Recognized long-serving commissioners Joe Halstead (eight years), Diane Fikes (10 years) and Gary Greenberg (10 years); provided with certificates of appreciation and pins.
 - Parks & Resignation Director has resigned.
 - Attending training at a sign expo in Las Vegas on April 10-13.
 - Difficulties with posting public notice signs while understaffed and with winter weather conditions.
 - Will be visiting lodging CUPs during upcoming peak season to see firsthand if complaints are valid.
 - Collaborating with other departments to create a one-stop shop for development permits.

K. ADDITIONAL PUBLIC COMMENT – None.

L. INFORMATIONAL ITEMS

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: April 12, 2023

N. COMMISSION COMMENTS AND QUESTIONS

Commissioner Glendening thanked everyone for the good meeting.

Commissioner Woodard noted that she is circulating a petition to repeal rank choice voting.

Vice Chair Halstead said it good meeting.

Commissioner Greenberg commented on the ordinance regulating chickens that was passed at the previous meeting, noting that it was good work.

Commissioner Fikes said thanks for her certificate of appreciation.

Chair Twait noted that it may be good to start implementing maximum occupancy on lodging CUPs.

O. ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 10:19 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of March 22, 2023.

Meghan Thibodeau
Deputy City Clerk

DRAFT

**KENAI BEAUTIFICATION COMMITTEE
REGULAR MEETING
APRIL 11, 2023 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR SARAH DOUTHIT, PRESIDING**

MINUTES

1. CALL TO ORDER

A Regular Meeting of the Kenai Beautification Committee was held on April 11, 2023, in City Hall Council Chambers, Kenai, AK. Chair Douthit called the meeting to order at approximately 6:00 p.m.

a. Pledge of Allegiance

Chair Douthit led those assembled in the Pledge of Allegiance.

b. Roll Call

There were present:

Sarah Douthit, Chair
Emily Heale
Barbara Roland
Christina Warner

Lisa Gabriel, Vice Chair
Terri Wilson
Janet Phillips

A quorum was present.

Also in attendance were:

Tyler Best, Acting Parks & Recreation Director
Shellie Saner, City Clerk

c. Election of Chair and Vice-Chair

MOTION:

Vice Chair Gabriel **MOVED** to re-appoint Sarah Douthit as Chair. Committee Member Phillips **SECONDED** the motion.

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

MOTION:

Vice Chair Gabriel **Moved** to nominate Emily Heale as Vice-Chair. Chair Douthit **SECONDED** the motion.

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

d. Agenda Approval

MOTION:

Committee Member Gabriel **MOVED** to approve the agenda as presented. Vice Chair Heale **SECONDED** the motion.

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

2. SCHEDULED PUBLIC COMMENTS - None.

3. UNSCHEDULED PUBLIC COMMENTS - None.

4. APPROVAL OF MEETING SUMMARY

- a. October 11, 2022

The meeting summary of October 11, 2022 was approved without objection.

5. UNFINISHED BUSINESS – None.

6. NEW BUSINESS

- a. **Discussion/Recommendation** – Recommending City Council Approval of the Student Representative Policy No. 20.100

City Clerk Saner reported that this would repeal both of the existing student representative policies and establish one policy that would be applicable to all boards, commissions and councils; she reviewed the proposed changes to the policy.

Clarification was provided on the role of the student representative, that the draft policy as currently written would allow non-resident students attending school within the city limits to be eligible for board and commission appointments, that the one-year term would begin in the fall and extend until the following fall, and that the student's attendance would be required during the academic school year but optional during the summer.

MOTION:

Vice Chair Heale **MOVED** to recommend City Council approval of the Student Representative Policy No. 20.100. Committee Member Gabriel **SECONDED** the motion.

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

- b. **Discussion/Recommendation** – Recommending City Council Approval of Amendments to the City Council Procedures for Commissions, Committees and Council on Aging Policy No. 2016-01

City Clerk Saner reviewed the proposed amendments to the Procedures for Commissions, Committees and Council on Aging Policy.

MOTION:

Committee Member Gabriel **MOVED** to recommend City Council approval of amendments to the City Council Procedures for Commissions, Committees and Council on Aging Policy No. 2016-01. Vice Chair Heale **SECONDED** the motion.

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

7. REPORTS

- a. Parks & Recreation Director – Acting Direct Best reported on the following:

- Leif Hansen Memorial Park Fountain repair was taken off the Capital Improvement Plan. Minor repairs were done last summer, and a special project has been submitted to do further repairs to it.
- Fallen tree at the Chamber of Commerce will be replaced by a mature tree, but will take approximately 10 years before its ready to decorate; another tree has been selected to decorate for Christmas comes to Kenai.
- Planting Day event will be the first weekend of June; all flowers have been received, are a different color scheme than previous years.
- Current light pole banners were designed by the Divining Point team who were hired by the City Council in 2019 to refresh the City's logo and start a marketing plan; their marketing

efforts included soliciting community feedback which resulted in a second round of banner designs.

- Flowers started arriving in the greenhouse March 24th; new scheme due to weather conditions; red, white and blue colors will complement the City colors as an All-American City.
 - Streets and Parks & Recreation departments worked together to clear off sports fields.
 - Ski trails continuing to be groomed.
 - Flower hill will not be planted this year due to overgrowth of weeds; a reoccurring maintenance plan will be developed for future years.
 - Committee Member Warner got a flower box for the community garden.
- b. Committee Chair – There was discussion on the roles and direction of the Beautification Committee, and Committee members expressed a desire for increased opportunities for engagement and input. It was noted that the Clerk’s Office is researching the past actions of the Committee and a work session will be held to discuss it; there was general consensus on the need for defining the scope of the Committee.
- c. City Council Liaison – Council Member Winger reported on the actions of the April 5, 2023 City Council Meeting.

8. NEXT MEETING ATTENDANCE NOTIFICATION – May 9, 2023

9. COMMISSION QUESTIONS AND COMMENTS

Committee Member Roland thanked everyone for the good meeting.

Committee Member Phillips noted she is looking forward to spring.

Vice Chair Heale stated she is looking forward to codifying the Beautification Committee’s responsibilities.

Committee Member Gabriel noted that she is excited for the future of the Beautification Committee, and thanked City Clerk Saner for the Commission & Committee training session.

Committee Member Warner thanked the Clerk’s Office and Parks & Recreation department and stated that she is looking forward to working them in the future to define the Committee’s role.

Chair Douthit said she looking forward to spring. She stated that she has been considering how to expand the vision of the committee and looks forward to seeing it flourish.

10. ADDITIONAL PUBLIC COMMENTS - None.

11. INFORMATION ITEMS - None.

12. ADJOURNMENT

There being no further business before the Committee, the meeting was adjourned at 7:08 p.m.

I certify the above represents accurate summary of the Kenai Beautification Committee meeting of April 11, 2023.

Meghan Thibodeau
Deputy City Clerk

PROCLAMATION

WHEREAS, the 2023 Alaska Schools Activities Association (ASAA) / National Bank of Alaska Cheer State Championship Competition was held at the University of Alaska Anchorage in the Alaska Airline Center on March 21, 2023; and,

WHEREAS, for the third consecutive year, the Kenai Kardinal Cheer Squad captured the Division II, first place championship; and,

WHEREAS, the Kenai Kardinal Cheer Squad also received the Division II, ASAA Academic Award with a team cumulative Grade Point Average of 3.97; and,

WHEREAS, the Squad also achieved outstanding results during the Peninsula Regional Conference, receiving the 1st place team award and multiple individual awards; and,

WHEREAS, during the Peninsula Regional Conference the Squad earned the All-Conference Team award, and Coach Brianna Force was named Peninsula Conference Cheer Coach of the Year; and,

WHEREAS, the Mayor and City Council commend the Kenai Kardinal Cheer Squad for having an outstanding season and representing their school at the State Championship.

NOW, THEREFORE, that we, the Mayor and Council of the City of Kenai Alaska, hereby congratulate the 2023 Kenai Kardinal Cheer Squad for receiving the Division II, First Place Championship and for having the Division II highest cumulative grade point average.

DATED: This 19th day of April, 2023.

Brian Gabriel, Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Tony Prior, Fire Chief

DATE: April 13, 2023

SUBJECT: **Healthy and Equitable Communities Grant Round 2**

The Healthy and Equitable Communities Grant Program through the State of Alaska, Department of Health and Social Services, Division of Public Health provides funding to local communities for projects and programs to support and sustain healthy and equitable communities.

The following areas were strategies approved to accomplish the aforementioned.

- Ensure a fair and adequate baseline of care is established for populations at higher risk that are underserved and who are disproportionately impacted by COVID-19 by expanding existing or developing new mitigation and prevention resources and services;
- Increase/improve data collection and reporting for populations disproportionately affected by COVID-19 to guide current and future pandemic response;
- Build, leverage or expand infrastructure support for COVID-19 or future pandemic prevention and control among populations that are at higher risk or underserved;
- Mobilize partners to build and promote healthy and equitable communities, improving everyone's opportunities for living a healthy life, particularly those who are disproportionately impacted by COVID-19;
- Improve access to COVID-19 vaccine, as well as other necessary vaccines, for individuals who are higher risk or underserved.

The City's approved funding in round 1 was \$43,298.45 and the Kenai Peninsula Borough (KPB) deferred their allocation of the same amount to the City bringing the City's total first round grant amount to \$86,596.91. Proposed City projects focused on meeting the program strategy of mobilizing partners to build and promote healthy and equitable communities, by improving opportunities for healthy living. City departments submitted projects fitting that strategy with an approximately budget of \$85,000 or less. The following projects were submitted to the Grant Administrator and all were approved.

- Green Strip Playground Equipment Replacement
- Municipal Park Boardwalk project
- Refinishing gym floor at the Kenai Recreation Center

- Nordic Trail Lighting
- Mobile Handwashing and Restroom Trailer
- Videography Equipment and City of Kenai Website upgrades
- Emergency Preparedness Kits
- Hold Lockers at the Kenai Library
- Training and exercises for updates to the Emergency Operations Plan

Council originally approved the Municipal Boardwalk project that would connect the park with the trail that goes to the North Beach, which is used heavily during the dip net season. Due to permitting, getting right of way in a small section off of S Spruce St, and some preliminary talks with engineers, it was determined that the cost would far exceed the funding that we received in round 1. Funding for round 1 was then allocated to the playground equipment replacement on the Green Strip. That equipment is currently being shipped here and is scheduled to be installed in May (weather permitting).

The City was notified of funding for round 2 of this grant and our portion this round is \$134,331. The City once again contacted the KPB seeking deferment of its round 2 allotment. Due to the April 25th application deadline for the grant, the KPB was unable commit and pass legislation providing its allotment to the City before application deadline. The administration continues to work with the KPB seeking its allotment.

The administration is forwarding the Kenai Recreation Center gym floor refinishing project, from the previously approved list, to the granting agency for round 2 funding. Should the KPB allocate their funding to the City again for round 2, additional projects from the approved list will be submitted up to the amount of the grant award.





KENAI

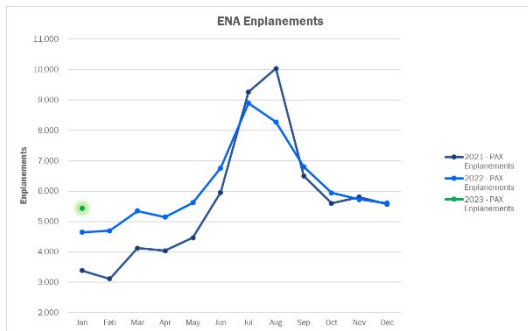
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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Eland Conway, Airport Manager
DATE: February 8, 2023
SUBJECT: Kenai Municipal Airport (ENA) Mid-Month Report

Enplanements

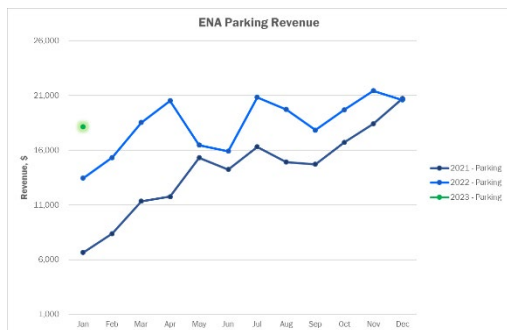
The new year has started-off strong, enplanements for the month of January 2023 are up nearly 17% YOY.



	2021		2022		2023	
	PAX Enplanements	% Δ	PAX Enplanements	% Δ	PAX Enplanements	% Δ
Jan	3,389		4,646	▲ 37.1%	5,430	▲ 16.9%
Feb	3,112		4,695	▲ 50.9%		
Mar	4,127		5,349	▲ 29.6%		
Apr	4,035		5,150	▲ 27.6%		
May	4,464		5,621	▲ 25.9%		
Jun	5,953		6,760	▲ 13.6%		
Jul	9,259		8,896	▼ -3.9%		
Aug	10,035		8,276	▼ -17.5%		
Sep	6,500		6,800	▲ 4.6%		
Oct	5,596		5,941	▲ 6.2%		
Nov	5,803		5,730	▼ -1.3%		
Dec	5,571		5,603	▲ 0.6%		
Total	67,844		73,467	▲ 8.3%	5,430	

Parking Revenue

Parking revenue continues to perform strong up 35% in January YOY.



	2021		2022		2023	
	Parking	% Δ	Parking	% Δ	Parking	% Δ
Jan	6,626		13,448	▲ 103%	18,144	▲ 35%
Feb	8,373		15,338	▲ 83%		
Mar	11,315		18,532	▲ 64%		
Apr	11,757		20,530	▲ 75%		
May	15,309		16,467	▲ 8%		
Jun	14,236		15,920	▲ 12%		
Jul	16,295		20,847	▲ 28%		
Aug	14,924		19,719	▲ 32%		
Sep	14,714		17,848	▲ 21%		
Oct	16,723		19,707	▲ 18%		
Nov	18,410		21,447	▲ 16%		
Dec	20,719		20,594	▼ -1%		
Total	\$ 169,400.32		\$ 220,396.57	▲ 30%	\$ 18,144.00	

Alaska Regional Aircraft Fire Training Center

The Airport is working with the State of Alaska – Statewide Aviation and other important stakeholders to ensure a successful 2023 Aircraft Rescue Firefighting training season. Statewide Aviation will be sending the first groups of trainees to the Training Center in April.





KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
THROUGH: Dave Ross, Police Chief
FROM: Jessica “JJ” Hendrickson, Animal Control Chief
DATE: April 5, 2023
SUBJECT: **March 2023 Monthly Report**

This month the Kenai Animal Shelter took in **66** animals. Animal intake and disposition:

DOGS:				
	INTAKE	30	DISPOSITION	20
	Waiver	19	Adopted	6
	Stray	4	Euthanized	2
	Impound	0	Claimed	9
	Protective Custody	4	Field Release	0
	Quarantine	2	Transferred	3
	Other Intakes	1	Other Dispositions	0
CATS:				
	INTAKE	36	DISPOSITION	11
	Waiver	27	Adopted	8
	Stray	2	Euthanized	2
	Impound	1	Claimed	1
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	0
	Other Intakes	6	Other Dispositions	0

OTHER ANIMALS:				
INTAKE	0	DISPOSITION	0	
Horse	0	Horse	0	
Rabbit	0	Rabbit	0	
Other	0	Guinea Pig	0	
DOA:	4	OTHER STATISTICS:		
Dog	4	Licenses (City of Kenai Dog Licenses)	32	
Cat	0			
Rabbit	0			

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

- Statistical Data:
- 166 2021 YTD Intakes
 - 97 2022 YTD Intakes
 - 142 2023 YTD Intakes





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Lana Metcalf, Controller/ Acting Finance Director
DATE: April 13, 2023
SUBJECT: **Finance Department, April Mid-month Report**

For the last few months much of the department's focus has been on the preparation of the City's FY2024 Budget. The budget ordinance introduction is scheduled for the May 17^h Council meeting and Budget adoption on June 7^h. City code requires adoption by June 10th. The Resolution establishing the 2024 mill rate will be included in the packet for adoption June 7^h to coincide with adoption of the FY2023 Budget. The Budget work session with Council is scheduled for April 29th at 9:00am.

The department is completing the City's property, liability and workers' compensation insurance applications for the upcoming renewal. Working with the City's broker, Hub International, a renewal quote from the City's insurance pool, the Alaska Municipal League Joint Insurance Association (AMLJIA), should be available in mid to late may. Our three year agreement with AMLJIA expires June 30, 2023. We will be soliciting quotes from AMLJIA and APEA to enter into a three year agreement.





MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Tony Prior, Fire Chief

DATE: April 10, 2023

SUBJECT: Fire Department Mid-Month Report – March

Calls for service for March were slightly up compared to March 2022, and up 1.8% overall for year to date. Here are the calls for service break down.

March	2022	2023	% change
Totals	113	117	3.5%
EMS	96	88	-8.3%
All Other	17	29	70.6%
Year total	338	344	1.8%

Training:

- All personnel completed refresher training on High/Low Angle Rope Rescue
- Garrick Martin continues training in the AEMT course at Kenai Peninsula College.
- Monthly training in ARFF, Driver Operator and Structural Firefighting.
- Planning for joint training with KPD on Active Shooter.

Projects/Grants:

- Chief Prior worked on the personnel working group focused on Recruitment and Retention of COK employees.
- Budget work continues with revisions to Narratives.
- Pre-Fire plans have been divided amongst shifts for this year, with appointments made and some plans already completed. This year all Level 2 and 3 pre-plans will require hydrant flows to update information needed for pre-plans, as well as information needed for building permits and construction of new facilities.
- North section of the Gulley project (CWPP) has substantial work completed with update scheduled for this Council meeting. We are preparing for phase 2 of the CWPP with RFP preparation beginning now.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Stephanie Randall, Human Resources Director
DATE: April 10, 2023
SUBJECT: Human Resources Activity – March 2023

Recruitment

Human Resources worked with the City Manager’s office to actively recruit a Finance Director. The City obtained the services of Prothman, a recruitment firm, to assist in providing sourcing and outreach services for the Finance Director recruitment. We are in the process of interviewing applicants. In addition to the Finance Director, the City is currently recruiting for a Parks and Recreation Director, multiple temporary Parks and Rec Maintenance Workers, Personal Use Fishery and Temporary Enforcement Officer positions. Applications continue to trend low, with all temporary job postings requiring an extension to allow for a larger applicant pool. The Airport has hired a new Administrative Assistant II and the Planning Department has selected an Administrative Assistant III who is scheduled to start on April 17. Interviews have been completed for the Airport Ops Specialist position and a conditional offer has been made pending background clearance.

Safety

Three accidents were reported in March with no damage to City property. Two of these accidents resulted in injuries. A total three Workers’ Compensation claims were filed in March, one of these was from an incident in February.

Special Projects





Human Resources continues to work with the Administration and a working group of City employees to complete a comprehensive review of the City’s personnel practices and processes in key areas and provide recommendations. The working group met twice in March, and continued work on the revised the scope of the project: (1) Identify and address items that require immediate attention and can be addressed without additional input from the scheduled FY24 Classification and Compensation Study and (2) Identify items that need to be addressed in the FY24 Classification and Compensation Study and provide input on the Request for Proposals (RFP) for the FY24 Classification and Compensation Study.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Katja Wolfe, Library Director
DATE: April 4, 2023
SUBJECT: Library Mid-Month Report for March 2023

March 2023 at a Glance

Items Borrowed		Mar-22	Mar-23	2023 YTD
Physical		6,805	7,406	19,941
Digital		1,576	1,804	4,852
Services				
New Memberships		60	70	184
Room Reservations		142	148	395
Programs				
Number of Programs		32	42	109
Program Attendance		561	632	1,879
Technology Sessions				
Computer sessions		601	534	1,489
WiFi Sessions		7,339	10,323	30,221
Early Literacy Station		212	327	874

March 2023 programming highlights

42 programs - 635 participants

- 14 Story Times (208 total participants)
- 4 Lego Clubs (77 total participants)
- 2 American Girl Club (25 total participants)
- 5 Chess Clubs (39 total participants)
- Tech Labs (16 total participants)
- Teen Advisory Board (4 total participants)
- Infant Play Group (20 total participants)
- Teddy Bear Yoga (12 total participants)
- Family Game Night (3 total participants)
- Nerf Night (14 total participants)
- 2 Game nights (8 total participants)
- Winter Bingo (20 finishers)
- Retro Video Game Bash (50 participants)
- Escape Room Puzzle (31 total participants)
- Give a Poem Week (70 total participants)
- Flash Fiction Contest (6 participants)
- DIY Mittens (15 total participants)
- Crafternoon – Body butter (7 total participants)
- Cookbook Club (10 total participants)
- Digital Literacy programs (12 total participants)

March 2023 library services highlights

- Volunteers logged 16 hours this past month. Tasks included shelving and program support.
- Our study and conference rooms were used by 148 individuals/groups for a total of 278 hours.
- Youth Services Coordinator Seth Gray presented information about our Summer Reading Program to 410 students at Kenai Middle School.
- Spotlight on Access World News: Access local, state, and national newspapers online through NewsBank from the library's computers as well as remotely from home or anywhere. All you need is your Kenai Library card to log in. Over 800 sessions were registered in March! Visit <https://www.kenai.city/library/page/newspapers-online> for more information.
- New program alert: Saturday Story Time is designed for children ages 4 to 6 (but siblings are also welcome)! We read stories, sing songs, and do crafts together. This story time promotes early literacy, critical thinking and creativity.





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: Tyler Best, Acting Parks and Recreation Director

DATE: April 11th, 2023

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

The grant-funded Green Strip Playground replacement equipment is expected to arrive in April. Staff will work on uninstalling the old equipment that has passed its useful life.

The Multi-Purpose Facility has had a total of 61 rented hours for March. As of March 24th, the ice has been removed and is expected to be available again on October 1st.

The April Parks and Recreation Commission meeting was canceled, and the Beatification Committee will meet on 4/11/23.

The Hot Shots and Rip City played each other in the City League Championship, and the Hot Shots came out victorious!

Parks and Recreation’s greenhouse is full, and all the flower orders have arrived. The staff is busy transplanting and caring for all the plugs so they can be ready for the beds this summer.

The Ski trails have gotten groomed through March. The ski community has expressed their gratitude on the trails and online.

Kenai Rec. Center Visits

Weight Room/Cardio Room	1136
Racquetball	107
Walleyball	40
Shower/Sauna	224
Gymnasium	1212
Other	338
Gym Rental Visits	1330
Total Number of Visits	4387

Flowers in the Greenhouse



Kenai City League Champions!





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: Linda Mitchell, Planning Director

DATE: April 13, 2023

SUBJECT: **Planning and Zoning – March 2023 Monthly Report**

General Information

- Hired an Administrative Assistant III / Planning & Zoning Technician who is scheduled to start on April 17, 2023.
- Staff participated in the River Center Open House with other agencies from KP&B, ADEC Wastewater, ADEX Spill Prevention, ADNR State Parks, USACE, USFWS, and ADFG. The turnout was great; there was approximately 80-100 members of the public in attendance.
- Staff attended a 3-day International Sign Association (ISA) Sign Expo in Las Vegas as a Sign Research Foundation (SRF) Program scholar. The program allowed for a high-level collaboration between academics and practitioners with an interest in the regulation, conspicuity, design, placement, and effectiveness of sign systems and visual communication elements in the built environment.

Application Summary

Planning and Zoning received 8 applications in March, carried over 14 applications, and completed 8 applications.

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

Applications	No. Received	Carried Over	Completed	In Progress
<i>Planning</i>				
Building Permit	2	4	2	4
Sign Permit	1	0	1	0
Conditional Use Permit	0	1	1	0

Amendment	0	2	1	1
Time Extension	0	0	0	0
Landscaping/Site Plan	3	0	2	1
Plat	0	1	1	0
Easement/Right-of-Way	0	0	0	0
Variance	0	0	0	0
Zoning Map/Text Amendment	0	0	0	0
City-Initiated	0	1	0	1
Lands & Leases				
Purchase	1	1	0	2
New Lease	0	1	0	1
Renewal/Extension	0	1	0	1
Amendment	1	1	0	2
Assignment	0	0	0	0
Special Use Permit	0	1	0	1
Total	8	14	8	14

Code Enforcement and Compliance

Planning and Zoning did not receive any new complaints in March. There is a cumulative total of 15 open cases. Staff is reviewing city codes and considering new practices/policies to obtain compliance on junk vehicles and junk/refuse violations.

Violations	No. of Open Cases	Carried Over	New	Closed
<i>By Types</i>				
Abandoned Structure(s)	0	0	0	0
Abandoned Vehicle(s)	1	1	0	0
Building (e.g., as-built, damaged or decayed)	2	2	0	0
Conditional Use Permit	0	0	0	0
Junk and/or Refuse	5	5	0	0
Junk Vehicle(s)	4	4	0	0
Livestock	0	1	0	1
Signs	1	1	0	0
Recreational Vehicle(s)	0	0	0	0
Zoning (e.g., structures, setbacks, use)	2	2	0	0
Total	15	16	0	1

List of Open Cases



Property Address	Date of Complaint	Type of Violation
110 Aleene Way	5/4/2022	Junk Vehicle; Junk and/or Refuse
5264 Kenai Spur Hwy	5/12/2022	Junk and/or Refuse
508 Hemlock Avenue	5/13/2022	Junk and/or Refuse
9168 Kenai Spur Hwy	5/16/2022	Junk Vehicle; Junk and/or Refuse
311 Linwood Lane	6/17/2022	Junk and/or Refuse
8195 Kenai Spur Hwy	8/18/2022	Junk and/or Refuse
1715 Fourth Avenue	8/25/2022	Junk Vehicle; Junk and/or Refuse
1009 Second Avenue	8/12/2022	Zoning
305 Sterling Court	10/20/2022	Building (On-Hold)
700 Cypress Drive	10/24/2022	Junk Vehicle(s)
345 Dolchok Lane	10/28/2022	Building (On-Hold); Zoning
312 Aspen Street	10/26/2022	Abandoned Vehicle(s)
11888 Kenai Spur Hwy	11/17/2022	Zoning
12656 Kenai Spur Hwy	12/1/2022	Sign (On-Hold)
4315 Lupine Drive	2/8/2023	Junk and/or Refuse

Planning and Zoning Commission

One public meeting was held in the month of March.

- Planning and Zoning Commission took action on the following agenda items.
 - **Resolution PZ2023-06** – Recommended Approval for Preliminary Plat – Baron Park Triumvirate Addition to Subdivide Tract 4A of Baron Park 2020 Replat into Two (2) Lots.
 - **Resolution PZ2023-04** – Granted a Conditional Use Permit to Allow Lodging on the Property Located 1035 Angler Drive (Parcel ID: 04939036) in the Rural Residential (RR) Zoning District.
 - **Resolution PZ2023-05** – Granted an Amendment to a Conditional Permit for the Expansion of the Assisted Living Facility on the Property Located at 701 N. Forest Drive (Parcel ID: 04321030) in the Suburban Residential (RS) Zoning District.





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: David Ross, Police Chief

DATE: April 10, 2023

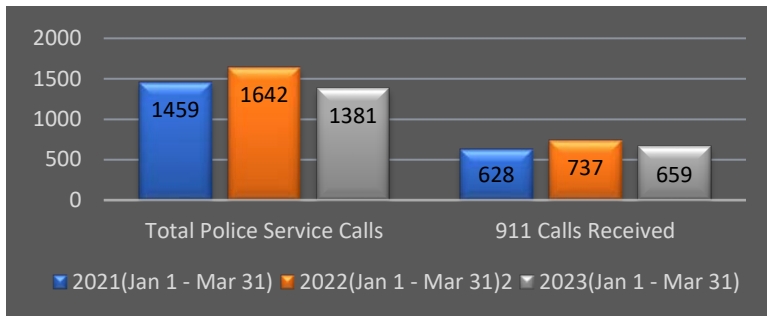
SUBJECT: **Police & Communications Department Activity – March 2023**

Police handled 495 calls for service in March. Dispatch received 622 9-1-1 calls. Officers made 39 arrests. Traffic enforcement resulted in 251 traffic contacts and 35 traffic citations. There were 6 DUI arrests. There were 26 reported motor vehicle collisions in March. There were no collisions involving moose and 2 collisions involving drugs or alcohol.

One KPD officer attended a four-day interviewing class in Anchorage. The Investigation’s Supervisor attended a five-day Sexual Assault Response Team (SART) training in Anchorage. One new Dispatcher continued her field training through the month of March. One dispatcher attended a one-day Terminal Agency Coordinator (TAC) training in Anchorage.

The School resource officer continued teaching four DARE classes at Kaleidoscope Elementary. The SRO attended a “Parenting in the Digital Age” presentation at the KCHS auditorium. The SRO was also involved in a number of police related calls at the Kenai schools.

The four new police vehicles that were ordered last year have arrived at the City shop and the process of upfitting those vehicles into fully functioning police vehicle will begin very soon.





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MEMORANDUM

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

Airport Fund Projects:

- Kenai Municipal Airport Sand Storage Facility – Orion Construction is currently under contract in the amount of \$2,289,000. The project has experienced extreme supply chain issues. The steel for the building is currently stored on site. Change Order 1 has been executed providing a no cost time extension through September 30, 2023. Construction will start in May 2023 and is expected to move quickly from there. *Update: April 3, 2023 Construction meeting was held, finalizing review of submittals. HEA and Enstar have been re-engaged for running of site utilities later this spring. Construction remains on track for May 1st start.*
- Kenai Municipal Airport Runway Rehabilitation Project – This project known as Task 4 within HDL Engineering Consultants LLC term service agreement with the City shall provided an initial assessment of the current condition of the airport runway. This included geotech work, coring numerous locations of the runway. On August 4th, 2021 HDL Engineering and staff successfully completed geotech borings of the runway after hours. On October 13th, 2021 HDL Engineering, City staff and the FAA discussed the findings of the geotech report. On December 6, 2021 the City received the draft Engineer’s Design Report (EDR) along with the draft Geotechnical Report. Ordinance 3278-2022 was approved on April 20th, 2022 to secure HDLs services through Bid Phase with a contract amendment of \$781,833 executed on May 6, 2022, bringing the total cost of design to \$1,031,833. Project has been stalled at 35% Design as Environmental Compliance requirements are being clarified. Project is currently tracking for Runway Rehab Construction in 2025 with the Taxiways 2026 the following year, however this may slide a year, dependent upon FAA funding. *Update: Staff meeting was held in Anchorage with FAA Counterparts to discuss project on 3/8/23. March 27, 2023 staff meeting with DEC to discuss path forward for design services. Project is now moving forward again with Environmental Services toward a 65% design effort*



- Kenai Municipal Airport (KMA) Terminal Landscaping – A Request for Proposals for Landscape Design Services was released on July 14, 2022 with proposals due on July 28, 2022 where Earthscape LLC was determined to have provided the highest scoring proposal at a cost of \$28,255. The Purchase Order to Earthscape LLC was approved by Council at the 9/7/22 council meeting. Design work is anticipated to continue through the winter months with a construction bid expected for *summer 2023*.
- Kenai Municipal Airport (KMA) Operations Building HVAC Controls Upgrade & Boiler Replacement – This project was released for RFP on July 19, 2022 with proposals due on August 16, 2022. MBA Consulting Engineers was the successful proposer awarded under Resolution 2022-63 approved by Council at the September 7, 2022 Council Meeting. Contract Documents were fully executed with MBA on October 31, 2022 for the contracted amount of \$47,726. November 10, 2022 will be the first site meeting with staff and engineering team. Design work is anticipated to continue through the winter months. 95% design documents were received on January 30, 2023. Project cost estimate is over budgeted amounts and staff is coordinating with design team to refine documents. Construction Bid release is anticipated in approximately 30 days.



General Fund Projects:

- USACE Bluff Erosion –Council approved Resolution 2021-35 at the June 2, 2021 meeting awarding an agreement to HDR along with issuance of a purchase order in the amount of \$791,832.68. July 6, 2021 the formal agreement between the City of Kenai and HDR was executed. On January 2, 2022 the City received 35% Design Documents from HDR, staff was able to review those documents with HDR uploading them to the Corps website on January 25th. On March 3rd federal funding in the amount of \$650,000 was received by the USACE to be used toward the design effort of the project. On March 10th the City submitted a letter for Request for Work in Kind, to cover the expenses the City has incurred through HDR Engineers Inc. in the amount of \$248,676.73, which covers progress from July through November 2021. 65% Design Docs were received ahead of schedule on April 28th. Value Engineering Workshop was conducted with USACE on June 21-24, 2022 at JBER. This completed the requirement of completion of a VE Study for the project. Final 65% documents with the items addressed at the VE Study workshop were received 8/25/22. Advanced Technical Review (ATR) with the Corp began 9/15/22, with an ATR Workshop on October 3, 2022. The City Manager presented Resolution 2022-71 to Council at the October 5, 2022 meeting accepting a State Grant 23-DC-007 for \$6,500,000 in support of the Sponsor share of the project. This grant is a tremendous step toward fulfilling the City's responsibility of the current 35% percent match of the overall project. Staff formally submitted Work In Kind (WIK) Requests #2 & #3 to the USACE on November 3, 2022 totaling another \$316,447.30 toward our City Share of project costs. Project has now entered the BCOES phase (Bid-ability, Constructability, Operability, Environmental & Sustainability Reviews) with the US Army Corps. with a targeted completion date of March 10th, 2023 for this task. HDR has reached 95% design documents, which were delivered to the City on February 23, 2023. Preparations are in process for execution of a PPA (Project Partnership Agreement) with the US Army Corps likely within the next 60 days. The current target dates for advertisement for Construction Bids is June 12th, 2023 with Contract Award tracking at August 16th, 2023. Project remains on track and is proceeding well. *Update: March 28th, 2023 10:00am conducted meeting reviewing BCOES comments with USACE and HDR, this step is nearing completion. March 28th, 2023 12:30pm meeting with City Manager Eubank, Colonel Delarosa and Randy Bowker with USACE discussing project funding, PPA, and design phase nearing completion. Project Partnership Agreement (PPA) is slightly delayed due to impacts of the WRDA bill which will have a positive impact for the City on revising the cost share from 65/35 to 90/10.*
- Community Wildfire Prevention Plan (CWPP) Mitigation – The City has received grant funds to address beetle kill damages within the City. On November 3rd an Invitation to Bid was released in coordination with the Fire Department and Forest Service to perform mitigation services on approximately 105 acres of land through the No Name Creek Drainage from Redoubt Avenue extending to Cook Inlet. Five Bids were received on 12/13/22 with Doug Koch Professional Tree Service providing the winning bid at a cost of \$282,000. Work is anticipated to take place during allowable time frames over the next year. A Resolution to Award this Contract is before Council at the 12/21/22 Council Meeting. Construction Contract



was fully executed on February 28th, 2023 and contractor is actively working on project in the Float Plane Rd. area. *To date roughly 40-50 acres has been completed as of April 1, 2023.*



- Recreation Center Improvements – The Public Works Department released an RFP on November 18, 2021 with proposals due on December 10, 2021 to provide professional AE services for the Kenai Rec Center. This project will provide a code assessment of the facility, architectural drawings for a complete roof replacement of the facility, and mechanical / electrical drawings for the replacement of aging HVAC equipment. Update: Resolution 2022-06 was approved at the 1/19/22 council meeting to award a design agreement to K+A Design Studios in the amount of \$92,085. Design agreement has now been executed and project meetings are set to begin in mid-February. Resolution 2022-09 within the February 16th packet is combining funding from several smaller projects into this one larger one. On March 21st the design team provided the code assessment for the facility identifying several issues which are under review by Public Works Staff. On August 17, 2022 council approved a PO increase to include rain leader design to address storm water concerns. Total authorized design costs to date is \$108,085. 100% design documents have now been received. An Ordinance to provide supplemental funding to move forward with Construction Bidding was approved by Council at the 12/21/22 meeting. Formal Invitation to Bid was released on February 23, 2023 with bids due on March 23, 2023. *Orion Construction was the successful bidder with a total bid of \$1,425,700 as presented to Council through Resolution 2023-25 adopted at the April 5th, 2023 Council meeting. Construction will continue into the fall of 2023.*
- Multi-purpose Facility – The Building Maintenance Department completed all of the pressure washing and rust prevention coatings in house. That portion of the project was completed on time and on budget and allowed for ice to go back in on schedule. Staff continues to work on



ventilation solutions as well as some UV Heat lamps to replace the natural gas heaters suspended from the ceiling near the seating areas. Once a scope of work is finalized by the department these additional items will be released for bids. Currently roughly \$71,000 of the \$155,000 in funding has been expended.

- Cemetery Expansion – This project is located at the corner of First Ave and Float Plane Rd and will provide for additional burial space as the existing adjacent cemetery has reached capacity. The Public Works Department using in house personnel has already cleared, leveled and graded the site, and placed and compacted a gravel sub-base for the parking area. Staff has successfully surveyed in 64 adult plot sites and 12 infant plot sites. These sites are available through the Clerk's office. The Parks & Recreation Commission is currently considering alternatives to fencing the cemetery in an effort to utilize those funds toward completing other items. Work will be suspended through the winter with the parking lot paving taking place early summer 2023. *Nelson Engineering is updating the grading plan, asphalt paving work expected to bid in May.*
- Kenai Fire Department Apparatus Bay Coating – Ordinance 3315-2022 is up for Council approval on 9/21/22 to provide supplemental funding to allow the project to bid. Once additional funds are approved project is prepped for bid release. Existing budget was \$45,000 with approval of Ordinance 3315-2022 new budget will be \$60,000. This work involves cleaning and replacement of concrete floor markings with the installation of a new concrete sealer to protect and extend the life of the garage bay floors. *Bid documents are now complete and project is pending release anticipated by April 27, 2023.*
- Visitor Center Roof Replacement – Supplemental funding for this project was provided by Council through passage of Ordinance 3329-2022 approved on December 21, 2022. A formal Invitation to Bid was released on January 19, 2023 with three bids received on February 6, 2023. E/P Roofing was the low bidder at a total cost of \$139,800, however they withdrew their bid with Hanson Roofing becoming the 2nd lowest responsive responsible bidder. Council approved Resolution 2023-20 on 3/1/23 awarding a contract to Hanson's in the amount of \$227,472. *April 10th Construction Meeting reviewed material submittals with architect and contractor, materials are on order, with a projected work start date of May 1st with expected completion by June 9th.*
- Kenai Dog Park – Council has provided \$63,000 in funding toward this project. On October 10th, 2022 Polar North Construction began work on the concrete pavilion pad with a concrete pour schedule for 10/13/22 weather pending. Fireweed Fence has also started reinstallation of the fence work the same week. The high water table within the park area continues to cause flooding issues within the park area. Public Works staff has roughed in some drainage trenches which have helped, we plan on expanding on that work and then placing some drainage rock so the repairs will be permanent. Project will continue into May/June 2023 as weather allows. Public Works staff has collected numerous items from the dog park committee including park benches, signage, agility equipment, etc. and have items stored in our warm storage area to be installed next spring. Dog Park committee staff needs to



coordinate with volunteers intended to construct the pavilion in order to secure the necessary construction materials. Public Works does not have sufficient budget in hand to purchase these items for them. City Manager Eubank and Public Works Director Curtin have been coordinating on remaining items to be completed with available remaining funds. We are expecting the pavilion to be constructed as soon as weather allows by Jeff Twait with materials sourced with donated funds. The Streets Department crews will strip and stock pile topsoil within the field area in an effort to raise the existing grade with fill material. We intend to utilize some of the roadway sand gathered from spring street sweeping operations to provide positive drainage at the site. Additional gravel French drains will be installed to manage storm water at the site, and then the topsoil will be spread over the field area. We anticipate this work to take one week to complete. Once the grading is complete, and the pavilion is constructed, Fireweed fencing will return to finish the perimeter fence and gates. Parks and Rec will then install the signage. Field will be seeded and watered, traffic will need to be limited during this time to allow the grass to grow. After first mowing of grass, field agility equipment will be placed. Project is tracking toward a July grand opening.

- Roadway Improvements – Nelson Engineering was the successful proposer to provide bid ready construction documents for improvements to Wildwood Dr, Willow Ave, First St. as well as multiple smaller misc. repairs. Wildwood Drive & Willow Ave are anticipated to have 95% design docs received by February 20, 2023 for final review. Wildwood Dr will require grant assistance to complete the project. The sub-base was far worse than anticipated and the estimated costs increased substantially as a result. Willow Ave will bid once final documents are received, formal ITB release anticipated in March 2023. First Ave and the minor repairs are in the works, however they may be delayed until May 2023 for bid release. On 3/7/23 City Manager Eubank, Mayor Gabriel, Public Works Director Curtin participated in a conference with representatives from our legislature discussing State participation in funding for Wildwood Dr. Meeting went well.
- Green Strip Playground Equipment – This project utilizing a U.S. Department of Health and Human Services (DHSS) grant seeks to replace aging playground equipment near the softball fields. Proposal Quotes Request (PQR) was released on February 1, 2023 with proposals due on February 21, 2023. Project cost estimate is \$85,000. Playcraft Systems was awarded the project by Council through passage of Resolution 2023-21 at the 3/1/23 Council Meeting. *Contract was fully executed on March 20th and equipment is on order with an anticipated ship date of April 14th with arrival in Kenai approximately May 1st. Installation is expected to take two weeks to complete.*
- Softball Shelter Dugouts – Larsen Engineering has been awarded the design work the dugouts. *Design Documents are expected around June 1st.*



Water & Sewer Fund Projects:

- Lift Station Renovations – Resolution 2021-58 awarded HDL Engineering agreement in the amount of \$59,560 to provide bid ready construction documents for three lift stations. These locations included the stations at mile posts 13 and 14, which are near the soccer fields and Spur / Redoubt Ave respectively, as well as a station on Lawton Drive. These locations are intended to receive new pumps and pump control panels as part of this project. After determination of which lift stations would receive renovations to start, a design meeting was held on 12/3/21 to discuss pump and control panel design. Basis of design memo received on January 6, 2022. Design documents are approaching 95%. Construction is anticipated to run through the summer of 2023. Formal bid release anticipated in *May* 2023.
- Waste Water Treatment Plant Replacement Sludge Press – Resolution 2020-95 approved at the December 16, 2020 Council meeting authorized HDL Engineering to begin the Design Phase of the WWTP Replacement Sludge Press. Contract Documents were executed on January 6, 2021 with a Notice to Proceed issued on January 11, 2021. A Request for Proposals from press manufactures was released on April 27, 2021 with proposals due on May 25th, 2021. Resolution 2021-42 to award an equipment purchase agreement to Andritz Corp in the amount of \$285,000 was approved by Council at the June 16, 2021 meeting. A formal Invitation to Bid for Construction was released on June 7th, 2022. Bids were originally due on June 28th but the deadline was extended to July 22nd due to a lack of bidders interested in the project. On July 22nd two bids were received, with Blazy Construction being the lowest responsive responsible bidder at a cost of \$1,437,913. Ordinance 3302-2022 awarded the Construction Agreement to Blazy Construction on 8/17/22. The Screw press was delivered on 10/27/21. The screw press is installed in its permanent location, jib crane has been installed and certified. All of the ductwork associated with the new exhaust air system is now installed. We are currently waiting on the delivery of the fiberglass platforms which is still a few weeks out and the new screw conveyor has been delayed and may not be on site until May unfortunately. We are now anticipating commissioning for late June 2023 and staff will be relieved when that day arrives.
- Wastewater Plant Digester Blowers Replacements – HDL Engineering was authorized to proceed on design documents for this project through passage of Resolution 2022-29 on May 18, 2022. Design Agreement is currently in the amount of \$382,513 and will provide bid ready construction documents for the replacement of two 40+ year old blowers at the WWTP. The Department received 35% Design Study Report on September 23, 2022 and the project is currently moving toward 65% design documents. A grant for this project has been applied for through Senator Murkowski's office through the Congressional Directed Spending (CDS) program. We are awaiting word on if we were successful in receiving grant funds. This is a high priority project for the department and is anticipated to provide further energy savings similar to the aeration basin blower replacement project completed a few years ago. Final 65% plan reviews are being conducted on site with HDL on 12/19/22, bid documents are expected to be ready 5/1/23 and if funding is in place will be bid immediately, if not will be delayed until funding arrives. Environmental review process is delayed as we are not sure of



the grant requirements at this time, and may not know until a future grant is executed. Until then this will be a shovel ready project waiting on funding.

Senior Citizens Fund Projects:

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

Congregate Housing Fund Projects:

- Vintage Pointe Boiler Replacement – A RFP for design services was released on October 6, 2022 with proposals due on November 3, 2022. Design work will continue into the winter with a construction bid release expected at the end of the first quarter 2023. This project will replace outdated boiler heat systems for the facility as well as providing a direction on backup power generation to support the heating system when grid power is unavailable. No proposals were received, the Department is requesting approval to enter negotiations with RSA Engineering in the hopes of moving the project forward. RSA Engineering is under contract and is expected to start design in early January 2023. On February 3, 2023 RSA Engineering provided draft 65% Design Documents. Staff is currently reviewing. Engineering has a planned site visit for February 15, 2023 scheduled. We are anticipating bid documents being ready for an April Construction Bid release. *100% Design Documents are scheduled to be received April 21st, and will be released for Construction Bids within two weeks from that date.*



Other Projects Information:

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





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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

THROUGH: Kathy Romain, Senior Center Director

FROM: Astrea Piersee, Administrative Assistant III

DATE: April 7, 2023

SUBJECT: **March 2023 Monthly Report**

March brought upon a variety of activities for individuals to attend.

- “Grow with Me” featuring Steve Latz, area gardener, brought Connie Royal (formerly of Connie’s Flowers) to kick off his weekly gardening class. This was a big hit as both experienced gardeners and those new to gardening attended his weekly class to learn about starting seeds and preparing for the upcoming growing season.
- The St. Patrick’s Day celebration was well attended with 95 individuals enjoying a themed lunch wearing just a wee bit o’ green!
- The Center was closed for a training day to enable all staff to complete job specific training courses in addition to CPR and First Aid. Although the Center was not open for congregate meals, home-delivered meal clients were provided extra meals the day before to accommodate the closure.
- March 31st brought the annual March for Meals fundraiser. This was a well-attended event that was a culmination of months of preparation by both personnel and many, many volunteers. The KSC appreciates all of the support from the community as well as the Kenai City Council and Borough Mayor.

	2023	2022
Home Delivered Meals	2064	2344
Individuals	94	111
Dining Room (Congregate) Meals	1046	67
Individuals	164	91
Transportation (1-way rides)	159	237
Individuals	18	16
Grocery Shopping Assistance	13/27	2
Writers Group	37	33
Caregiver Support Group	7	4
Growing Stronger Exercise	313	214
Tai Chi Class	44	43
TOPS Weight Loss Class	56	41
Bluegrass & Music Sessions	77	29
Card Games	75	100
Wii Bowling	48	49
Arts & Crafts	44	43
Total Event Sign-ins *	2073	1540

Individuals *	189	130
Vintage Pointe Manor Vacancies	1	2

* (not including home meals clients)

