



Kenai City Council - Regular Meeting

November 04, 2020 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Agenda

A. CALL TO ORDER

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

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

B. SCHEDULED PUBLIC COMMENTS

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

C. UNSCHEDULED PUBLIC COMMENTS

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

D. PUBLIC HEARINGS

- 1. Ordinance No. 3165-2020** - Accepting and Appropriating a Grant From the U.S. Department of Homeland Security Passed Through the State of Alaska Department of Military and Veterans' Affairs to Update the City's Emergency Operations Plan. (Administration)
- 2. Resolution No. 2020-83** - Approving an Auto Aid Agreement and Supporting Operational Plan with Kenai Peninsula Borough for Exchange of Personnel and Equipment Response to Structure Fires. (Administration)
- 3. Resolution No. 2020-84** - Authorizing the Award of a Facility Management Services Agreement for the Kenai Multi-Purpose Facility. (Administration)
- 4. Resolution No. 2020-85** - Establishing Dates for Regular Meetings of the City Council for 2021. (City Clerk)

- 5.** **Resolution No. 2020-86** - Authorizing a Budget Transfer in the Senior Citizen Fund Home Meals Department. (Administration)
- 6.** **Resolution No. 2020-87** - Authorizing the Purchase of Real Property Described as Tract A, Block 18, Original Townsite of Kenai Bluff Replat for the Public Purpose of Including the Property in the Kenai Bluff Bank Stabilization Project and Determining that Public Interest Will Not be Served by an Appraisal. (Administration)
- 7.** **Resolution No. 2020-88** - Amending the City's Grant Disbursement Program Utilizing Funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act to Provide a Grant For The Challenger Learning Center Of Alaska For The Provision Of Educational Services. (Administration)

E. MINUTES

- 1.** *Regular Meeting of October 21, 2020. (City Clerk)

F. UNFINISHED BUSINESS

G. NEW BUSINESS

- 1.** ***Action/Approval** - Bills to be Ratified. (Administration)
- 2.** ***Action/Approval** - Purchase Orders Over \$15,000. (Administration)
- 3.** ***Action/Approval** - Non-Objection to the Renewal of a Marijuana Retail License and a Standard Marijuana Cultivation Facility for Majestic Gardens, LLC. (City Clerk)
- 4.** ***Ordinance No. 3166-2020** - Increasing Estimated Revenues And Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing a Professional Services Agreement to Develop Condition Assessments for the Airfield Drainage Safety Area and Asphalt Runway Areas of the Kenai Municipal Airport. (Administration)
- 5.** **Action/Approval** - Mayoral Nominations of Council Liaisons for Appointment to Committees and Commissions. (Mayor Gabriel)
- 6.** **Action/Approval** - Special Use Permit to RAVN Alaska for Warm Storage of the De-Icing Truck. (Administration)
- 7.** **Discussion** - Response to COVID-19. (Administration)

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging.
2. Airport Commission
3. Harbor Commission
4. Parks and Recreation Commission

5. Planning and Zoning Commission
6. Beautification Committee
7. Mini-Grant Steering Committee

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

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

K. ADDITIONAL PUBLIC COMMENT

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

L. EXECUTIVE SESSION

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATION ITEMS

1. Purchase Orders Between \$2,500 and \$15,000.
2. Russian Orthodox Sacred Sites in Alaska Thank You Letter
3. Letter from M. Chatham Requesting Thanksgiving Fireworks Not be Cancelled.

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/88300853869>

Meeting ID: 883 0085 3869 **Passcode:** 784820

OR

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

Meeting ID: 883 0085 3869 **Passcode:** 784820



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3165-2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING A GRANT FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY PASSED THROUGH THE STATE OF ALASKA DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS TO UPDATE THE CITY'S EMERGENCY OPERATIONS PLAN.

WHEREAS, the City of Kenai received a notice from the State of Alaska Department of Military and Veterans' Affairs that it was awarded \$15,000 for grant projects under the 2020 State Homeland Security Program; and,

WHEREAS, the project that was awarded grant funding was Emergency Operations Plan Updates; and,

WHEREAS, the Kenai Fire Department applied for these grant funds in order to update the City Emergency Operations Plan, which was last updated in 2007; and,

WHEREAS, the grants do not require a monetary match from the City.

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

Section 1. That the City Manager is authorized to accept a grant from the U.S. Department of Homeland Security passed through the State of Alaska Department of Military and Veterans' Affairs for the updating of the City's Emergency Operations Plan, execute any required grant documents and expend the funds in accordance with grant provisions and conditions.

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

General Fund:

Increase Estimated Revenues –	
Federal Grants	<u>\$15,000</u>
Increase Appropriations –	
Fire - Professional Services	<u>\$15,000</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.

Ordinance No. 3165-2020
Page 2 of 2

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 upon adoption.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4th day of November, 2020.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, City Clerk

Approved by Finance: 

Introduced: October 21, 2020
Enacted: November 4, 2020
Effective: November 4, 2020



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: David Ross, Police Chief

DATE: October 6, 2020

SUBJECT: **Ordinance No. 3165-2020 - Ordinance Accepting and Appropriating a Grant from the Department of Homeland Security**

Grants were applied for by the City of Kenai, under the 2020 Homeland Security Program, and one of those grant requests was funded totaling \$15,000 to update the City's Emergency Response Plan. The City received notice of award of the \$15,000 grant for the City to update its Emergency Operations Plan. This grant does not require a monetary match by the City, however, this was not a fully funded request and may necessitate returning to Council to request additional appropriation of funds prior to final approval of an update project.

I am respectfully requesting consideration of the ordinance accepting and appropriating the currently awarded grant funds for the purposes they were intended.



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2020-83

A RESOLUTION OF THE CITY OF KENAI, ALASKA, APPROVING AN AUTO AID AGREEMENT AND SUPPORTING OPERATIONAL PLAN WITH THE KENAI PENINSULA BOROUGH FOR EXCHANGE OF PERSONNEL AND EQUIPMENT RESPONSE TO STRUCTURE FIRES.

WHEREAS, the City of Kenai Fire Department, Central Emergency Services and Nikiski Fire Service Area have an existing Auto Aid Agreement dated 2008; and,

WHEREAS, changes to boundaries, staffing and equipment require updates to the agreement; and,

WHEREAS, the agencies involved in these Agreements share the common goal of providing the most efficient and timely emergency services possible; and,

WHEREAS, the agencies all provide some form of fire protection and/or emergency medical services within their respective boundaries; and,

WHEREAS, to provide greater life and safety coverage, the agencies desire to work cooperatively to allow for more efficient and wider coverage within their areas of service; and,

WHEREAS, to accomplish this, the agencies desire to provide the personnel and equipment necessary in the form of automatic aid; and,

WHEREAS, the goal of these Agreements is to outline the procedures for carrying out an automatic aid response in the event of a structure fire; and,

WHEREAS, it is in the best interest of the City of Kenai to update and authorize the City Manager and Fire Chief to enter into a new Auto Aid Agreement and supporting Operational Plan with the Kenai Peninsula Borough Fire Agencies of Central Emergency Services and Nikiski Fire Service Area.

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

Section 1. That the Kenai City Council approves the Auto Aid Agreement and supplemental Operational Plan between the City of Kenai Fire Department, Central Emergency Services and Nikiski Fire Service Area.

Section 2. That the Kenai City Manager and Kenai City Fire Chief are authorized to enter into an Auto Aid Agreement as attached with Kenai Peninsula Borough Fire Agencies of Central Emergency Services and Nikiski Fire Service Area. The City Manager and Fire Chief are further authorized to make and approve operational amendments to the Agreement and Plan as necessary without further Council action.

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

Resolution No. 2020-83
Page 2 of 2

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4TH day of November, 2020.

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

**OPERATIONAL PLAN TO
AUTOMATIC AID AGREEMENT BETWEEN
THE CITY OF KENAI FIRE DEPARTMENT AND THE
KENAI PENINSULA BOROUGH, CENTRAL EMERGENCY SERVICE AREA AND
NIKISKI FIRE SERVICE AREA**

This Operational Plan between the City of Kenai on behalf of the Kenai Fire Department and the Kenai Peninsula Borough on behalf of the Central Emergency Service Area and Nikiski Fire Service Area supplements the automatic aid agreement between the parties and provides guidance for response to first alarm fire incidences.

The purpose of this operational plan is to outline the procedures for carrying out an automatic aid response between the City of Kenai Fire Department (“KFD”), Central Emergency Service Area (“CES”) and, Nikiski Fire Department (NFD). This plan is a guide for day-to-day operations and may be revised, amended or altered annually by mutual written consent of the City of Kenai and the Kenai Peninsula Borough.

I. AMOUNT AND TYPE OF ASSISTANCE

Upon dispatch, each responder will respond to the requesting agency’s fire incident unless requested otherwise.

City of Kenai and CES:

KFD will provide a tanker/pumper and two personnel, on a first alarm response to the incident scene.

KFD’s reciprocal response area is defined as: East and West Poppy Lane to the intersection of Kalifornsky Beach Road and the Sterling Highway (Mile 0 Kalifornsky Beach Rd), and from Strawberry Road to Spruce and Frontier Drive and all roads connected thereto.

CES will provide a tanker/pumper and two personnel, on a first alarm response to the incident scene.

CES’s reciprocal response area will be District’s 3 and 4 of KFD’s service area.

City of Kenai and Nikiski:

KFD will provide a tanker/pumper and a minimum of two personnel on a first alarm fire response. The response will be to the scene.

KFD’s reciprocal response will be to all of NFD service area.

NFD will provide a ladder/pumper and a minimum of two personnel on a first alarm fire response. The response will be to the scene.

NFD’s reciprocal response will be to District’s 1 and 2 of KFD’s response area.

II. TRAINING

Joint training exercises shall be carried out annually under the direction of the Fire Chief's Operation/Training Officers in each department. Class instruction should be available upon request by each department.

III. COMMUNICATIONS

- A. RADIO – Pre-programming shall be entered into Station Alerting for Automatic Aid per department and district. The requesting agency dispatch will call the responding agency dispatch center to confirm they are aware Automatic Aid is needed. After initial automatic tone-out, the dispatcher for each agency shall announce on the radio that an Automatic Aid is needed at the address of the structure fire, in District 1, 2, 3, or 4. For the purposes of this plan, District 1 is the Area off of the Spur Highway from the intersection of KSR and Sunset/Borgen Ave. to the intersection of KSR and Spruce St. and all roads connected thereto. District 2 is the Area from the intersection of KSR and Spruce St. to the intersection of KSR and McCullom/Tinker including Bridge Access Rd. to the intersection of Beaver Loop Rd. and all roads connected thereto. District 3 is the Area from mile 3.4 KRS to the intersection of KSR and McCullom/Tinker including Beaver Loop Rd. (BLR) to the midpoint on East side of BLR and all roads connected thereto. District 4's Area includes all of VIP subdivision and Bridge Access Rd. (BAR) from the intersection of Kalifornsky Beach Rd. and BAR to the intersection of BAR and BLR and BLR to the midpoint on the West side of BLR and all roads connected thereto.
- B. The responding agency, after notifying their dispatch center that they are en route, will switch to the requesting agency's dispatch channel, and advise they are en route.
- C. In all cases, the incoming party will communicate with Command unless advised otherwise. Radio traffic will be kept to a minimum. Clear text will be used when possible.

IV. FIRE INCIDENT REPORTING

Each agency shall be responsible for reporting the incident in accordance with their department's policy and procedures.

V. REVISIONS

The Annual Operations Plan shall be cooperatively developed, reviewed annually, and become part of the Automatic Aid Agreement upon consent of the agencies and execution by the City Manager and Borough Mayor.

CENTRAL EMERGENCY SERVICES

KENAI FIRE DEPARTMENT

By: _____
Roy Browning, Chief

By: _____
Tony Prior, Chief

Date: _____

Date: _____

NIKISKI FIRE SERVICE AREA

By: _____
Bryan Crisp, Chief

Date: _____

KENAI PENINSULA BOROUGH

By: _____
Charlie Pierce, Mayor

Date: _____

CITY OF KENAI

By: _____
Paul Ostrander, City Manager

Date: _____

CENTRAL EMERGENCY SERVICE AREA

By: _____
Ryann S. Kapp, Chair

Date: _____

NIKISKI FIRE SERVICE AREA

By: _____
Mark Cialek, Chair

Date: _____

APPROVED AS TO FORM

By: _____
Patty Burley, KPB Deputy Borough Attorney

Date: _____

APPROVED AS TO FORM

By: _____
Scott Bloom, Kenai City Attorney

Date: _____

**AGREEMENT FOR EXCHANGE OF AUTOMATIC AID
BETWEEN
CITY OF KENAI, KENAI FIRE DEPARTMENT
KENAI PENINSULA BOROUGH, CENTRAL EMERGENCY SERVICES,
AND NIKISKI FIRE SERVICE AREA**

October 2020

A. Parties.

The parties to this Agreement for Automatic Aid are:

The City of Kenai, Kenai Fire Department (hereinafter “Kenai”)

The Kenai Peninsula Borough, Central Emergency Services (hereinafter “CES”)

The Kenai Peninsula Borough, Nikiski Fire Service Area (hereinafter “Nikiski”)

B. Purpose.

The agencies involved in this Agreement share the common goal of desiring to provide for the most efficient and timely emergency services possible. All of the agencies provide some form of fire protection and/or emergency medical services within their respective boundaries. To provide greater life and safety coverage, the agencies listed herein desire to work cooperatively to allow for more efficient and wider coverage within their service areas. To accomplish this, the agencies desire to provide the personnel and equipment necessary.

C. Cooperative Agreement.

The goal of this Agreement is to outline the procedures for carrying out an automatic aid response.

D. Responsibilities of the City of Kenai:

Kenai will provide a tanker/pumper and at least two (2) personnel, on a first alarm response to an incident scene.

Kenai’s reciprocal response area for CES is defined as East & West Poppy Lane to the intersection of Kalifornsky Beach Road and the Sterling Highway (Mile 0, Kalifornsky Beach Road), and from Strawberry Road to Spruce & Frontier Drive and all roads connected thereto.

Kenai’s reciprocal response for Nikiski will be its full service area.

E. The Kenai Peninsula Borough, Central Emergency Services:

CES will provide a tanker/pumper and at least two (2) personnel, on a first alarm response to Kenai. The response will be to the incident scene.

CES’s reciprocal response area for Kenai will be Districts 3 and 4 of Kenai’s service area.

CES has no reciprocal response area for Nikiski.

F. The Nikiski Fire Service Area:

Nikiski will provide a ladder/pumper and at least two (2) personnel on a first alarm fire response to Kenai. The response will be to the incident scene.

Nikiski's reciprocal response will be to Kenai's Districts 1 & 2 service areas.

Nikiski has no reciprocal response area for CES.

G. Call-Out Procedures

1. Upon report of a first alarm fire through a 9-1-1 call center within the automatic aid response area, Dispatch will request assistance from the appropriate reciprocating agency.
2. Upon request for assistance, the agency shall respond if they are available and capable of assisting to the incident as described.
3. Once committed to responding, the agency will send, without delay, the agreed upon resources.
4. The dispatch of equipment and personnel is subject to the following conditions:
 - i. The responding agency shall report to the Incident Commander (IC) and shall be subject to the direction of the IC or Officer in Charge (OIC).
 - ii. Automatic Aid resources will be released as soon as their services are no longer required. Resources may have to be released from an incident scene if an emergency occurs within their primary response area.
 - iii. The aid provided must be an authorized power of that agency.
 - iv. If the responding agency is directed to backfill/staff a station, the requesting agency will grant it access to the station for appropriate parking of apparatus.
 - v. Whenever the officials, employees, and volunteers from the responding agency are rendering aid, such persons shall have the powers, duties, rights, privileges, and immunities, and shall receive the compensation, incidental to their employment or position as if such aid were being rendered in their home jurisdiction.
 - vi. During the period of assistance, the responding jurisdiction shall continue to pay its employees according to its prevailing ordinance, rules, regulations and practices.

H. Operating Plan

1. It is in the best interests of the citizens of Kenai, Nikiski, and CES to be provided the most expeditious and professional response to suppress fires. The details as to amounts and type of assistance to be dispatched, response areas methods of requesting aid, and the names or ranks of persons authorized to send and receive such requests, lists of personnel and resources which will be utilized, shall be developed by the Fire Chiefs of Kenai, Nikiski and CES.
2. Such details shall be recorded in an Operational Plan signed by the Fire Chiefs of Kenai, CES and Nikiski attached hereto as Exhibit A.

I. Training

At a minimum, the agencies shall endeavor to hold joint training exercises annually between the individual parties of this agreement under the direction of the Chief or the Chief's Operations or Training Officers in each department. Classroom instruction should be available upon request by each department.

J. Term of Agreement

1. This Agreement shall commence upon the date of the last signature received from either the Kenai Peninsula Borough Mayor or the City of Kenai City Manager and shall continue until December 31, 2025. This Agreement may be renewed by the Parties via written request, approved by both parties, no later than November 1st of each year. This Agreement cannot extend beyond fifteen (15) years.
2. Notwithstanding the above, either Party to this Agreement may terminate the Agreement by giving no less than thirty (30) days written notice to the other Party and upon the running of thirty (30) days from such written notice, this Agreement shall be terminated.

K. Modification

The Agreement may only be amended, modified or changed by a writing executed by authorized representatives of the parties.

L. Responsibility for Costs and Liability.

1. Each party desires to provide to the other a reasonable, professional and reciprocal exchange of fire response services on a day to day basis at no additional cost.
2. Each party shall bear its own costs for responding to an automatic aid request.
3. Each responding agency shall be responsible for its own liabilities incurred traveling to the scene, at the scene and returning to the station of origin.
4. In rendering emergency services, each agency will bear the responsibility for its own acts and any liability incurred by such acts.

M. Liability

1. There shall be no liability imposed on any Party or its personnel for failure to respond to an incident.
2. For purposes of this Agreement, each Party's employees shall be deemed to be the employees and agents of that Party only, and under no circumstances shall any employee be deemed to be an employee or agent of any other entity or the other Party.
3. All damages or repairs to any equipment or apparatus shall be the responsibility of the Party that owns such equipment or apparatus, provided however that compensation for damages to equipment or apparatus that occurs during a natural disaster, a state of emergency, as declared by a local, state or federal governing authority, or any other incident for which state or federal aid is provided to the Party requesting aid, shall be distributed to the Party providing aid in proportion to the level of actual involvement while providing automatic aid.
4. Nothing contained in this Agreement shall be construed to be a waiver of either Party's qualified immunity, official immunity, or any other immunity or exemption from liability provided for by law.

N. Release of Claims

Except as provided in Section M(3) above, and to the extent allowed by law, each of the Parties agree to hold harmless and release the other Party from any and all liabilities, suits, claims, judgments, cost or demands for damage to its own property whether directly existing or indirectly arising out of the use of any vehicle, equipment or apparatus being used by either Party during the provision of service pursuant to this Agreement.

O. Injuries to Personnel

Any damage or other compensation which is required to be paid to any fire department employee or volunteer by reason of his/her injury occurring while his/her services are being utilized pursuant to this Agreement shall be the sole liability and responsibility of the Party regularly employing that person.

P. No Benefit to Third Parties

This Agreement shall not be construed as, or deemed to be, an agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action hereunder for any cause whatsoever.

Q. Conflict with Laws

Nothing in this agreement is intended to conflict with Federal, State or local laws or regulations. If there are conflicts, this agreement will be amended at the first opportunity to bring it into conformance with applicable laws or regulations.

R. Counterparts

This Agreement may be executed in counterparts, each of which when so executed shall constitute an original and all of which together shall constitute one and the same instrument.

APPROVED:

CITY OF KENAI
Kenai Fire Department

KENAI PENINSULA BOROUGH
Central Emergency Services
Nikiski Fire Service Area

Paul Ostrander, City Manager

Charlie Pierce, Mayor

Tony Prior, City of Kenai Fire Chief

Roy Browning, CES Fire Chief

Bryan Crisp, Nikiski Fire Chief

ATTEST:

ATTEST:

Jamie Heinz, City Clerk

Johni Blankenship, Borough Clerk

Approved as to form and legal sufficiency

Approved as to form and legal sufficiency

Scott Bloom, Attorney for City of Kenai

Patty Burley, Deputy Borough Attorney



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Tony Prior, Fire Chief
DATE: October 20, 2020
SUBJECT: **Resolution 2020-83**

Over the past several months the Kenai Fire Department has collaborated with Chiefs from Central Emergency Services (CES), Nikiski Fire Department (NFD), as well as the City's and Borough's attorneys to revise our Auto Aid Agreement and Operations Plan to support that Agreement. This Agreement and Operational Plan are critical in providing guidelines for response to structure fires as set out in National Fire Protection Association (NFPA) and from Insurance Services Office (ISO).

Some minor changes defining districts and boundaries were addressed and clarification to personnel and apparatus response was also addressed. We defined the boundary on Beaver Loop that requires a response from CES Station 1 or CES Station 4. Boundaries were defined on K-Beach from mile 0 to East and West Poppy Lane and all roads connected and into City limits of Soldotna to the intersection of Spruce and Frontier Drive on the Spur Highway.

Station staffing and apparatus was discussed specifically for changes from the previous Agreement. Now that CES Station 4 is staffed with two personnel full-time we were able to make responses consistent with a tanker/pumper and two personnel from either CES Station 1 or CES Station 4. No changes were made for our responses to either CES or NFD, nor were there any changes for response from NFD.

Language was changed to be consistent in both the Auto Aid Agreement, as well as the Operational Plan to the Auto Aid Agreement.

Our partnership in providing responses to each other provides additional personnel and staffing, which in turn, improves the overall capabilities of each department. Your consideration in approving this Resolution is greatly appreciated.



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2020 - 84

A RESOLUTION OF THE CITY OF KENAI, ALASKA, AUTHORIZING THE AWARD OF A FACILITY MANAGEMENT SERVICES AGREEMENT FOR THE KENAI MULTI-PURPOSE FACILITY.

WHEREAS, the City of Kenai released a Request for Proposals for Kenai Multi-Purpose Facility Management Services on October 6, 2020 with proposals due on October 22, 2020; and,

WHEREAS, this proposal covers winter ice management services typically running from October 1st through March 23rd annually, for the next three years, and,

WHEREAS, one proposal was received and reviewed by staff; and,

WHEREAS, negotiations with Red Line Sports, the same firm which has been managing the facility for some years, have been successful for this multi-year agreement with the following hourly rates:

- Winter Season 2020/2021 rate of \$41.62/Hr
- Winter Season 2021/2022 rate of \$45.00/Hr
- Winter Season 2022/2023 rate of \$50.00/Hr

; and,

WHEREAS, award of this agreement will allow for the continued operation of this facility in support of community activities, and,

WHEREAS, sufficient funds were budgeted in FY21 for award; and,

WHEREAS, this Resolution includes authorization for this year's Purchase Order to cover these services and Council will be provided a purchase order memo to authorize years two and three of this agreement as those funds become available with each year's budget; and,

WHEREAS, award of this agreement to Red Line Sports is in the best interest of the City.

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

Section 1. That the Kenai City Council authorizes the City Manager to execute an Agreement for Facility Management Services with Red Line Sports at an hourly rate of \$41.62 for FY21, \$45.00 for FY22, and \$50.00 for FY23 and authorizes an increase to Purchase Order 121375 in the amount of \$35,843.60 for a total purchase order amount to date of \$45,000.00.

Section 2. That this contract may be extended for two (2) successive one year terms with Council approval.

Resolution No. 2020-84
Page 2 of 2


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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4th day of November, 2020.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: 



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Robert J. Frates, Parks & Recreation Director
DATE: October 28, 2020
SUBJECT: **Resolution 2020-84**

The purpose of this memo is to recommend adoption of Resolution No. 2020-84 awarding an Agreement for Facility Management Services to Red Line Sports for custodial and ice maintenance operations at the Kenai Multi-purpose Facility.

A request for proposals was issued on October 6, 2020 with proposals due on October 22, 2020. Only one proposal was received. Negotiations began with Red Line Sports on October 27, 2020 resulting in the following hourly rates:

\$41.62 per hour – 2020/21 season

\$45.00 per hour – 2020/22 season

\$50.00 per hour – 2020/23 season

I recommend awarding a contract to Red Line Sports for an estimated amount of \$45,000 for the 2020/21 season to be adjusted based on actual ice rental hours and required maintenance. Terms of Agreement will be for three (3) years and may be extended for two (2) successive one-year terms.

Council's consideration and support is respectfully requested.



Sponsored by: City Clerk

CITY OF KENAI

RESOLUTION NO. 2020-85

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ESTABLISHING DATES FOR REGULAR MEETINGS OF THE CITY COUNCIL FOR 2021.

WHEREAS, pursuant to KMC 1.10.040(a), regular meetings of the Council shall be at a time set by a resolution of the Council on the first and third Wednesdays of every month; and,

WHEREAS, pursuant to KMC 1.10.040(b) on or before the last meeting of December, the City Clerk shall introduce a resolution, on behalf of Council, establishing the dates for the subsequent year's Council meetings; and,

WHEREAS, this calendar must include a minimum of twenty regular meetings each year and at least one regular meeting each month; and,

WHEREAS, the City's Charter allows for cancellation of meetings by the Mayor due to lack of a quorum or for an emergency, or by a majority of council members for any reason as long as at least twenty (20) regular meetings are held each calendar year and at least one each month; and,

WHEREAS, it is in the best interest of the City for the Council to provide as much advance notification as possible to the public and administration of their meeting schedule; and,

WHEREAS, timely adopting a calendar of meeting dates, including any cancelled meetings, provides advance notice to the public and administration; and,

WHEREAS, cancelling the second regular meeting of the City Council in July allows for Council, administration, and residents to participate in the personal use fishery and other seasonal activities; and,

WHEREAS, cancelling the second regular meeting of the City Council in November, allows for Council and administration to attend Alaska Municipal League conferences; and,

WHEREAS, cancelling one Council Meeting in July and November, complies with the minimum standards for meeting requirements as provided in the City's Charter and Code.

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

Section 1. That the City Council of Kenai establishes the following Calendar of Meetings for 2021: regular meetings shall be held every first and third Wednesday of each month, except that there will not be a second meeting in July or November.

Section 2. That this Calendar may be further amended by Council in compliance with the City Charter and Kenai Municipal Code.

Resolution No. 2020-85
Page 2 of 2

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4th day of November, 2020.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk



MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Jamie Heinz, City Clerk
DATE: October 27, 2020
SUBJECT: **Resolution No. 2020-85 – Setting Council Meeting Calendar**

Pursuant to KMC 1.10.040(b), this Resolution is intended to establish a calendar for the regular meetings of the City Council in 2021.

Pursuant to City Charter, a meeting may be cancelled by the Mayor due to a lack of a quorum, for an emergency, or by a majority of council members for any reason as long as at least twenty (20) regular meetings are held each year and at least one each month. The proposed resolution maintains at least one regular meeting each month and more than the minimum twenty (20) regular meetings each year.

After reviewing previous calendars, this resolution proposes scheduling regular meetings every first and third Wednesday of each month, except for the months of July and November, when a second meeting of each month would be cancelled. The second meeting of July coincides with the peak season of the personal use dipnet fishery which consumes the full attention of the administration and is a busy time of year for other residents. The second meeting in November coincides with the AML conferences in Anchorage, which are attended by many council members and administrative personnel.

The calendar attached to this memo is included for your reference and is not an exhibit to the Resolution.

Your consideration is appreciated.

2021

January						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July						
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18	19	20	21	22	23	24
25	26	27	28	29	30	31

October						
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17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February						
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	1	2	3	4	5	6
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

May						
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23	24	25	26	27	28	29
30	31					

August						
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November						
Su	Mo	Tu	We	Th	Fr	Sa
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

March						
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14	15	16	17	18	19	20
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28	29	30	31			

June						
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27	28	29	30			

September						
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2020-86

A RESOLUTION OF THE CITY OF KENAI, ALASKA, AUTHORIZING A BUDGET TRANSFER IN THE SENIOR CITIZEN FUND HOME MEALS DEPARTMENT.

WHEREAS, the Kenai Senior Center is a long-standing member of the Meals on Wheels Association of America; and,

WHEREAS, Meals on Wheels Association of America offered a second round of grants to members previously award grants from the COVID-19 Response fund; and,

WHEREAS, The Kenai Senior Center was awarded \$32,500 through this second-round of grant funding in support of the services provided to Meals on Wheels recipients through the COVID-19 Public Health Emergency; and,

WHEREAS, these funds were accepted and appropriated on August 5, 2020 through Ordinance 3148-2020; and,

WHEREAS, to ensure funds are spent prior to December, 31, 2020 in accordance with the grant, \$6,800 which was previously appropriated to Home Meals – Salaries needs to be transferred to Home Meals – Operating & Repair Supplies.

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

Section 1. That the following budget revision is authorized.

Senior Citizen Fund:

Decrease Expenditures:

Home Meals - Salaries \$(6,800)

Increase Expenditures:

Home Meals – Operating & Repair Supplies \$6,800

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

Resolution No. 2020-86
Page 2 of 2

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4th day of November, 2020.

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance:





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Kathy Romain
DATE: October 27, 2020
SUBJECT: **Resolution No. 2020-86**

Meals on Wheels America offered a second-round of grants to Members previously awarded grants from the COVID-19 Response Fund. This grant funding is intended to address the continued growing demand for critical Meals on Wheels services.

The Kenai Senior Center had been awarded \$32,500 through this second-round of grant funding in support of the services provided to Meals on Wheels recipients through the COVID-19 public health emergency. Previous funds were accepted on August 5, 2020 through Ordinance 3148-2020.

Ordinance 3148-2020 appropriated \$6,800 to Home Meals – Salaries. To ensure funds are spent prior to December 31, 2020 in accordance with the grant, these funds need to be transferred to Home Meals – Operating & Repair Supplies.

I respectfully request consideration of the resolution and the transfer of grant funds.



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2020-87

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AUTHORIZING THE PURCHASE OF REAL PROPERTY DESCRIBED AS TRACT A, BLOCK 18, ORIGINAL TOWNSITE OF KENAI BLUFF REPLAT FOR THE PUBLIC PURPOSE OF INCLUDING THE PROPERTY IN THE KENAI BLUFF BANK STABILIZATION PROJECT AND DETERMINING THAT PUBLIC INTEREST WILL NOT BE SERVED BY AN APPRAISAL.

WHEREAS, the plat of Original Townsite of Kenai Bluff Replat created Tract A, Block 18, which is jointly owned by the City of Kenai, Kenai River Brewing Company, and Deborah Jean Browne; and,

WHEREAS, Kenai River Brewing Company and Deborah Jean Browne have agreed to convey their interest in Tract A, Block 18, Original townsite of Kenai Bluff Replat to the City of Kenai; and,

WHEREAS, that portion of Tract A, Block 18, (formerly described as Lot 1, Block 18, U. S. Survey 2970A and B) is owned by Kenai River Brewing Company; and,

WHEREAS, the total purchase price for the portion of Tract A, Block 18, owned by Kenai River Brewing Company is \$2,500.00, plus estimated closing costs of \$510.00; and,

WHEREAS, that portion of Tract A, Block 18, (formerly described as Lots 2C, Block 18, and Lot 4B, Block 19, Original Townsite of Kenai Laddville Replat No. 3) is owned by Deborah Jean Browne; and,

WHEREAS, the total purchase price for the portion of Tract A, Block 18, owned by the Deborah Jean Browne is \$7,530.00, plus estimated closing costs of \$510.00; and,

WHEREAS, that portion of Tract A, Block 18, (formerly described as Lots 1 and 2, Block 19, U. S. Survey 2970A and B) is owned by the City of Kenai; and,

WHEREAS, pursuant to Kenai Municipal Code 22.05.135(a), the City may acquire property needed for a public use without an appraisal if the Council upon resolution determines the public interest will not be served by an appraisal; and,

WHEREAS, an appraisal does not serve the public interest for these parcels as the purchase prices are reasonable, consistent with other similar property purchases, and an appraisal would add an unnecessary cost to the transaction; and,

WHEREAS, the City Council has authorized the City Manager to enter into negotiations with property owners whose parcels have been identified by the United States Army Corps of Engineers as being needed for the construction of erosion-control structures or to provide permanent access to support the Kenai Bluffs Bank Stabilization Project; and,

WHEREAS, the Lower Kenai River has eroded the bluff properties through the Original Townsite of Kenai at an estimated rate of three feet per year, causing the loss of public and private infrastructure, buildings, and lands; and,

WHEREAS, the subject parcel will be included in the project to stabilize the erosion of the bluff at the mouth of Kenai River; and,

WHEREAS, funds are available for the subject parcel purchases through Legislative Grant 12-DC-377.

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

Section 1. That the Kenai City Council hereby authorizes the City Manager to purchase the real property known as that portion of Tract A, Block 18 (formerly described as Lot 1, Block 18, U. S. Survey 2970A and B) Original Townsite of Kenai Bluff Replat owned by Kenai River Brewing Company for the total purchase price of \$2,500.00, plus estimated closing costs of \$510.00 on a form approved by the City Attorney, to be retained by the City for public use.

Section 2. That the Kenai City Council hereby authorizes the City Manager to purchase the real property known as that portion of Tract A, Block 18, (formerly described as Lot 2C, Block 18, and Lot 4B, Block 19, Original Townsite of Kenai Laddville Replat No. 3) Original Townsite of Kenai Bluff Replat, owned by Deborah Jean Browne for the total purchase price of \$7,530.00, plus estimated closing costs of \$510.00 on a form approved by the City Attorney, to be retained by the City for public use.

Section 3. An appraisal does not serve the public interest as the purchase price is reasonable, consistent with other purchases for the project, and the additional cost of an appraisal is unnecessary and would only add to the cost of the transaction.

Section 4. That the Kenai City Council further finds the acquisition of the subject parcels to be in the best interests of the citizens of the City of Kenai and that the public interest shall be served by these acquisitions.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4th day of November, 2020.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: 



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Willie Anderson, Planning Assistant

DATE: October 26, 2020

SUBJECT: **Resolution No. 2020-87 – Authorizing the Purchase of Property for the Public Purpose of Inclusion in the Kenai Bluff Bank Stabilization Project**

Resolution 2020-87 would authorize the purchase of a portion of Tract A, Block 18, Original Townsite of Kenai Bluff Replat for the public purpose of including the parcel in the Kenai Bluff Bank Stabilization Project from two separate owners.

The property formerly described as Lots 1 and 2, Block 19, U.S. Survey 2970A and B is owned by the City of Kenai, (this property has eroded to the extent that it is currently under water). The property formerly described as Lot 1, Block 18, U. S. Survey 2970A and B is owned by Kenai River Brewing Company. The property formerly described as Lot 2C, Block 18, and Lot 4B, Block 19, Original Townsite of Kenai Laddville Replat No. 3 is owned by Deborah Jean Browne.

A plat was prepared and recorded dividing the property into three parcels. Deborah Jean Browne will retain ownership of Tract 2C1, Block 18, Original Townsite of Kenai Bluff Replat. Kenai River Brewing Company will retain ownership of Lot 1A, Block 18, Original Townsite of Kenai Bluff Replat. Tract A, Block 18, Original Townsite of Kenai Bluff Replat the portion of property that lies below the bluff and is jointly owned by The City of Kenai, Deborah Jean Brown and Kenai River Brewing Company. Deborah Jean Browne and Kenai River Brewing Company have agreed to convey their interest in Tract A, Block 18, to the City of Kenai. A copy of the recorded plat of Original Townsite of Kenai Bluff Replat is attached for your reference.

Tract A, Block 18, Original Townsite of Kenai Bluff Replat is located along the Kenai River bluff and has been severely eroded. The United States Army Corps of Engineers identified the parcel as being necessary for the construction of erosion-control structures or to provide permanent access to support the Kenai Bluffs Bank Stabilization Project. The aerial imagery map attached to this memorandum shows the location of the parcel and the severe degree of erosion.

Funding for the purchase would be provided through Legislative Grant 12-DC-377. The total estimated cost to acquire the Tract A, Block 18, Original Townsite of Kenai Bluff Replat is \$10,030.00, plus estimated closing costs of \$1,020.00.

- Deborah Jean Browne has agreed to sale her portion of Tract A, Block 18, to the City of Kenai for the sum of \$7,530.00, plus estimated closing costs in the amount of \$510.00; and
- Kenai River Brewing Company agreed to sale its portion of Tract A, Block 18, to the City of Kenai for the sum of \$2,500.00, plus estimated closing costs in the amount of \$510.00

If City Council approves the resolution, the City Manager will move forward to finalize the purchase of a portion of Tract A, Block 18, Original Townsite of Kenai Bluff Replat for the Kenai Bluffs Bank Stabilization Project.

Thank you for your consideration.



LEGEND:

- ⊗ 2 1/2" BRASS CAP GLO 1950 FOUND
- ⊕ 3" BRASS CAP MON 1851-S 1982 FOUND
- ⊙ 5/8" REBAR w/ALUM. CAP LSS152 FOUND
- ⊙ 5/8" REBAR w/PLASTIC CAP LS8859 FOUND
- 5/8" REBAR FOUND
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- () RECORD DATUM Plot 94-94 KRD



NOTES:

- 1) Development of these lots is subject to the zoning regulations of the City of Kenai.
 - 2) Basis of bearing taken from Original Townsite of Kenai Laddville Replat, plat no. 94-91, Kenai Recording District.
 - 3) An easement for sewer lines and related purposes is recorded in Book 1 Page 113, Kenai Recording District.
 - 4) The following general easements granted to the Kenai Power Corporation were assigned to the City of Kenai per Book 1 Page 11, Book 11 Page 188, Book 11 Page 204, Book 11 Page 214, Book 11 Page 215, Book 11 Page 237, and Book 11 Page 259 Kenai Recording District.
 - 5) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded in Book 3 Page 121, Kenai Recording District.
 - 6) No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
 - 7) The language within the right-of-way easement granted to the United States of America recorded in Book 1 Page 184 Kenai Recording District, appears to terminate the easement.
 - 8) The natural meanders of the mean high water line is for area computations only, the true corners being on the extension of the sidelines and the intersection of the natural meanders.
 - 9) Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.
 - 10) Lots 1 and 2 Block 19 US Survey 2970 B have been lost due to erosion. Any future accretion or erosion will affect the riparian boundary of Tract A.
 - 11) Portions of this subdivision are within the Kenai Peninsula Borough 50-foot Anadromous Habitat Protection District. See KPB Chapter 21.18, as may be amended, for restrictions that affect development in this subdivision.
 - 12) The vacation of the right-of-way, as shown, was approved by the Kenai Peninsula Borough Planning Commission at the meeting of June 11, 2018 and by the Kenai City Council at the meeting of July 5, 2018.
 - 13) Exceptions to KPB 20.30.120, Street width, KPB 20.30.190, Minimum flag width for Lot 2C1, KPB 20.30.200, Minimum lot size for Lot 1A, KPB 20.30.210, Street access for Tract A, and KPB 20.40, Wastewater review for Lot 1A, were granted by the Plat Committee at the meeting of June 25, 2018.
 - 14) No structures are permitted within the panhandle portion of the flag lot.
 - 15) **WASTEWATER DISPOSAL:** Lot 2C1 Plans for wastewater disposal, that meet regulatory requirements, are on file with the Department of Environmental Conservation.
- WASTEWATER DISPOSAL:** Lot 1A The Plat Committee approved an exception to KPB 20.40 for Lot 1A. No soils report is available for Lot 1A. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.
- WASTEWATER DISPOSAL:** Tract A Conditions might not be suitable for onsite wastewater treatment and disposal systems. No wastewater will be generated or disposed of on this lot as of the date of this plat. If circumstances change to allow lawful onsite wastewater and disposal systems, those systems must meet the wastewater disposal requirements of KPB Chapter 20.40 and regulatory requirements of the Alaska Department of Environmental Conservation.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JUNE 25, 2018.

KENAI PENINSULA BOROUGH
[Signature] 10/18/20
AUTHORIZED OFFICIAL



SURVEYOR'S CERTIFICATE

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

Date 9-3-20

CERTIFICATE of ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS: BROAD STREET RIGHT-OF-WAY DEDICATION. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY OTHER GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

[Signature] 9/10/20
PAUL OSTRANDER, CITY MANAGER
CITY OF KENAI

CERTIFICATE of OWNERSHIP and DEDICATION

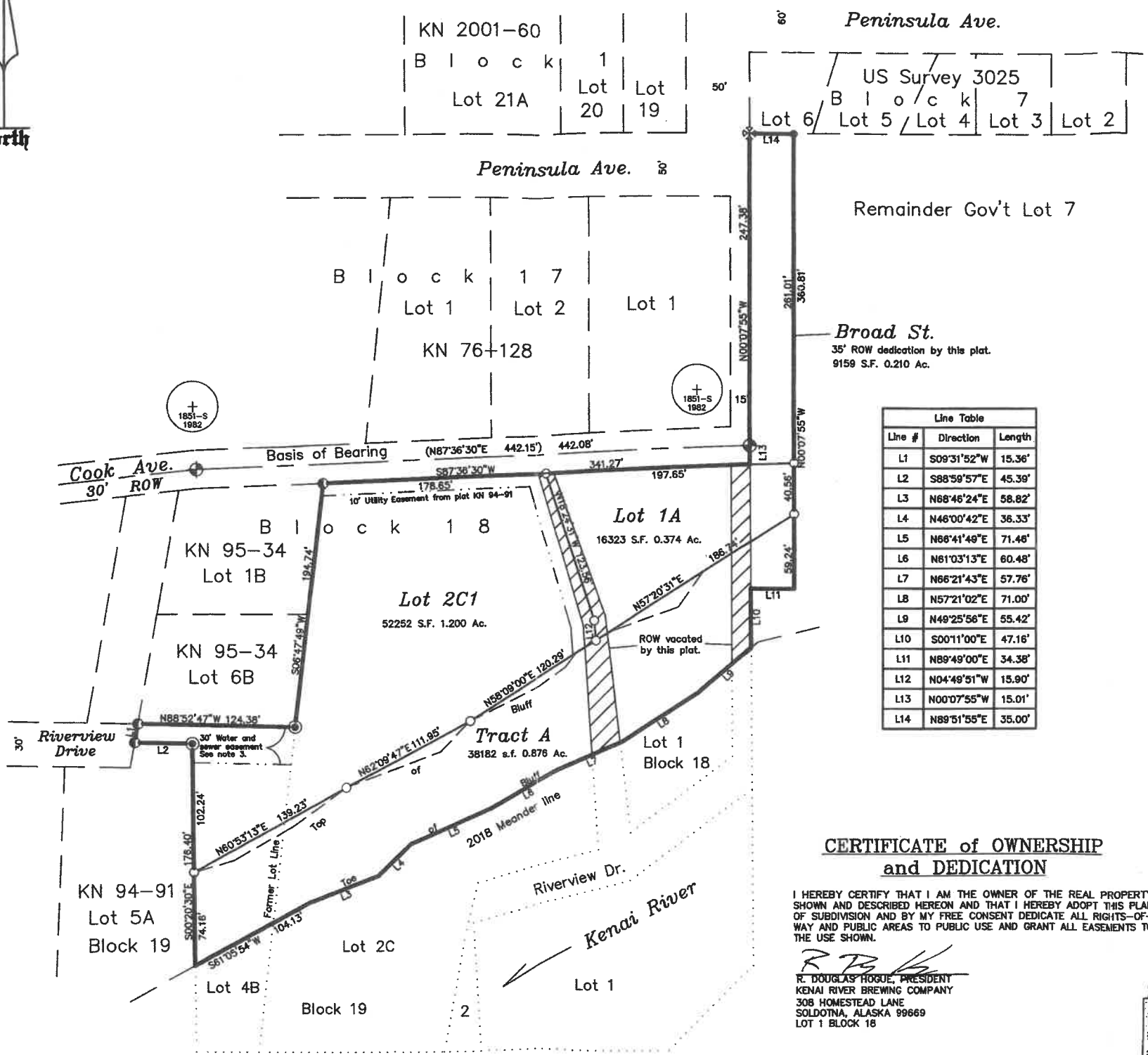
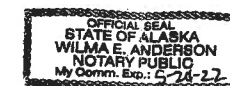
I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

[Signature]
R. DOUGLAS HOQUE, PRESIDENT
KENAI RIVER BREWING COMPANY
308 HOMESTEAD LANE
SOLDOTNA, ALASKA 99669
LOT 1 BLOCK 18

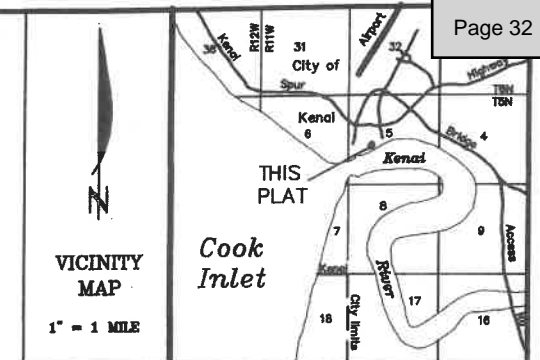
NOTARY'S ACKNOWLEDGMENT

FOR *[Signature]*
ACKNOWLEDGED BEFORE ME THIS 22nd DAY OF September 2020

[Signature]
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 5-24-22



Line #	Direction	Length
L1	S09°31'52"W	15.36'
L2	S88°59'57"E	45.39'
L3	N68°46'24"E	58.82'
L4	N48°00'42"E	36.33'
L5	N68°41'49"E	71.48'
L6	N61°03'13"E	60.48'
L7	N66°21'43"E	57.76'
L8	N57°21'02"E	71.00'
L9	N49°25'56"E	55.42'
L10	S00°11'00"E	47.16'
L11	N89°49'00"E	34.38'
L12	N04°49'51"W	15.90'
L13	N00°07'55"W	15.01'
L14	N89°51'55"E	35.00'



CERTIFICATE of OWNERSHIP and DEDICATION

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

[Signature]
PAUL OSTRANDER, CITY MANAGER
CITY OF KENAI
210 FIDALGO AVENUE
KENAI, ALASKA 99611
BOOK 35 PAGE 99
RIGHTS-OF-WAY

NOTARY'S ACKNOWLEDGMENT

FOR *[Signature]*
ACKNOWLEDGED BEFORE ME THIS 10th DAY OF September 2020

[Signature]
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 5-24-22



CERTIFICATE of OWNERSHIP and DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

[Signature]
DEBORAH JEAN BROWNE
805 COOK AVENUE
KENAI, ALASKA 99611
LOT 2C BLOCK 18
LOT 4B BLOCK 19

NOTARY'S ACKNOWLEDGMENT

FOR *[Signature]*
ACKNOWLEDGED BEFORE ME THIS 9th DAY OF September 2020

[Signature]
NOTARY PUBLIC FOR
MY COMMISSION EXPIRES 5-24-22



KPB FILE No. 2018-057

Original Townsite of Kenai Bluff Replat

A replat of Lots 2C Block 18 and 4B Block 19 Original Townsite of Kenai Laddville Replat No. 3, Plat 98-93, Lot 1 Block 18 and Lots 1 and 2 Block 19 U.S. Survey 2970A and B, that property described in Book 35 Page 99, Kenai Recording District, and the vacations of the rights-of-way as shown on this plat.

Located within the SW1/4 Section 5, T5N, R11W, S.M., City of Kenai, Kenai Peninsula Borough, Alaska.

Containing 2,660 Ac.	Owners	Surveyor
	Deborah Jean Browne 805 Cook Avenue Kenai, Alaska 99611	Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909
	Kenai River Brewing Co. 308 Homestead Lane Soldotna, AK 99669	City of Kenai 210 Fidalgo Avenue Kenai, AK 99611
JOB NO. 16060	DRAWN: 7-9-2020	
SURVEYED: August, 2018	SCALE: 1"=50'	
FIELD BOOK: 18-3	SHEET: 1 of 1	



**ORIGINAL TOWNSITE OF
KENAI BLUFF REPLAT**



29,000'



1 inch equals 29,173 feet

The information depicted here on is for graphic representation only of the best available sources. The City of Kenai assumes no responsibility for errors on this map.

Date: 10/26/2020



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2020-88

A RESOLUTION OF THE CITY OF KENAI, ALASKA, AMENDING THE CITY'S GRANT DISBURSEMENT PROGRAM UTILIZING FUNDS FROM THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT TO PROVIDE A GRANT FOR THE CHALLENGER LEARNING CENTER OF ALASKA FOR THE PROVISION OF EDUCATIONAL SERVICES.

WHEREAS, on March 3, 1999, the City accepted conveyance of approximately 9.64 acres from the Kenai Peninsula Borough to provide a site for construction of the Challenger Learning Center of Alaska; and,

WHEREAS, in 1999, the City and the Challenger Center worked together to construct the City-owned facility and entered into a 99-year \$1 per year lease for the operation of a Challenger Learning Center by the Challenger Learning Center of Alaska (CLCA); and,

WHEREAS, on April 9, 2020 President Donald J. Trump approved a Disaster Declaration for the State of Alaska; and,

WHEREAS, on May 20, 2020, the City Council enacted Ordinance 3130-2020 accepting Federal CARES Act funding passed through the State of Alaska for expenditures in response to the COVID-19 Public Health Emergency; and,

WHEREAS, on June 3, 2020, the City Council approved a grant disbursement program for small businesses and nonprofit organizations utilizing funds from the CARES Act to support meaningful and long-term recovery of our local economy where help is needed due to impacts associated with the COVID-19 Public Health Emergency; and,

WHEREAS, on June 18, 2020, the CLCA applied for and was awarded a City of Kenai Nonprofit Grant in the amount of \$50,000 due to impacts from COVID-19-related closures; and,

WHEREAS, on April 27, 2020, the CLCA re-opened and began developing and increasing virtual educational options to meet the growing need for access to virtual learning; and,

WHEREAS, CLCA develops curricula for use in k-12 classrooms, along with teacher trainings, reference materials and classroom support; and,

WHEREAS, CLCA is uniquely situated to fill a need caused by the public health emergency in formal and informal education in the immediate future; and,

WHEREAS, the CLCA has identified and responded to a growing need for additional virtual learning programs as a result of the public health emergency and has requested financial support

Resolution No. 2020-88
Page 2 of 2

in the amount of \$100,000 to continue its efforts to provide educational services to a growing number of at-home students and teachers in the community; and,

WHEREAS, CLCA has expanded its virtual presence with in-house development of virtual curricula and is working with the Challenger national Network to further expand options; and,

WHEREAS, CLCA’s newly developed “Classroom Adventures” is anticipated to be disseminated through Kenai Peninsula and Alaska Classrooms with a potential to impact upwards of 3000 students; and,

WHEREAS, the CLCA, contingent on receipt of this grant, has committed to the continued development of needed programs and to provide these virtual learning programs to students at no cost through December of 2020; and,

WHEREAS, the grant disbursement program meets the intent of the CARES Act to provide emergency assistance for expenses to facilitate distance learning, including technological improvements, in connection with school closures to enable compliance with COVID-19 precautions; and,

WHEREAS, there are sufficient funds available in Business and Nonprofit Entity Recovery Grants due to funds that were not dispersed to businesses and nonprofits in Round 1 or likely to be distributed in Round 2 of the grant program; and,

WHEREAS, due to the continued impacts to residents or the possibility of future mandated closures of schools due to the COVID-19 public health emergency, it is in the best interests of the City to amend the City’s grant disbursement program to provide a grant for the Challenger Learning Center of Alaska in the amount of \$100,000 for the provision of educational services

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

Section 1. That the Grant Disbursement Program is amended to provide a grant for the Challenger Learning Center of Alaska in the amount of \$100,000 for the provision of educational services.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4th day of November, 2020.

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: 



MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Paul Ostrander, City Manager

DATE: October 29, 2020

SUBJECT: **Resolution 2020-88 – Challenger Learning Center CARES Act Grant**

In 1999 the City and the Challenger Learning Center entered into a 99-year lease for \$1 per year for the operation of a Challenger Learning Center by the Challenger Learning Center of Alaska (CLCA). Since that time, the CLCA has increased awareness in the fields of Science, Technology, Engineering, and Mathematics (STEM) for over 100,000 Alaskans through simulated missions, workshops, distance-based learning and outreach.

Due to the COVID-19 public health emergency, the educational opportunities that the CLCA relies on for operations have been severely impacted. To accommodate students, many of whom are now relegated to strictly distance learning due to public school closures, the CLCA has developed virtual learning programs that enable them to deliver valuable programs to students remotely. However, CLCA continues to be impacted by the COVID-19 public health emergency. To allow them to continue to develop and provide these virtual programs through the remainder of the year, and to fill the gap created when local schools closed to in-student learning, the CLCA reached out to the City of Kenai to request a grant utilizing CARES Act funding. Their request includes operational costs of \$30,000 per month for the months of October through December, and additionally, \$10,000 for materials and shipping.

The CLCA has committed to providing these virtual programs at no cost to participating students.

Your consideration is appreciated.

CITY OF KENAI

RE: Challenger Learning Center of Alaska (CLCA) – CARES ACT Funding Request \$100,000;
Oct – Dec, 2020 @ \$30,000.00 per month plus materials and shipping/delivery costs of \$10,000.

For over 20 years, CLCA has increased awareness of STEM and inspired over 100,000 Alaskans to develop interest in STEM fields through simulated missions, workshops, distance-based learning and outreach. CLCA develops curricula for use in k-12 classrooms along with teacher trainings, reference materials and classroom support, in addition to community and corporate programs designed to increase teamwork and communication.

In 2010, CLCA expanded services to include critical life-saving training for community and industry in the survival sciences. CSET specializes in cold water survival, land survival, USCG approved vessel drills along with the industry and military based Helicopter Underwater Egress Training (HUET). While providing life-saving training to our industry partners, Challenger takes great pride in the integration of the safety culture introduced to our youth through Kids Don't Float programs, Alaska Water Wise safe boating programs, and conducting Cold Water Survival to our Migrant Student and Commercial Fishing populations.

It is through revenue derived from educational and training operations, along with partnerships with local industry that CLCA has been able to fulfill its mission. Unfortunately, due to the unprecedented COVID-19 pandemic, revenue and our access to our beneficiaries was abruptly cut off. CLCA was forced to close its doors March 16, 2020, all educational and training operations halted, resulting in a total and complete loss of revenue. CLCA average annual revenue during the previous two (2) years was \$500,470.00. To date, revenue for 2020 totals \$116,695.00. With the help of the PPP grant, CLCA was able to bring staff on April 27, 2020. With the PPP grant along with a CARES act round 1 grant from the City of Kenai on June 30, 2020, revenue totals rose to \$218,237.00 allowing CLCA staff to dig in and busily start developing and increasing virtual educational options to meet the growing need for access to virtual Learning options. This process has involved moving largely to a virtual format preserving the proven CLCA model of collaboration, teamwork and hands on activities to empower students to work through challenges and solve problems using STEM disciplines. Our developed programs continue to support teamwork and collaboration in time where students have been forced into largely solitary environments. It is critical students have the opportunity to continue to interact with peers.

CLCA is uniquely situated to fill a need in formal and informal education in the immediate future, in addition to long-term as society as a whole adapts to this virtual reality. In Aug, following a virtual STEM Academy involving Alaskan and Bermudian students, CLCA was the recipient of a national 'Innovations in Education' award. We have since expanded our virtual presence with in-house development of virtual curricula, in addition to working within the Challenger National Network to further expand options. Survey data shows a average 4.9 approval rating from participants in recent CLCA virtual programs. 90% of participants said they learned more about STEM. Over 90% reported they were able to work with teammates during the program, and 100% of participants reported the hands-on activities made the Academy more fun and interactive. 100% of participants reported they would participate in another Virtual program through CLCA.

Since being able to re-open the center, CLCA has facilitated five (5) virtual STEM opportunities with a total capacity of 100 students. Currently scheduled are two (2) additional academies, eight (8) customized virtual KPBSD Migrant Student programs, and virtual ASD Migrant Student programs, for a compacity of 120 participants. The newly developed 'Classroom Adventures' is scheduled for delivery to Tyonek at the start of the year, we anticipate this dynamic program to be disseminated throughout classrooms across the Kenai Peninsula and Alaska. From November 8 – December 18 (6 weeks): 30 days with a potential

of 5 sessions per day at 20 students per session, CLCA would be able to impact upwards of 3000 students. Marketing efforts are currently underway to assure teacher, students and parents recently being thrust into the role of teacher, that CLCA is here and ready to provide the needed virtual STEM options.

CLCA is asking support of additional CARES funding from the City of Kenai to continue our efforts of supplying critical virtual opportunities to the ever growing number of at home learners and teachers in the classrooms struggling to adapt to constantly changing learning environments. Funds would be used for continued development of needed programs as described by beneficiaries, operational expenses as associated with Virtual program development and delivery to include methods, training, and connectivity. Virtual Program, materials along with shipping/delivery of materials would be free to registered participants through the end of December.

Thank you in advance to the City of Kenai and the Council for it consideration for a total of \$100,000.00 in support to the Challenger Learning Center of Alaska for the continued efforts in supporting Alaskan students, parents, and teacher with virtual learning options in the STEM disciplines.

**KENAI CITY COUNCIL – REGULAR MEETING
OCTOBER 21, 2020 – 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 October 21, 2020, 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	Robert Molloy
Henry Knackstedt	Tim Navarre
Jim Glendening	Robert Peterkin
Glenese Pettey	

A quorum was present.

Also in attendance were:

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

3. Election Certification

MOTION:

Vice Mayor Molloy **MOVED** to certify the election results of October 6, 2020 as presented. Council Member Navarre **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

4. Agenda Approval

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

- Add to item G.4. **Response to COVID-19**
 - Excess Mortality Graph

MOTION:

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

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

4. Consent Agenda

MOTION:

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

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

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

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

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

B. SCHEDULED PUBLIC COMMENTS – None.

C. UNSCHEDULED PUBLIC COMMENTS – None.

D. PUBLIC HEARINGS

1. **Ordinance No. 3163-2020** - Amending Kenai Municipal Code Sections 23.30.030 – Probationary Period for Employees in the Classified Service, to Remove the Six-Month Waiting Period for New Employees to Utilize Annual Leave and 23.40.060 – Leave of Absence With Pay, to Allow for Transition Leave for New Police Officers Upon Completion of a Public Safety Academy. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3163-2020 and Vice Mayor Molloy **SECONDED** the motion.

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

Clarification was provided that currently, newly hired City employees are prohibited from taking leave during their first six-months of employment in order to ensure they have accrued enough leave before using it. Police officers that attend academy must return to work in Kenai immediately afterwards, and have no time to rest and recuperate, or move their families if coming from out of

state. By creating a new category of "Transition Leave," City Officer positions become competitive with State Troopers, who have two weeks of leave after academy. Transition Leave would not be a bonus, can only make use of leave the employee had already accrued, would not roll over for use after the 6-month point has passed, and officers would still need to apply and receive approval for this leave.

VOTE:

YEA: Knackstedt, Pettey, Navarre, Gabriel, Molloy, Peterkin, Glendening
 NAY:

MOTION PASSED UNANIMOUSLY.

2. **Ordinance No. 3164-2020** - Accepting and Appropriating a Grant from Marathon Petroleum Foundation to Purchase Firefighting Tools. (Administration)

MOTION:

Vice Mayor Malloy **MOVED** to enact Ordinance No. 3164-2020 and Council Member Knackstedt **SECONDED** the motion.

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

The proposed purchase of a portable ground monitor using the grant from Marathon Petroleum was discussed. A short video was shown, demonstrating the Blitzfire series of lightweight, portable monitors. This apparatus is used to enhance the pressure and volume of water flow, and does not need to be attached to the engine itself. It was suggested that monitor could be useful if responding to a call at the refinery, and also at other locations such as the airport and the harbor if needed. Noted that it would be a welcome addition to the Kenai Fire Department inventory.

VOTE:

YEA: Knackstedt, Pettey, Navarre, Gabriel, Molloy, Peterkin, Glendening
 NAY:

MOTION PASSED UNANIMOUSLY.

3. **Resolution No. 2020-81** - Amending its Comprehensive Schedule of Rates, Charges, and Fees, to eliminate Kenai Community Library Late Fees. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-81 and Vice Mayor Molloy **SECONDED** the motion.

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

Library Director Katja Wolfe provided an overview of the current and proposed library fine systems. Under the proposed changes, library users would not be charged a fee when returning overdue materials, although they are still responsible for a lost or damaged item. An item will be considered "lost" once it has reached 30 days past due, at which time the user must return, replace, or reimburse the library for the item. Failure to do so will result in the user being barred from checking out further materials at the Kenai Library, as well as any library within the statewide Alaska Library Catalog system, until the library is compensated. It was clarified that PFDs were not garnished, nor are dues sent to a collection service; library only sends out notices to try to get the materials back or reimbursed.

The revenue from fines was discussed, stating that the most recent fiscal year's late fee revenue total was approximately half that of the last 5-year average (approximately \$8,800.) This decrease is primarily due to a) COVID-19 and b) increase in checkout of digital materials, which are returned automatically without late fees. The library budget will not be significantly impacted and can manage without the late fee revenue.

It was noted that studies from fine-free libraries have suggested that eliminating fines does not result in increased late returns, and a level of responsibility still exists despite there not being fines. If the Resolution is implemented, the Kenai Library will collect data to see if and how the new policy affects late returns.

Topics discussed also included how parents' accounts affect a child's ability to check out books, and that late and lost fees are typically a result of hardship.

VOTE:

YEA: Knackstedt, Pettey, Navarre, Gabriel, Molloy, Peterkin, Glendening
 NAY:

MOTION PASSED UNANIMOUSLY.

4. **Resolution No. 2020-82** - Awarding a Construction Contract for the Installation of the 2020 Facility Occupancy Management System. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-82 and Vice Mayor Molloy **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

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

E. MINUTES

1. *Regular Meeting of October 7, 2020. (City Clerk)

Approved by the consent agenda.

F. UNFINISHED BUSINESS

1. **Substitute Ordinance No. 3127-2020** - Repealing and Replacing Kenai Municipal Code Title 6 - Elections to Provide Clarity, Process Improvements, and Increase Voter Accessibility through Vote By Mail Elections. (Council Member Peterkin) [*Clerk's Note: At the August 19 Meeting, this item was Postponed to the 10/21/20 Council Meeting; a motion to enact is on the floor.*]

MOTION TO POSTPONE INDEFINITELY:

Council Member Peterkin **MOVED** to postpone indefinitely Ordinance No. 3127-2020. Council Member Knackstedt **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

2. **Ordinance No. 3128-2020** - Amending Kenai Municipal Code Section 1.85.040 – Records Public, To Provide For A Record Retention Length. (City Clerk) [*Clerk's Note: At the August 19 Meeting, this item was Postponed to the 10/21/20 Council Meeting; a motion to enact is on the floor.*]

MOTION TO POSTPONE INDEFINITELY:

Council Member Knackstedt **MOVED** to postpone indefinitely Ordinance No. 3128-2020 and requested **UNANIMOUS CONSENT**. Council Member Peterkin **SECONDED** the motion.

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

G. NEW BUSINESS

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

Approved by the consent agenda.

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

Approved by the consent agenda.

3. ***Ordinance No. 3165-2020** - Accepting and Appropriating a Grant From the U.S. Department of Homeland Security Passed Through the State of Alaska Department of Military and Veterans' Affairs to Update the City's Emergency Operations Plan. (Administration)

Introduced by the Consent Agenda and Public Hearing set for November 4.

4. **Discussion** - Response to COVID-19. (Administration)

The recent surge in positive COVID-19 cases was discussed, and it was noted that a City of Kenai staff member had been diagnosed. An update was provided of the CARES Act grants paid out to date to businesses, commercial fisheries, marketing, and housing assistance. Expressed confidence that the full amount of CARES Act funds that the city received will be spent.

Reported the increase in case rates and reported hospitalizations on Kenai Peninsula and in State of Alaska, and discussed the excess mortality graph provided in the laydown.

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging – It was reported that the Senior Center was installing touch-free devices in the card room in the facility; next meeting November 12.
2. Airport Commission – No report; next meeting November 12.
3. Harbor Commission – It was reported that the commission received project updates on projects affecting the dock and waterfront, discussed harbor dredging; next meeting November 9.
4. Parks and Recreation Commission – next meeting November 5.
5. Planning and Zoning Commission – next meeting October 28.
6. Beautification Committee – It was reported that the commission heard from Doctor Peter Hansen and discussed repairs for the fountain at Leif Hansen Park as well as purchasing a holiday tree to put in the fountain in the winter time; next meeting January 14.
7. Mini-Grant Steering Committee – No report.

I. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Attended Pumpkin Festival and judged pumpkin entries; appreciated people could participate safely;
- Congratulated winners of election;
- Thanked candidates for running in the election; congratulated Richard Derkevorkian, new KPB Assembly Member, thanked previous Assembly Member Smalley for his service;
- At last Assembly meeting, the Assembly passed a resolution to declare a local economic disaster for the Upper Cook Inlet fisheries region and for supporting a recovery plan; there was no objection to the Mayor writing a letter on behalf of the City in support of the same;
- Presented Council Member Navarre with a plaque of appreciation for his service to the City.

J. ADMINISTRATION REPORTS

1. City Manager - City Manager P. Ostrander reported on the following:
 - Planning Director interviews begun, second round scheduled in November;
 - Met with Department of Environmental Conservation and Kenai Watershed Forum regarding sampling for bacteria monitoring program; model will be provided after that. Unlike previous years, City of Kenai will not be asked to be a passed-through grant recipient, as they will go directly through DEC.
 - Love, Inc. is pursuing Soldotna location for cold weather shelter. Challenger Center was previously considered but, the board stated cold weather shelter for

- youth in Students-In-Transition program only. Love, Inc. stated this was not a feasible use of the center and pursued Soldotna at that time;
- Cameras installed at old town cabins;
 - No update on bluff erosion project;
 - Congratulated winners of election and thanked Council Member Tim Navarre;
2. City Attorney –
 - Congratulated winners of election and thanked Council Member Tim Navarre;
 3. City Clerk – City Clerk J. Heinz reported on the following:
 - Congratulated winners of election and thanked Council Member Tim Navarre;
 - Introduced new Deputy Clerk, Meghan Thibodeau;
 - Reported on Absentee-In-Person voting that is taking place at City Hall;
 - Will be recruiting commissioners for open positions;
 - Reminder that Alaska Municipal League is meeting in November;

K. ADDITIONAL PUBLIC COMMENT

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

Council Member Glendening, Council Member Peterkin, Council Member Pettey, Vice Mayor Malloy, Council Member Knackstedt, thanked Council Member Tim Navarre for his time serving on City Council, and welcomed new Council Member Winger.

Council Member Knackstedt also suggested he would like to see a flagpole installed at the Kenai Airport Terminal, with American and Alaskan flags.

Council Member Tim Navarre congratulated Council Members Knackstedt and Winger for their election win, and reflected on his time serving on City Council.

L. EXECUTIVE SESSION – None.

M. PENDING ITEMS – None.

N. ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 7:54 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of October 21, 2020.

Jamie Heinz, CMC
City Clerk

**PAYMENTS OVER \$15,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: NOVEMBER 4, 2020**

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	92,872.10

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
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**PURCHASE ORDERS OVER \$15,000.00 WHICH NEED COUNCIL APPROVAL
COUNCIL MEETING OF: NOVEMBER 4, 2020**

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
BDO USA LLP	ANNUAL AUDIT	LEGISLATIVE	PROFESSIONAL SERVICES	48,300.00
US DIGITAL DESIGN	STATION ALERTING EQUIPMENT	PUBLIC SAFETY PROJ	MACHINERY & EQUIPMENT	31,090.56

INCREASE OF EXISTING PURCHASE ORDER

VENDOR	DESCRIPTION	P.O. # - DEPT.	REASON	AMOUNT	TOTAL PO AMT
BLAZY CONSTRUCTION	FINAL ADJUSTING CHANGE ORDER	116510 - TERMINAL REHAB PROJECT	DECREASING CHANGE ORDER	<11,654.45>	12,536,252.32



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Terry Eubank, Finance Director

DATE: October 27, 2020

SUBJECT: **Recommended approval of a purchase order in excess of \$15,000 to BDO USA LLP.**

The purpose of this memo is to recommend approval of a purchase order in excess of \$15,000 to BDO USA LLP for the City's FY20 financial statement audit. This is the third and final year of a contract for BDO USA LLP to perform the City's annual audit. This year's audit fee is \$48,300 a \$650 increase from last year which is commensurate with a CPI adjustment per the contract. Budgeted funds were intended for this purpose and are sufficient for issuance of the purchase order.

Upon completion of this year's audit, the department will be seeking involvement from Council in soliciting the City's auditors for the next three years. Specifically, assistance will be needed in establishing the evaluation criteria of the request for proposal (RFP) and evaluation of the RFP's once received. This process should start in early 2021 but cannot be begin until the FY2020 City Comprehensive Annual Financial Report is issued.

Your support is respectfully requested.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Tony Prior, Fire Chief
DATE: 10/21/2020
SUBJECT: Purchase Order to US Digital Design

The purpose for this memo is to request approval of the purchase order for Station Alerting Equipment from US Digital Design.

City of Kenai Fire Department currently has US Digital Design equipment installed in our Station 1 to communicate with multiple agencies and dispatch centers for alerting of all emergency calls. This was originally a regional project designed to be installed in every fire station of Kenai Fire Department, Nikiski Fire Department, and Central Emergency Services. This equipment and programming are linked to the City's and Borough's 911 dispatch centers to improve responses to emergency calls and improve interoperability. In order to complete our station alerting, we need to install the same equipment in our other station (Station 2) to enable, and maintain interoperability. This is the final station left to be outfitted with equipment that has already been installed in 10 other fire stations regionally.

Total cost of \$31,090.56

Thank you for your consideration.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin, Public Works Director
DATE: October 27, 2020
SUBJECT: **Purchase Order Exceeding \$15,000**

The purpose of this memo is to request approval of a reduction to Purchase Order 116510 to Blazy Construction. The KMA Terminal Rehab project is nearing final completion, pending Change Order 11 will be a final adjusting Change Order returning unused funds intended for disposal of a previously unknown abandoned fuel oil tank. After coordinating with DEC and the Contractor it was determined additional disposal measures were not necessary. The net result is a credit back to the project in the amount of \$11,654.45.

Change Orders 1-10 totaled \$1,561,912.77, deducting the Change Order 11 amount of \$11,654.45 results in a revised total Change Orders cost of \$1,550,258.32, roughly 14.1% of the Original Contract amount of \$10,985,994.

The previously authorized Purchase Order amount was \$12,547,906.77 and the new amount will now be \$12,536,252.30.

Council's support is respectfully requested.



MEMORANDUM

TO: Mayor Gabriel and Kenai Council Members
FROM: Jamie Heinz, City Clerk
DATE: October 23, 2020
SUBJECT: **Marijuana License Renewals**

The Alcoholic & Marijuana Control Office has sent notification that the following applicant has requested license renewals:

Applicant: Majestic Gardens, LLC
Owners: Deniece Isaacs
D/B/A: Majestic Gardens, LLC
Licenses: Standard Marijuana Cultivation Facility & Retail Marijuana Store

Pursuant to KMC 2.40.010, *It is determined to be in the public interest that holders of or applicants for licenses issued by the Alcoholic Beverage Control Board or the Marijuana Control Board of the State of Alaska shall have all obligations to the City of Kenai on a satisfactory basis prior to the City Council approval of any activity of said license holder or applicant.*

A review of City accounts has been completed and the applicant has satisfied all obligations to the City. With the approval of Council, a letter of non-objection to the request for the renewals of the Standard Marijuana Cultivation Facility and the Retail Marijuana Store will be forwarded to the Alcoholic & Marijuana Control Office and the applicant.

Your consideration is appreciated.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

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

September 23, 2020

City of Kenai

Attn: Jamie Heinz

VIA Email: jheinz@kenai.city

Kenai Peninsula Borough

Attn: Borough Clerk

Via Email: tshassetz@kpb.us

jblankenship@kpb.us

micheleturner@kpb.us

ssness@kpb.us

MJenkins@kpb.us

License Number:	15395
License Type:	Standard Marijuana Cultivation Facility
Licensee:	Majestic Gardens llc
Doing Business As:	MAJESTIC GARDENS LLC
Physical Address:	12656 KENAI SPUR HIGHWAY KENAI, AK 99611
Designated Licensee:	Deniece M Isaacs
Phone Number:	907-398-3267
Email Address:	majesticgardens@alaska.net

License Renewal Application

Endorsement Renewal Application

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

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

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


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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Klinkhart". The signature is stylized and cursive.

Glen Klinkhart, Interim Director

- Submit** by Jamie Heinz 9/24/2020 9:29:21 AM (Form Submission)
- Approve** by Wilma Anderson 9/24/2020 10:40:21 AM (Lands Review)
- The task was assigned to Wilma Anderson. The due date is: October 5, 2020 5:00 PM 9/24/2020 9:29 AM
- Approve** by Jeremy Hamilton 9/29/2020 10:19:34 AM (Fire Marshall Review)
- The task was assigned to Jeremy Hamilton. The due date is: October 5, 2020 5:00 PM 9/24/2020 9:29 AM
- Approve** by Michael Wesson 9/28/2020 12:20:57 PM (Building Official Review)
- The task was assigned to Michael Wesson. The due date is: October 5, 2020 5:00 PM 9/24/2020 9:29 AM
- Approve** by David Ross 9/28/2020 2:56:32 PM (Police Department Review)
- Jamie Heinz reassigned the task to David Ross 9/24/2020 2:01 PM
 - Jamie Heinz reassigned the task to Jamie Heinz 9/24/2020 9:45 AM
 - The task was assigned to Jacquelyn LaPlante. The due date is: October 5, 2020 5:00 PM 9/24/2020 9:29 AM
- Approve** by Tina Williamson 9/24/2020 10:41:17 AM (Finance Asst Review)
- The task was assigned to Tina Williamson. The due date is: October 5, 2020 5:00 PM 9/24/2020 9:29 AM
- Approve** by Cindy Herr 9/24/2020 9:45:05 AM (Legal Asst Review)
-  *No monies owed for citations, COJ's or restitution.*
 - The task was assigned to Cindy Herr. The due date is: October 5, 2020 5:00 PM 9/24/2020 9:29 AM
- Approve** by Terry Eubank 9/28/2020 9:30:12 AM (Finance Review)
- The task was assigned to Terry Eubank. The due date is: October 5, 2020 5:00 PM 9/24/2020 10:41 AM
- Approve** by Scott Bloom 9/28/2020 9:34:19 AM (Legal Review)
- The task was assigned to Scott Bloom. The due date is: October 5, 2020 5:00 PM 9/24/2020 10:41 AM
- Approve** by Paul Ostrander 9/29/2020 9:48:41 AM (P&Z Department Review)
- The task was assigned to Paul Ostrander. The due date is: October 5, 2020 5:00 PM 9/24/2020 10:41 AM

AMCO License Application

Date

9/24/2020

Establishment Information

License Type

Marijuana Standard Cultivation

Licensee

Majestic Gardens, LLC

Doing Business As

Majestic Gardens, LLC

Premises Address

12656 Kenai Spur Highway

City, State

Kenai, AK

Contact Information

Contact Licensee

Deniece Isaacs

Contact Phone No.

398-3267

Contact Email

majesticgardens@alaska.net

Additional Contact Information

Name

Phone No.

Email

Documents

File Upload

15395 Renewal Local Government Notice.pdf	184.37KB
15395 Entity Documents.pdf	5.42MB
15395 MJ-20 Renewal Application Certifications.pdf	4.19MB
15395 POPPP.pdf	2.88MB
15395 Renewal Online Application_Redacted.pdf	94.65KB



Alaska Marijuana Control Board
Form MJ-20: Renewal Application Certifications

What is this form?

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

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

Section 1 – Establishment Information

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

Licensee:	Majestic Gardens llc	License Number:	15395		
License Type:	Standard Marijuana Cultivation				
Doing Business As:	Majestic Gardens llc				
Premises Address:	12656 Kenai Spur				
City:	Kenai	State:	Alaska	ZIP:	99611

Section 2 – Individual Information

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

Name:	Deniece M Isaacs
Title:	Owner member

Section 3 – Violations & Charges

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

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

Initials

DM

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

DM

I certify that a notice of violation has not been issued to this license between July 1, 2019 and June 30, 2020.

DM

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

Initials

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



Form MJ-20: Renewal Application Certifications

Section 4 – Certifications

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

Initials

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

DM

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

DM

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

DM

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

DM

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

DM

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

DM

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

DM

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

Deniece M Isaacs

Signature of licensee

C Johnson

Notary Public in and for the State of Alaska

Deniece M Isaacs

Printed name of licensee

My commission expires: 12/15/2022

Subscribed and sworn to before me this 22 day of June, 2020.





Alaska Marijuana Control Board Form MJ-20: Renewal Application Certifications

What is this form?

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

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

Section 1 – Establishment Information

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

Licensee:	Majestic Gardens llc	License Number:	15395		
License Type:	Standard Marijuana Cultivation				
Doing Business As:	Majestic Gardens llc				
Premises Address:	12656 Kenai Spur				
City:	Kenai	State:	Alaska	ZIP:	99611

Section 2 – Individual Information

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

Name:	Ronald D Isaacs
Title:	Owner member

Section 3 – Violations & Charges

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

Initials

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

RI

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

RI

I certify that a notice of violation has **not** been issued to this license between July 1, 2019 and June 30, 2020.

RI

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

Initials

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



Form MJ-20: Renewal Application Certifications

Section 4 - Certifications

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

Initials

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

RI

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

RI

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

RI

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

RI

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

RI

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

RI

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

RI

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

Ronald Isaacs
Signature of licensee

C Johnson
Notary Public in and for the State of Alaska

Ronald D Isaacs
Printed name of licensee

My commission expires: 12/15/2022

Subscribed and sworn to before me this 22 day of June, 2020.





Office of the Borough Clerk

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

Johni Blankenship, MMC
Borough Clerk

October 28, 2020

Sent via email: jheinz@kenai.city

City of Kenai
Kenai City Hall

RE: Renewal Application for Standard Marijuana Cultivation Facility

Business Name : Majestic Gardens LLC
License Location : Kenai/12656 Kenai Spur Highway, Kenai, AK 99611
License No. : 15395

Dear Ms. Heinz,

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

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

Sincerely,

Johni Blankenship, MMC
Borough Clerk

JB/ts

Encl.

cc: magicalgardens@alaska.net



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

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

September 23, 2020

City of Kenai

Attn: Jamie Heinz

VIA Email: jheinz@kenai.city

Kenai Peninsula Borough

Attn: Borough Clerk

Via Email: tshassetz@kpb.us

jblankenship@kpb.us

micheleturner@kpb.us

ssness@kpb.us

MJenkins@kpb.us

License Number:	15393
License Type:	Retail Marijuana Store
Licensee:	Majestic Gardens llc
Doing Business As:	MAJESTIC GARDENS LLC
Physical Address:	12656 Kenai Spur Hwy Kenai, AK 99611
Designated Licensee:	Deniece M Isaacs
Phone Number:	907-398-3267
Email Address:	magicalgardens@alaska.net

License Renewal Application

Endorsement Renewal Application

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

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

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Klinkhart". The signature is written in a cursive, somewhat stylized font.

Glen Klinkhart, Interim Director



Alaska Marijuana Control Board Form MJ-20: Renewal Application Certifications

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

Section 1 – Establishment Information

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

Licensee:	Majestic Gardens llc	License Number:	15393		
License Type:	Retail marijuana store				
Doing Business As:	Majestic Gardens llc				
Premises Address:	12656 Kenai Spur				
City:	Kenai	State:	Alaska	ZIP:	99611

Section 2 – Individual Information

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

Name:	Deniece M Isaacs
Title:	Owner member

Section 3 – Violations & Charges

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

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

Initials

DM

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

DM

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DM

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Initials

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Form MJ-20: Renewal Application Certifications

Section 4 - Certifications

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

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DM

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

DM

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

DM

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

DM

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

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

DM

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

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As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

Deniece M Isaacs

Signature of licensee

C Johnson

Notary Public in and for the State of Alaska

Deniece M Isaacs

Printed name of licensee

My commission expires: 12/15/2022

Subscribed and sworn to before me this 22 day of June, 2020





Alaska Marijuana Control Board Form MJ-20: Renewal Application Certifications

What is this form?

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

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

Section 1 – Establishment Information

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

Licensee:	Majestic Gardens llc	License Number:	15393		
License Type:	Retail Marijuana Store				
Doing Business As:	Majestic Gardens llc				
Premises Address:	12656 Kenai Spur				
City:	Kenai	State:	Alaska	ZIP:	99611

Section 2 – Individual Information

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

Name:	Ronald D Isaacs				
Title:	Owner member				

Section 3 – Violations & Charges

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

Initials

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

RI

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

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Form MJ-20: Renewal Application Certifications

Section 4 - Certifications

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RI

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

RI

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

RI

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

RI

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I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

RI

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

Ronald Isaacs

Signature of licensee

C Johnson

Notary Public in and for the State of Alaska

Ronald D Isaacs

Printed name of licensee

My commission expires: 12/15/2022

Subscribed and sworn to before me this 22 day of June, 2020.





Office of the Borough Clerk

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

Johni Blankenship, MMC
Borough Clerk

October 28, 2020

Sent via email: jheinz@kenai.city

City of Kenai
Kenai City Hall

RE: Renewal Application for Retail Marijuana Store

Business Name : Majestic Gardens LLC
License Location : Kenai/12656 Kenai Spur Highway, Kenai, AK 99611
License No. : 15393

Dear Ms. Heinz,

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

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

Sincerely,

Johni Blankenship, MMC
Borough Clerk

JB/ts

Encl.

cc: majesticgardens@alaska.net



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3166-2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT SPECIAL REVENUE AND AIRPORT IMPROVEMENTS CAPITAL PROJECT FUNDS AND AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT TO DEVELOP CONDITION ASSESSMENTS FOR THE SAFETY AREA AND ASPHALT RUNWAY AREAS OF THE KENAI MUNICIPAL AIRPORT.

WHEREAS, HDL Engineering is the firm selected by the City of Kenai after the successful completion of the Request for Proposal process for Professional Engineering Services for the Airport through Council's approval of Resolution 2020-12 at the March 4, 2020 Meeting; and,

WHEREAS, this work, shall provide preliminary assessments for two projects identified as Kenai Municipal Airport (KMA) Runway Rehabilitation and KMA Airfield Drainage Improvements under this agreement, also known internally as Tasks 4 & 5 respectively; and,

WHEREAS, the assessment under the KMA Runway Rehabilitation Project shall provide required investigations in support of the Capital Improvement Plan which currently has this project planned for FY2025; and,

WHEREAS, Staff, in coordination with the Federal Aviation Administration is working toward moving this project up due to existing runway conditions deteriorating at a faster pace than previously anticipated; and,

WHEREAS, this assessment will position the City to develop documents in sufficient time to avoid any potential interruptions to airfield operations, if reconstruction of the runway occurs in FY2023 or FY2024 dependent upon the availability of grant funding; and,

WHEREAS, the KMA Runway Rehabilitation Project funding for the assessment will be \$250,000 to HDL Engineering and \$5,000 for City Admin Fees for a total starting Project cost of \$255,000; and,

WHEREAS, the assessment under the KMA Airfield Drainage Improvements Project will analyze failing storm water conveyance piping within the safety area which will include running CCTV Cameras through the piping to determine the extent of the damages and to assist the design team with the future development of design documents; and,

WHEREAS, the KMA Airfield Drainage Improvements Project funding for the assessment will be \$37,230 to HDL to accomplish this initial scope of work, \$5,000 in Contingency funds, and \$2,000 in City Admin Fees for a total starting project cost of \$44,230; and,

WHEREAS, Both of these projects shall initially be funded by the Airport Special Revenue Fund and will be eligible for grant reimbursement as FAA Airport Improvement Program Grant funds become available; and,

WHEREAS, these projects are of high priority for the Airport and approval of this work 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. The City Manager is authorized to execute a Professional Services Agreement to HDL Engineering for the Kenai Municipal Airport Runway Rehabilitation Project Assessment in the amount of \$250,000 and issue a Purchase Order to HDL Engineering in that amount and the project shall include \$5,000 for City Admin Fees for a total approved project cost to date of \$255,000.

Section 2. The City Manager is authorized to execute a Professional Services Agreement to HDL Engineering for the Kenai Municipal Airport Airfield Drainage Improvements Project Assessment in the amount of \$37,230 and issue a Purchase Order to HDL Engineering in the amount of \$42,230 which includes a \$5,000 contingency and the project shall include \$2,000 for City Admin Fees for a total approved project cost to date of \$44,230.

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

Airport Special Revenue Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$299,230</u>
Increase Appropriations –	
Transfer to Airport Improvement Capital Project Fund	<u>\$299,230</u>

Airport Improvement Capital Project Fund:

Increase Estimated Revenues –	
Transfer from Airport Special Revenue Fund	<u>\$299,230</u>
Increase Appropriations:	
KMA Runway Rehabilitation Project -	
Construction	\$255,000
KMA Airfield Drainage Improvements Project –	
Construction	<u>44,230</u>
	<u>\$299,230</u>

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

Substitute Ordinance No. 3166-2020
Page 3 of 3


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 2nd day of December, 2020.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: 

Introduced: November 4, 2020
Enacted: December 2, 2020
Effective: December 2, 2020



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin, Public Works Director
DATE: October 29, 2020
SUBJECT: Ordinance 3166-2020

The purpose of this memo is to request Council's approval to begin development of two new projects for the Kenai Municipal Airport (KMA). The first project involves assessing the existing conditions of the KMA Asphalt Runway, and the second project will assess the extent of recently discovered damage to the Storm Water Conveyance system within the safety area of the Airport.

Formal project titles will be Kenai Municipal Airport Runway Rehabilitation and Kenai Municipal Airport Airfield Drainage Improvements. This initial assessment is one step in the development of these projects. It will assist the design team in developing what will become the Scope of Work addressed within future Construction Documents to be released for formal bidding purposes.

The Runway Rehab project is currently on the Capital Improvement Plan for FY2025. As this is an integral part of the airport both staff and the Federal Aviation Administration are closely monitoring this project, and the possibility of performing this work sooner than anticipated has been discussed.

The Airfield Drainage Improvements project will address recently discovered sink holes forming in several areas of the airfield. It appears some of the pipe connections within the storm water system have deteriorated allowing the piping to separate slightly in several locations. The initial assessment will determine how much of the piping is in this condition and Construction Documents will then be developed in preparation for Construction repairs to take place in the summer 2021.

Both of these projects are of high importance to the City. Performing this work now, places the City in an optimal position to work with the Federal Aviation Administration to secure grant funding.

Council's support is respectfully requested.



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Jamie Heinz, City Clerk

DATE: October 30, 2020

SUBJECT: **Liaison Nominations**

Pursuant to KMC 1.90.010, “...*At the organizational meeting of Council, or as soon thereafter as practicable, the Mayor, after consultation with Council, shall nominate Council Members as a council liaison to any board, commission or committee.*”

The following individuals are being nominated pursuant to KMC 1.90.010. Your consideration is appreciated.

Council on Aging	Council Member Glenese Pettey
Airport Commission	Council Member Henry Knackstedt
Harbor Commission	Council Member Bob Molloy
Parks and Recreation Commission	Council Member Teea Winger
Planning and Zoning Commission	Council Member Jim Glendening
Beautification Committee	Council Member Robert Peterkin
Mini-Grant Steering Committee	Mayor Brian Gabriel



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Mary Bondurant, Airport Manager

DATE: October 27, 2020

SUBJECT: **Action Approval- Special Use Permit to Ravn Alaska**

Ravn Alaska is requesting a Special Use Permit effective November 1, 2020 through April 30, 2021.

The Permit is for heated overnight storage for a deicing vehicle. The storage area is approximately 600 square feet in Warm Storage 1 for \$600 a month.

Ravn Alaska is current on all fees owed and we have current Certificates of Insurance. The Special Use Application has been received and the \$100 application fee is paid.

Thank you for your consideration.



City of Kenai Special Use Permit Application

Application Date: 10/26/2020

Applicant Information

Name of Applicant:	Ravn Alaska						
Mailing Address:	4700 Old International Airport Rd	City:	Anchorage	State:	AK	Zip Code:	99502
Phone Number(s):	Home Phone: ()		Work/ Message Phone: (907) 771-2595				
E-mail: (Optional)	Dallas.Anthony@ravnalaska.com						
Name to Appear on Permit:	Ravn Alaska						
Mailing Address:	4700 Old International Airport Rd	City:	Anchorage	State:	AK	Zip Code:	99502
Phone Number(s):	Home Phone: ()		Work/ Message Phone: (907) 771-2595				
E-mail: (Optional)							
Type of Applicant:	<input type="checkbox"/> Individual (at least 18 years of age) <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Government <input type="checkbox"/> Limited Liability Company (LLC) <input type="checkbox"/> Other _____						

Property Information

Legal or physical description of the property: Warm Storage 1

Description of the proposed business or activity intended: Heated overnight storage for Ravn Alaska deice vehicle.

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

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

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

What is the term requested (not to exceed one year)? November 13, 2020 through April 30, 2021

Requested Starting Date:

Signature:		Date:	10/26/2020
Print Name:	jason McEnerney	Title:	Ravn Kenai Station Manager

For City Use Only:

- General Fund Airport Reserve Land
 Airport Fund Outside Airport Reserve

Date Application Fee Received:

City Council Action/Resolution:

Account Number: 008-34-6200

10/27/2020

SPECIAL USE PERMIT

The **CITY OF KENAI** (City), for the consideration, and pursuant to the conditions set out below, hereby grants to **CORVUS AIRLINES, INC, d/b/a RAVN ALASKA, LLC** (PERMITTEE) the non-exclusive right to use 600 square feet of area as described below:

Tract A FBO Subdivision consisting of approximately 600 square feet in an area described as Warm Storage 1.

and as further shown in the attached Exhibit A.

1. **TERM.** This special use permit shall be for approximately six (6) months from November 1, 2020 to April 30, 2021.
2. **PERMIT FEES.** The Permittee shall be charged a monthly permit fee of \$600 plus applicable sales tax.

The Permittee shall pay the City the permit fee by the 10th day of the preceding month.

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

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

- A. Sales tax not enforced, or levied in the future, computed upon the permit fee payable in monthly installments whether said fee is paid on a monthly or yearly basis;
 - B. All necessary licenses and permits; all lawful taxes and assessments which, during the term hereof may become a lien upon or which may be levied by the State, Borough, City, or by any other tax levying body, upon any taxable possessory right which Permittee may have in or to the Premises by reason of its use or occupancy or by reason of the terms of this Permit, provided however, that nothing herein contained shall prevent Permittee from contesting any increase in such tax or assessment through procedures provided by law.
 - C. Interest at the rate of eight percent (8%) per annum and penalties of ten percent (10%) of any amount of money owed under this Special Use Permit which are not paid on or before the due date.
 - D. Costs and expenses incident to this Special Use Permit, including but not limited to recording costs.
 - E. Annual Special Use Permit Application fee of \$100.00.
3. **USE.** The use by the Permittee of the Premises is limited to the purpose of Storage for De-ice Vehicle. This use is subject to City, Borough, and State laws and regulations and the

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

- A. Permittee shall use the Premises only for storage of one de-ice vehicle.
 - B. The premises shall be returned to its current condition prior to the end of the term of this Special Use Permit.
4. **INSURANCE.** Permittee shall secure and keep in force adequate insurance, as stated below, to protect City and Permittee. Where specific limits are stated, the limits are the minimum acceptable limits. If Permittee's insurance policy contains higher limits, the City is entitled to coverage to the extent of the higher limits.
- A. Garage Liability or Commercial General Liability Insurance, including Premises, all operations, property damage, personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit. The policy must name the City as an additional insured.
 - B. Worker's Compensation Insurance with coverage for all employees engaged in work under this Permit or at the Premises as required by AS 23.30.045. Permittee is further responsible to provide Worker's Compensation Insurance for any subcontractor who directly or indirectly provides services to Permittee under this Permit.
 - C. Commercial Automobile Coverage with not less than \$1,000,000 combined single limit per occurrence. This insurance must cover all owned, hired, and non-owned motor vehicles the Permittee uses for snow moving and storage activities to, from, or on the Premises. The policy must name the City as an additional insured.
 - D. All insurance required must meet the following additional requirements:
 - i. All policies will be by a company/corporation currently rated "A-" or better by A.M. Best.
 - ii. Permittee shall submit to the City proof of continuous insurance coverage in the form of insurance policies, certificates, endorsements, or a combination thereof, and signed by a person authorized by the insurer to bind coverage on its behalf.
 - iii. Permittee shall request a waiver of subrogation against City from Permittee's insurer and the waiver of subrogation, where possible, shall be provided at no cost to City.
 - iv. Provide the City with notification at least 30 days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.

- v. Evidence of insurance coverage must be submitted to City by November 1, 2020. The effective date of the insurance shall be no later than November 1, 2020.
 - vi. This insurance shall be primary and exclusive of any other insurance carried by the City of Kenai. This insurance shall be without limitation on the time within which the resulting loss, damage, or injury is actually sustained.
5. **INDEMNITY, DEFEND, AND HOLD HARMLESS AGREEMENT.** The Permittee shall fully indemnify, hold harmless, and defend the City of Kenai, its officers, agents, employees, and volunteers at its own expense from and against any and all actions, damages, costs, liability, claims, losses, judgments, penalties, including reasonable Attorney's fees of or for liability for any wrongful or negligent acts, errors, or omissions of the Permittee, its officers, agents or employees, or any subcontractor under this Permit. The Permittee shall not be required to defend or indemnify the City for any claims of or liability for any wrongful or negligent act, error, or omission solely due to the independent negligence of the City. If there is a claim of or liability for the joint negligence of the Permittee and the independent negligence of the City, the indemnification and hold harmless obligation shall be apportioned on a comparative fault basis. Apportionment shall be established upon final determination of the percentage of fault. If any such determination is by settlement, the percentage of fault attributed to each party for purposes of this indemnification provision shall only be binding upon the parties included in the settlement agreement. "Permittee" and "City" as used in this article include the employees, agents, officers, directors, and other contractors who are directly responsible, respectively, for each party. The term "independent negligence of the City" is negligence other than in the City's selection, administration, monitoring, or controlling of the Permittee.
6. **PERMITTEE'S OBLIGATION TO PREVENT AND REMOVE LIENS.** Permittee will not permit any liens, including mechanic's, laborer's, construction, supplier's, mining, or any other liens obtainable or available under existing law, to stand against the Premises or improvements on the Premises for any labor or material furnished to Permittee or to any related entity or claimed entity. The Permittee shall have the right to provide a bond as contemplated by State of Alaska law and contest the validity or amount of any such lien or claimed lien. Upon the final determination of the lien or claim for lien, the Permittee will immediately pay any judgment rendered with all proper costs and charges and shall have such lien released or judgment satisfied at Permittee's own expense.
7. **PERSONALTY.** Permittee shall remove any and all personal property, including all vehicles, from the Premises at the termination of this Permit. Personal property placed or used upon the Premises and not removed upon termination of this Permit will be removed and/or impounded by the City. Property removed or impounded by the City may be redeemed by the owner thereof only upon the payment to the City of the costs of removal plus a storage fee of \$25 per day. The City of Kenai is not responsible for any damage to or theft of any personalty of Permittee or its customers.
8. **FORBEARANCE.** Failure to insist upon a strict compliance with the terms, conditions, and/or any requirement herein contained, or referred to, shall not constitute or be construed as a waiver or relinquishment of the right to exercise such terms, conditions, or requirements.

9. **TERMINATION, DEFAULT.** This Permit may be terminated by either party hereto by giving 30 days advance written notice to the other party. The City may terminate the Permit immediately, or upon notice shorter than 30 days, to protect public health and safety. The City may also terminate this Permit immediately, or upon notice shorter than 30 days, due to a failure of Permittee to comply with conditions and terms of this Permit, which failure remains uncured after notice by City to Permittee providing Permittee with a reasonable time period to correct the violation or breach.
10. **NO DISCRIMINATION.** Permittee will not discriminate on the grounds of race, color, religion, national origin, ancestry, age, or sex against any patron, employee, applicant for employment, or other person or group of persons in any manner prohibited by federal or State law. Permittee recognizes the right of the City to take any action necessary to enforce this requirement.
11. **ASSIGNMENT.** Permittee may not assign, by grant or implication, the whole any part of this Permit, the Premises, or any improvement on the Premises without the written consent of the City. Unless the City specifically releases the Permittee in writing, the City may hold the Permittee responsible for performing any obligation under this permit which an assignee fails to perform.
12. **ASSUMPTION OF RISK.** Permittee shall provide all proper safeguards and shall assume all risks incurred in its activities on the Premises and its exercise of the privileges granted in this Permit.
13. **NO JOINT VENTURE.** The City shall not be construed or held to be a partner or joint venturer of Permittee in the conduct of its business or activities on the Premises.
14. **SURVIVAL.** The obligations and duties of Permittee under paragraphs 5 and 6 of this Permit shall survive the cancellation, termination, or expiration of this Permit.
15. **AUTHORITY.** By signing this Permit, Permittee represents that is has read this agreement and consents to be bound by the terms and conditions herein and that the person signing this Permit is duly authorized by the business to bind the business hereunder.

CITY OF KENAI

Corvus Airlines, Inc. dba Ravn Alaska, LLC

By: _____

By: _____

Paul Ostrander
City Manager

Date:

Dallas Anthony
Director of Airports

Date:

ACKNOWLEDGMENTS

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ____ day of _____, 20____, the foregoing instrument was acknowledged before me by Paul Ostrander, City Manager of the City of Kenai, Alaska, an Alaska home rule municipality, on behalf of the City.

Notary Public for Alaska
My Commission Expires: _____

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ____ day of _____, 20____, the foregoing instrument was acknowledged before me by Dallas Anthony, Director of Airports of Corvus Airlines, Inc. dba Ravn Alaska, LLC, an Alaska limited liability company, on behalf of the company.

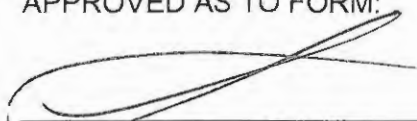
Notary Public for Alaska
My Commission Expires: _____

ATTEST:

Jamie Heinz, CMC, City Clerk

SEAL:

APPROVED AS TO FORM:



Scott Bloom, City Attorney



Exhibit A:
Ravn Alaska Special Use Permit Area
City of Kenai Shop Yard

Parcel No:
04336001

Tract A, FBO Subdivision

125'
 1 inch equals 145 feet



The information depicted hereon is for graphic representation only of the best available sources. The City of Kenai assumes no responsibility for errors on this map.

Date: 1/30/2020

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
OCTOBER 28, 2020 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
VICE CHAIR DIANE FIKES, PRESIDING**

MINUTES

A. CALL TO ORDER

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

1. Pledge of Allegiance

Commission Vice Chair Fikes led those assembled in the Pledge of the Allegiance.

2. Roll Call

Commissioners present: R. Springer, D. Fikes, J. Halstead, G. Greenberg, T. McIntyre, V. Askin,

Commissioners absent: J. Twait

Staff/Council Liaison present: City Manager P. Ostrander, Planning Assistant W. Anderson, Deputy City Clerk M. Thibodeau, Council Liaison H. Knackstedt

A quorum was present.

3. Agenda Approval

Vice Chair Fikes noted the following revisions to the packet:

- Add to item E.1. **Resolution No. PZ2020-34**
 - Amendment Memorandum to Commission
 - Resolution No. PZ2020-34 Substitute

MOTION:

Commissioner Halstead **MOVED** to approve the agenda with the requested additions to the packet and Commissioner Askin **SECONDED** the motion. There were no objections; **SO ORDERED.**

4. Consent Agenda

MOTION:

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

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

5. *Excused absences – J. Twait

B. APPROVAL OF MINUTES

1. *September 23, 2020

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2020-34** – Preliminary Subdivision Plat of Kenai Bluff Stabilization Subdivision, submitted by Segesser Surveys, 30485 Rosland St., Soldotna, AK 99669, on behalf of Craig Lofstedt, Personal Representative of Vernon L. Bud Lofstedt, P.O. Box 3024, Kenai, AK 99611

City Manager reviewed the staff report provided in packet noting the plat divided the property into two tracts. City staff recommends approval subject to the following conditions:

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

MOTION:

Commissioner Greenberg **MOVED** to approve Resolution No. PZ2020-34 and Commissioner Halstead **SECONDED** the motion.

MOTION TO AMEND:

Commissioner Greenberg **MOVED** to amend by Substitute Resolution No. PZ2020-34 and Commissioner Halstead **SECONDED** the motion.

VOTE ON AMENDMENT:

YEA: Springer, Halstead, Fikes, Askin, Greenberg

NAY:

MOTION PASSED UNANIMOUSLY.

VOTE ON MOTION AS AMENDED:

YEA: Springer, Halstead, Fikes, Askin, Greenberg

NAY:

MOTION PASSED UNANIMOUSLY.

F. PUBLIC HEARINGS – None.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS – None.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Knackstedt reported on the actions from the October 7 and October 21 City Council meetings.
2. **Borough Planning** – Commissioner Fikes reported on the actions of the Borough Planning Commission meeting of Oct 26;
 - Denied a request for easement vacation;
 - Setback vacations in Sterling and Homer were both approved;
 - Reviewed 6 plats total, 4 approved;
 - New commissioner Devin Chesner took oath of office and sworn in;
 - Provided an update on Kenai Peninsula Borough chambers remodeling.

7:27 p.m. Commissioner McIntyre joined the meeting

3. **Administration** – City Manager Ostrander reported on the following:
 - First COVID-19 case diagnosed in City employee. Noted changes being made by the City to manage operations and limit potential spread. Additional policy changes will be made to reflect changing State mandates, noting that the Governor’s emergency declaration may expire November 15;
 - The Land Management Plan in final stages of first draft. A work session is being scheduled for the City Council, after which it will be sent to all commissions for consideration. The Plan involves 358 city parcels, each with its own specific recommendations;
 - Recruiting for Planning Director is in progress, with a second interview scheduled; and
 - Administration is looking at the impacts of the Kenai Peninsula Borough’s anadromous ordinance, and will be working with the Borough’s task force to consider potential changes to the regulations applied in industrial areas of the City.

K. ADDITIONAL PUBLIC COMMENT

L. INFORMATIONAL ITEMS

1. Planning and Zoning Resolutions - Third Quarter 2020

2. Building Permit Report - Third Quarter 2020

3. Code Violations - Third Quarter 2020

M. NEXT MEETING ATTENDANCE NOTIFICATION – November 18, 2020

N. COMMISSION COMMENTS & QUESTIONS – None.

- Commissioner Springer requested clarification on date of second City Council meeting in November. He also inquired about local applicants for open Planning & Zoning position;
- Commissioner McIntyre explained his delayed attendance to the meeting;
- Commissioner Halstead discussed schedule for removing vehicles from streets prior to snow removal; and
- Commissioner Greenberg asked about the possibility of having a camera Council Chambers connected on Zoom.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:39 p.m.

Minutes prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk



KENAI

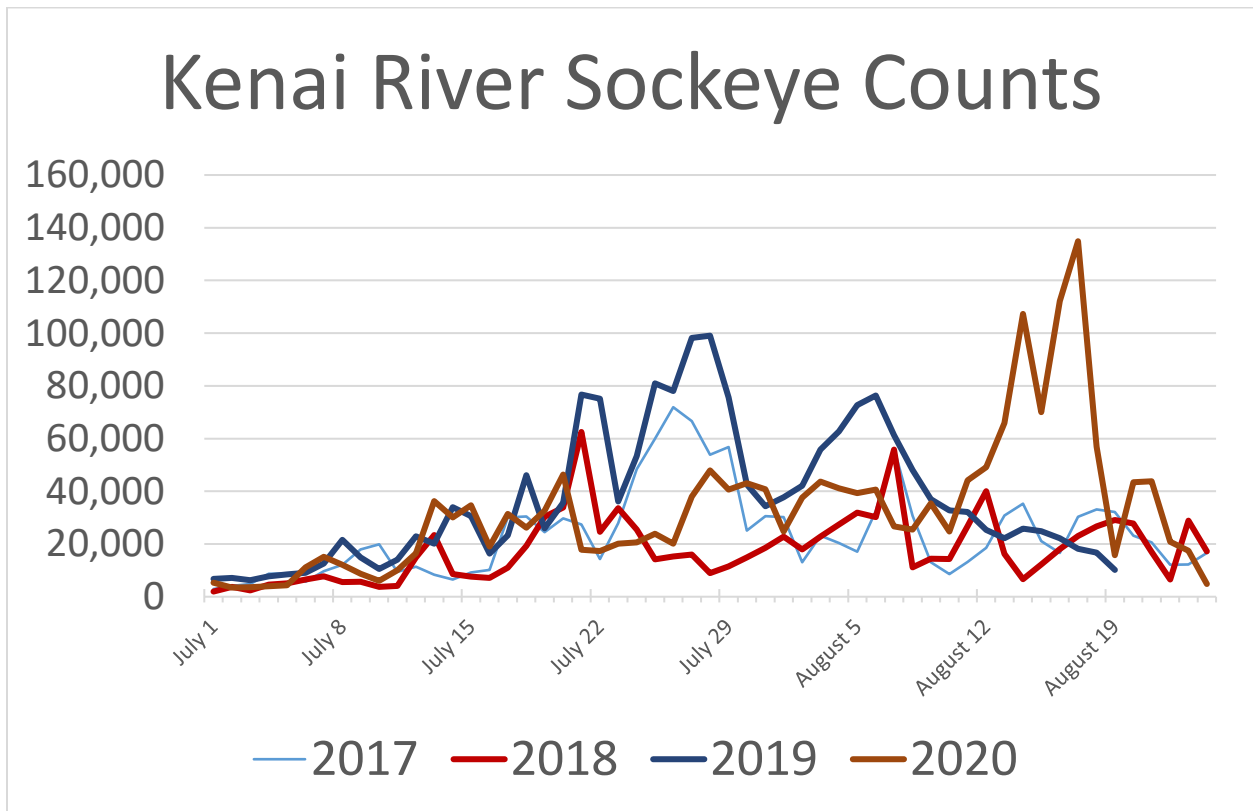
City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
FROM: Paul Ostrander, City Manager
DATE: October 26, 2020
SUBJECT: 2020 Personal Use Fishery (Dip Net) Report

The Personal Use Fishery took place July 10, 2020 through July 31, 2020. In 2020, sockeye escapement to the Kenai River was similar to 2019, although the majority of sockeye were counted in August after the Fishery was closed. Participation was consistently strong during the 21-day Fishery.

The following table depicts the run strength in 2020 relative to the previous three years:



The timing of the 2020 Kenai River sockeye run was delayed – a common trend that has been observed over the last number of years. However, the numbers of sockeye counted during August of this year was possibly unprecedented, with over 1.1 million sockeye counted in August compared to only 687,000 sockeye counted in July. Despite the fact that escapement numbers were lower in July than August, Fishery participants reported good fishing.

Operations in 2020

The no-wake zone along approximately 6,000 lineal feet of the Kenai River continued to work extremely well this year from the first day of the Fishery until the last. Fishery participants expressed their appreciation for having a portion of the River in which to fish and not be buffeted by the wake from speeding boats.

It is the Administration's intent to continue to manage the no-wake zone in the same manner in the future.

In previous years, the entrance to the south shore via Old Cannery Road was closed through a temporary section-line access closure permit issued to the City by the Alaska Department of Natural Resources. That section line has now been permanently vacated.

Operational Changes in 2020

There were several operational changes that occurred in 2020 worth noting:

- A new fee shack was constructed for the South Beach entrance along with new traffic gates.
- Due to the COVID-19 public safety emergency, the City moved to only accepting credit cards.
- New signs were placed on the North Beach to slow erosion of the bluffs by encouraging people to stay off of them.
- The dumpsters that have historically been placed on North Beach were removed, and alternatives were placed along Kenai Avenue.

Dip Net App

In 2018, the City built a Dip Net App for iPhone and Android devices, free to download, that provided up-to-date information on the Fishery, including tide information, fish counts, weather, fee calculators, general Fishery information, webcams, and additional information that was relevant and useful for Fishery participants. The App also allowed the City to provide “push notifications” with timely information to improve the experience and safety for anyone who downloaded the App.

Over the last three years, the App has been downloaded over 20,900 times. The City hopes to continually improve the App in future years.



2020 Financial Summary

The Council-adopted budget for the P.U. Fishery included revenues of \$439,513, expenditures of \$490,878, and a lapse of \$15,428, netting to revenues under expenditures of (\$36,937). Revenues are projected at \$517,456, and projected expenses are \$416,236, netting to revenues over expenditures of \$101,220. For the third time, a transfer of \$50,000 was made from the P.U. Fishery Fund to the General Fund to support general operations of the City.

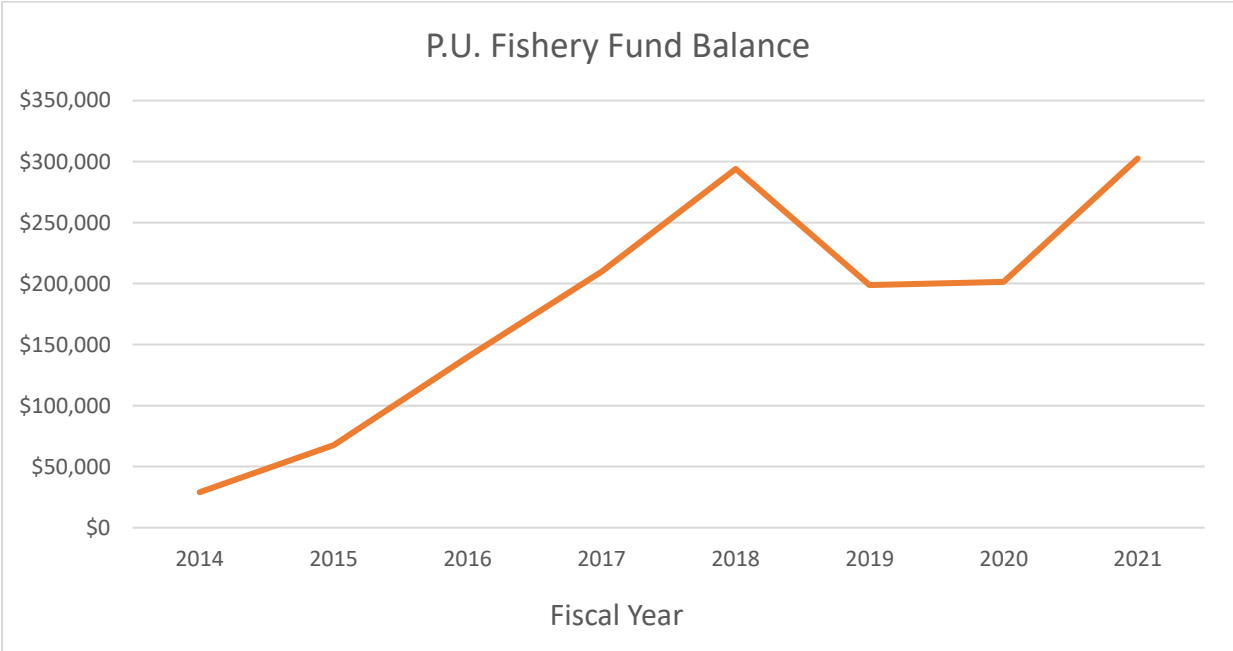
The P.U. Fishery Fund began FY2020 with a fund balance of \$201,322. Given the above, the ending fund balance for FY2021 is projected to be \$302,542.

The purpose of a fund balance is to provide funding for present and future capital expenditures to support City operations during the Fishery and to safeguard the City’s General Fund in the event that the Fishery is closed by emergency order and the City is unable to recoup expenditures.

Personal Use Fishery Fund Management

Prior to FY2014, the City had instituted accounting controls so that expenses and revenues associated with the Personal Use Fishery were identified as discretely separate from other City operations. In many ways, this accounting mirrored the manner in which enterprise funds capture financial information.

The creation of the P.U. Fishery Fund provides a funding mechanism where Fund balance can be utilized to provide funding for larger one-time capital expenditures or other purposes deemed appropriate by the Council. Fund balance since inception is shown below:



Administration believes that the Personal Use Fishery Fund balance is sufficient to support capital expenditures to support City operations during the Fishery and protect the City’s General



Fund. The continued use of revenues generated from the Fishery to support General Fund capital projects or operations will need to be considered annually during the budget process.

Capital Improvements for the Personal Use Fishery Fund

As the Fishery has evolved, the City of Kenai has responded by creating its overall management plan. A growing component of that plan has been meeting the capital requirements to manage, react, and respond to the needs of the Fishery participants.

The City received a capital grant in 2015 for Kenai River South Beach Dip Net Access, of which there is still an unallocated balance of \$230,934. During the 2019 legislative session, a grant language change was made that allowed the utilization of these funds for improvements on the North Beach as well. During FY2021, Council approved the construction of vault bathrooms on North Beach, construction of permanent restrooms at the Little League Fields, and construction of the fee shack for South Beach. The fee shack was completed, the vault restrooms are nearing completion, and the permanent restrooms at the Little League Fields are slated for construction next year.

Given the State of Alaska's fiscal issues, it is doubtful that the City of Kenai will receive additional State grants for capital improvements to respond to Fishery needs in the foreseeable future.

Proposed Changes to the 2020 Fee Structure

Administration does not recommend any changes to the fee structure for the 2020 Personal Use Fishery.

If you have any questions, please contact me at your convenience.





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Terry Eubank, Finance Director

DATE: October 23, 2020

SUBJECT: 2020 Personal Use Fishery (Dipnet) Summary – Finance

Dipnet Smartphone App

2020 marked the fourth year of the Dipnet Kenai smartphone app. Use of the app was up 22% from last year. This was also the second year without any advertisers on the app.

Improvements

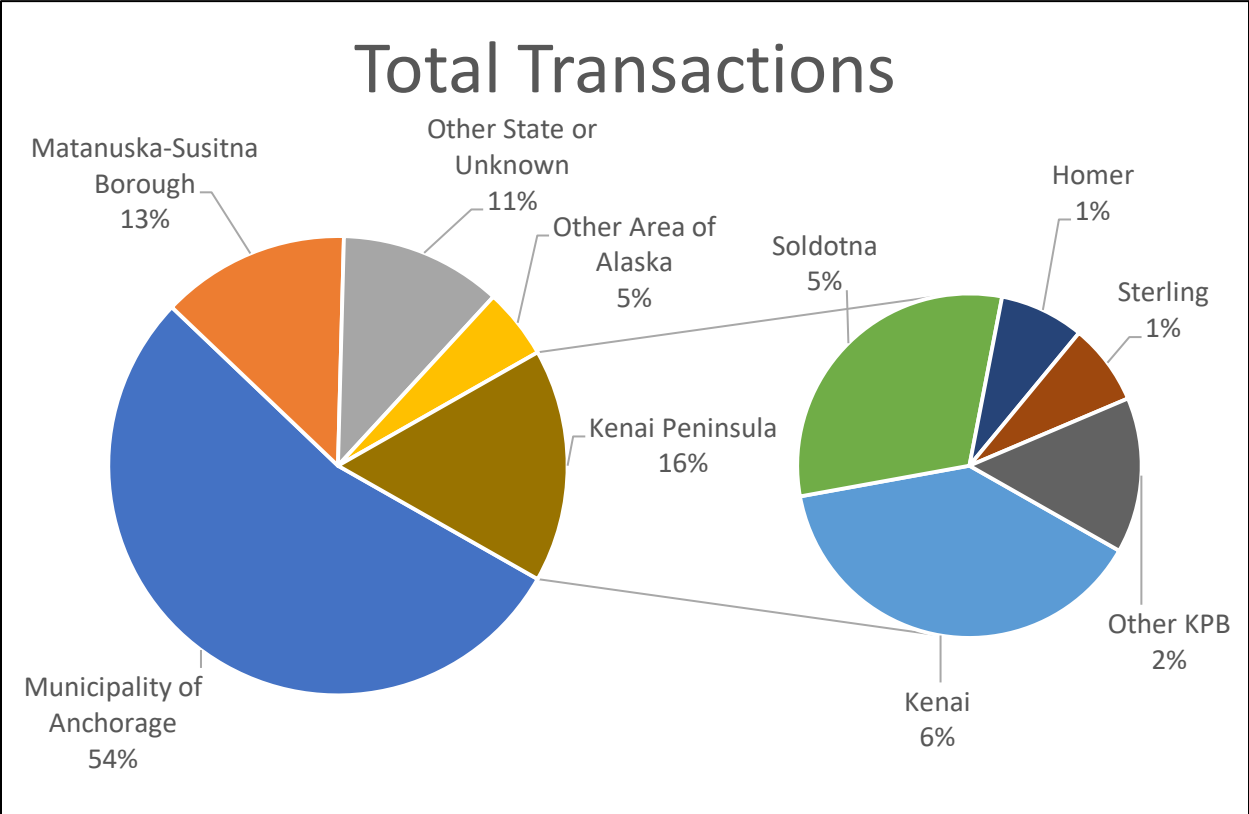
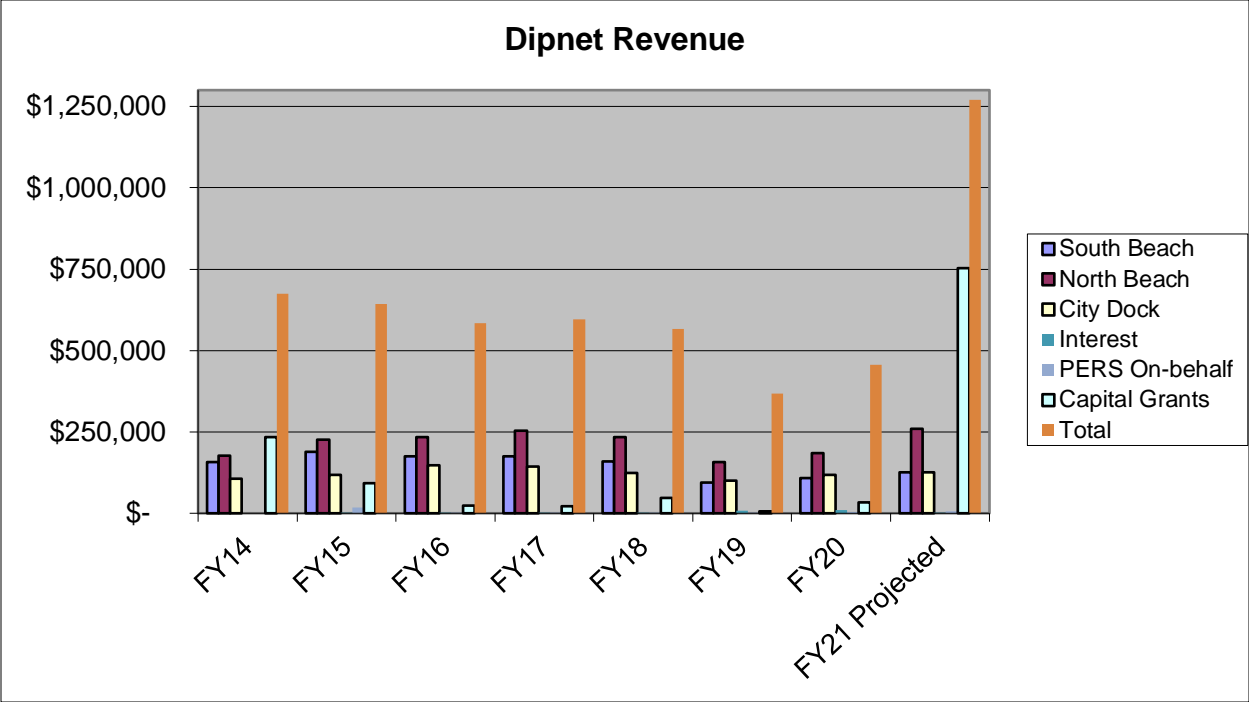
For the 2020 Fishery a new fee shack was installed on South Beach which also included new traffic gates. This new shack was larger, provided more visibility for employees, and had permanent HVAC controls to provide a safer and more comfortable work environment.

Improvements were made at all shack locations to mitigate COVID-19 concerns. This included eliminating cash and going to a self-service credit card system for payment as well as installing intercoms to avoid contact with participants.

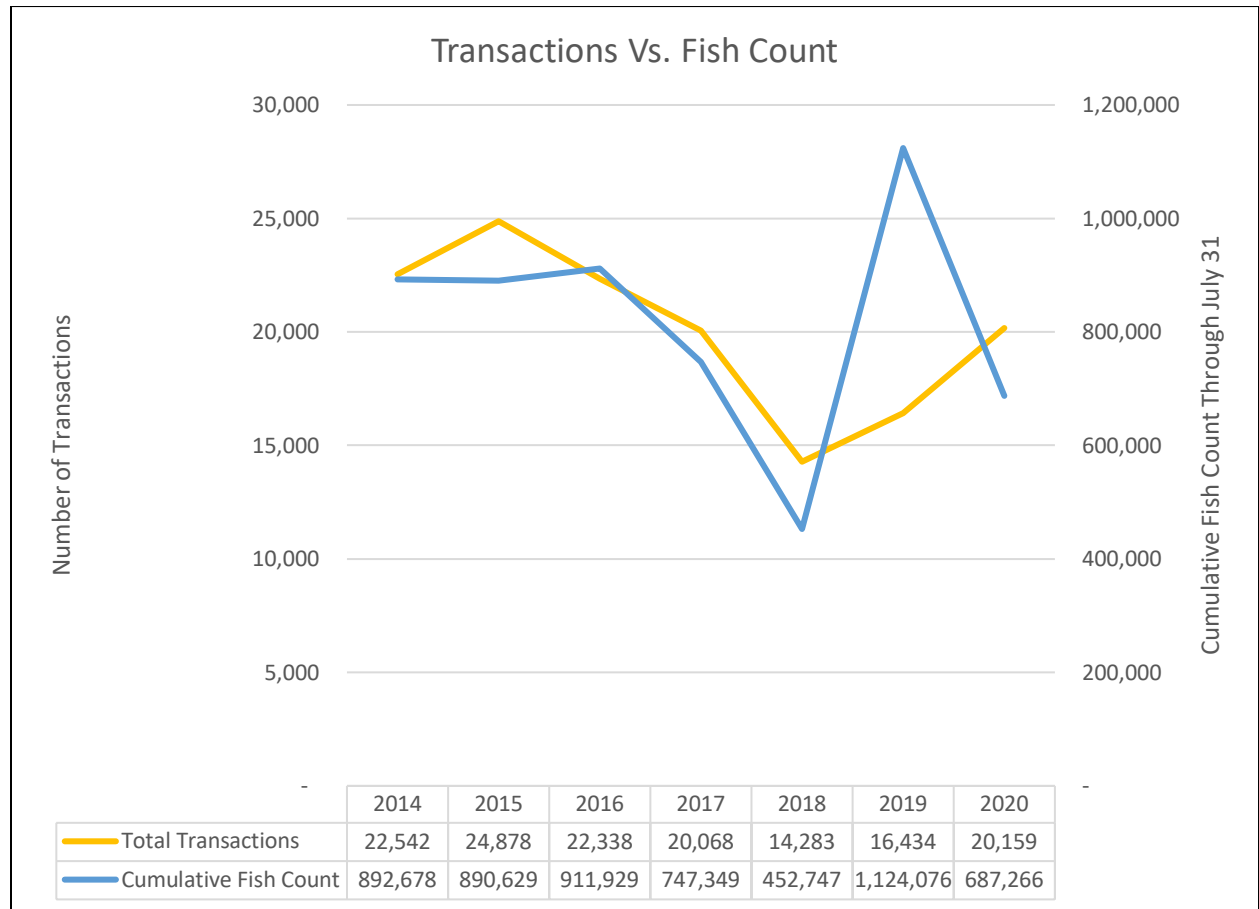
FY21 Revenues

The FY21 fee structure remained the same as that of FY20. FY21 Fishery revenues, not including capital grant revenues and net of sales tax and transaction fees, are projected to be \$517,456, \$78,943 more than budgeted and \$93,744 more than FY20 Fishery revenues. Capital grant revenue is projected to be \$753,511. A comparison of FY21 Fishery revenue to prior years is shown below, the breakdown by site and service for FY14 thru FY21 is based upon actual transactions.

	<u>FY14</u>	<u>FY15</u>	<u>FY16</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21 Projected</u>
South Beach	\$157,074	\$189,226	\$174,260	\$175,439	\$158,665	\$93,448	\$109,080	\$126,531
North Beach	177,599	226,221	234,140	253,218	234,298	157,293	185,269	258,689
City Dock	105,899	117,064	146,599	142,901	123,612	101,104	117,172	125,799
Interest	-	680	1,580	671	1,522	7,624	8,836	750
PERS On-behalf	-	17,437	2,167	2,688	1,546	2,743	3,355	5,688
Capital Grants	<u>233,107</u>	<u>92,043</u>	<u>24,494</u>	<u>21,725</u>	<u>46,920</u>	<u>5,770</u>	<u>32,699</u>	<u>753,511</u>
Total	<u>\$673,679</u>	<u>\$642,671</u>	<u>\$583,240</u>	<u>\$596,642</u>	<u>\$566,563</u>	<u>\$367,982</u>	<u>\$456,411</u>	<u>\$1,270,968</u>



Total transactions this year were up 23% from 2019 and were the same as the 6-year average. Transactions on North Beach continue to increase, accounting for 57% of the total this year, up from 50% in 2019. South Beach accounted for 23% and the Dock accounted 21%. Participant numbers were up 30% over the previous year. The percentages of participants from different regions didn't vary significantly from previous years.



Beginning in 2018 the cumulative fish count was monitored to determine if there was a correlation between fish numbers and transaction. In 2019 fish counts were the highest in 20 years, however transaction numbers were down from the average. In 2020, the fish count on July 31st was 687,266, which is lower than 2019 and transactions were up 23%. This seems to indicate that the number of fish has little to do with the total number of transactions.

COVID-19 Response

In an effort to mitigate the COVID-10 pandemic, operational changes in our shacks included a move to only accepting credit cards. Self-serve credit card readers were installed in all shacks and participants swiped their own cards for payment. To limit contact with participants intercoms were installed, permits were passed through mail slots, and credit card signatures were eliminated. Employees were directed to sanitize fee shacks between shacks and staff restrooms



were locked to minimize contact with the public. During the Fishery, three employee days were lost due to COVID-19 quarantining.

The move to only accept credit cards went smoothly, with only a handful of complaints. Removing the cash also reduced the number of overtime hours by shack employees by 31.5 hours as employees no longer had to pick up cash at the beginning of a shift. Daily cash counting and reconciliation time by Finance staff was reduced from approximately 42 to 5.25 an 87.50% decrease. Cash pick-ups activity by Temporary Enforcement Officers was eliminated allowing these individuals to focus on other Fishery related issues. Credit card transaction fees were higher with the increased volume of transaction. Credit card fees in 2020 were \$13,002 compared to \$4,306 in 2019. With minimal participant complaints, the time savings by personnel, the increased safety of personnel, and strengthened internal controls achieved by accepting credit cards only it is the department's recommendation to remain credit card only in future years despite the increase in costs.

Future Considerations

As the number of transactions continues to grow on North Beach it may be necessary to provide a third fee shack at this location. The third shack would be located in the lower parking lot and would serve as an information booth as well as a fee shack. Users could renew their permits or upgrade from drop off passes without having to go up to the top of the hill. This would also provide an extra employee that could be used to backfill other shacks if an employee is sick or resigns. This facility would also serve as an information booth, answering questions, dealing with lost and found items, and could provide a safe location to store the AED.

The cost to provide this third shack would include both capital costs to setup the facility, as well as ongoing costs to cover the employee.

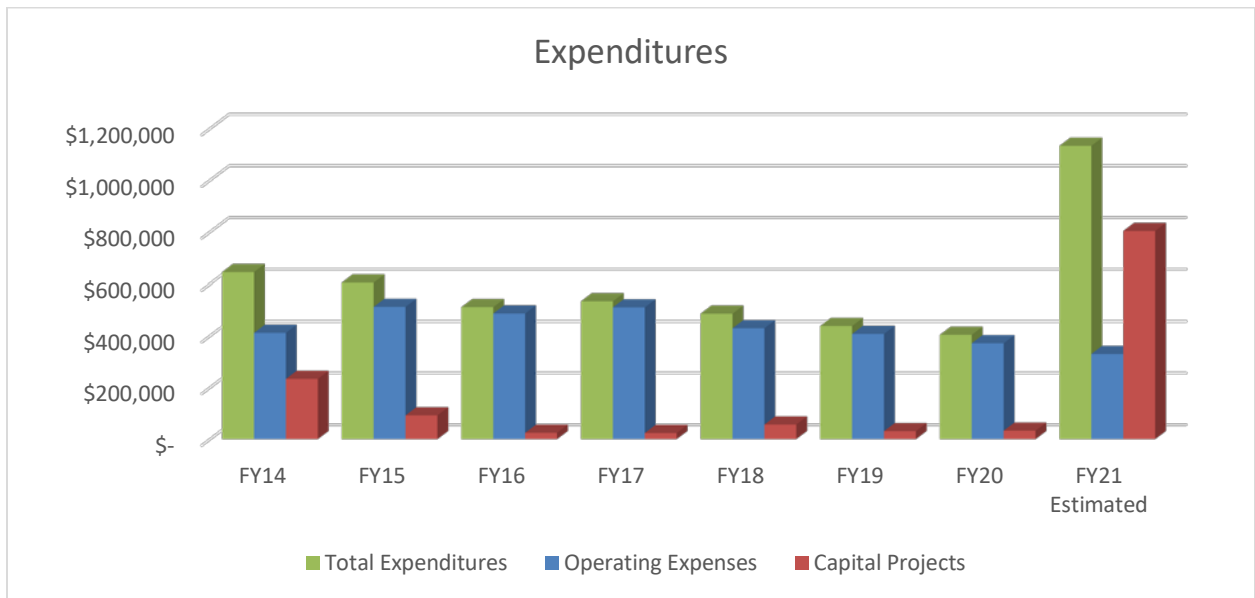


FY21 Projected Expenditures

	Council * Adopted FY 2021	Amended Budget	YTD Actual	FY2021 Projected	Projected Variance	% Available
Revenues						
Beach Parking	\$146,460	\$146,460	\$175,980	\$175,980	\$29,520	20.16%
Beach Camping	164,900	164,900	214,248	214,248	49,348	29.93%
Dock Launch & Park	106,000	106,000	115,623	115,623	9,623	9.08%
Dock Parking Only	12,000	12,000	13,377	13,377	1,377	11.48%
Participant Drop-off Fee	6,715	6,715	4,792	4,792	(1,923)	-28.64%
Interest Earnings	750	750	-	750	-	0.00%
PERS Grant	5,688	5,688	-	5,688	-	0.00%
Credit Card Transaction Fees	<u>(4,000)</u>	<u>(4,000)</u>	<u>(13,002)</u>	<u>(13,002)</u>	<u>(9,002)</u>	<u>0.00%</u>
Total Revenue	<u>438,513</u>	<u>438,513</u>	<u>511,018</u>	<u>517,456</u>	<u>78,943</u>	<u>18.00%</u>
Expenditures						
Public Safety	\$81,211	\$81,211	\$37,458	\$77,468	\$3,743	4.61%
Streets	50,389	50,389	28,176	36,401	13,988	27.76%
Boating Facility	52,126	52,126	42,561	47,290	4,836	9.28%
Parks, Recreation & Beautification	<u>218,428</u>	<u>218,428</u>	<u>143,283</u>	<u>168,568</u>	<u>49,860</u>	<u>22.83%</u>
Total Expenditures	<u>402,154</u>	<u>402,154</u>	<u>251,478</u>	<u>329,727</u>	<u>72,427</u>	<u>18.01%</u>
Transfers Out:						
Transfer - General Fund	50,000	50,000	50,000	50,000	-	0.00%
Transfer - PU Fishery Capital Project Fund	<u>38,724</u>	<u>38,724</u>	<u>36,509</u>	<u>36,509</u>	<u>2,215</u>	<u>5.72%</u>
Total Transfers	<u>88,724</u>	<u>88,724</u>	<u>86,509</u>	<u>86,509</u>	<u>2,215</u>	<u>2.50%</u>
Total Expenditures & Transfers	490,878	490,878	337,987	416,236	74,642	15.21%
Contribution To/(From) Fund Balance:						
	(52,365)	(52,365)	173,031	101,220	153,585	
Projected Lapse	<u>(15,428)</u>	<u>(15,428)</u>	-	-	<u>(15,428)</u>	
Adjusted (Deficit)/Surplus	<u>(36,937)</u>	<u>(36,937)</u>	173,031	101,220	<u>138,157</u>	
Beginning Fund Balance	<u>195,822</u>	<u>201,322</u>	<u>201,322</u>	<u>201,322</u>		
Ending Fund Balance	<u>\$158,885</u>	<u>\$164,385</u>	<u>\$374,353</u>	<u>\$302,542</u>		



\$753,511 remains in a State of Alaska Department of Commerce Community and Economic Development grant. The City successfully, with the assistance of the late Representative Knopp, secured a change in scope making improvements on either the City's north or south beach eligible. Project currently underway which are utilizing these grant funds include construction of additional vault restrooms on the North and South Beaches and construction of a new restroom at the Kenai Little League Fields.





KENAI

Kenai Police Department | 107 S. Willow St., Kenai, AK 99611 | 907.283.7879 | www.kenai.city

MEMORANDUM

TO: Paul Ostrander, City Manager
FROM: Dave Ross, Police Chief
DATE: September 30, 2020
SUBJECT: 2020 Personal Use Fishery (Dipnet) Report – Police

The 2020 Dipnet Fishery opened on July 10 and ended as scheduled on July 31. In 2020, the City employed five temporary enforcement officers (TEOs) dedicated to Police dipnet operations. Significant 2020 Police dipnet information includes:

- Police handled 108 dipnet-related calls for service during the month of July, which is up about 52% from the prior year. Those calls included a wide variety of issues: 25 (9-1-1) misdials, 12 parking problems, 6 traffic congestion, 6 motor vehicle crashes, 1 theft, 8 lost & found property, 7 traffic offenses, 14 disorderly complaints, 4 boat collisions, 1 lost child, 4 animal problems, and 20 miscellaneous calls for service.
- TEOs wrote 86 Fishery-related citations (primarily for paid parking and other parking-related violations).
- Salmon Frenzy volunteers were not present this year. After initial talks with them, they made a late decision to cancel their involvement due to the COVID-19- related travel restrictions. Along with their involvement at the City Dock and the South Beach in past years, they have played a pivotal role in maintaining the traffic flow on Kenai Avenue on the North Beach. This year TEOs helped ensure Kenai Avenue traffic flow moved smoothly.
- COVID-19 created additional work tasks to include additional cleaning tasks for TEOs.
- The pay shacks did not accept cash this year, which reduced the commitment of time and resources to handle that cash. TEOs did not have to make regular cash pickups at all the various locations and return that cash to a locker at the police department. KPD documented 152 and 144 cash pickups in 2019 and 2018 respectively, which did not have to be done in 2020. This change further reduced both internal and external risks associated with handling cash at various locations with temporary employees.

The 2020 Dipnet Fishery went more smoothly than anticipated, given the lack of volunteers, higher participant turnout, and the COVID-19- related changes and concerns.



MEMORANDUM

TO: Paul Ostrander, City Manager
FROM: Tony Prior, Fire Chief
DATE: August 19, 2020
SUBJECT: 2020 Personal Use Fishery (Dipnet) Report – Fire

The Fire Department was busier than previous years with dipnet activity in 2020. We started the season with an active burn suspension in place and warm, dry conditions. We conducted three “No Wake” patrols in coordination with KPD. Total overtime hours were 12.25 hours.

The Fire Department had the following service calls for Dip Net season.

<u>Actively dipnetting</u>	8
<u>Here for dipnet but not actively dipnetting</u>	5
<u>Fires</u>	2
Dumpster fire	1
Prescribed Fire	1
<u>EMS calls</u>	7
Trauma	3
Medical	3
Cardiac Arrest	1
<u>Service Calls</u>	4
Tsunami Warning	1
Swamped Boat	2
Standby	1
<u>Boat Patrols</u>	3



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin
DATE: October 23, 2020
SUBJECT: 2020 Personal Use Fishery (Dipnet) Report – Public Works

The Public Works Department provided support services for another successful year of the Fishery. The Streets Division, currently consisting of six full-time employees, recruits additional temporary staff to manage the boat launch and parking at the City Dock Facility. This year five temps were recruited and worked a combined nine hundred hours over the three-week period in support of the Fishery. Additionally, Streets Division Staff prepares for the Fishery annually by performing the following:

- 1) Installing temporary access roads at both North and South Beach locations
- 2) Placement of over 100 jersey barriers for the direction of traffic
- 3) Fee shacks are placed and set up for operation
- 4) Dumpsters and portalets are coordinated with a subcontractor whose services are competitively bid annually
- 5) Temporary signage is installed throughout various locations of the City
- 6) Roads and parking areas are graded and dust control measures placed
- 7) No wake signage and buoys are placed within the river
- 8) City dock parking area is striped
- 9) Removal of the above at the conclusion of the Fishery

The Division relied heavily on Temps this year to effectively manage the process, allowing our full-time staff to work on other City Maintenance Projects. As a result, actual hours worked in support of the Fishery came in under budgeted amounts by almost 25%.

Total transactions for the dock were 4,181. Comprised of 3,473 Boat Launch & Parking Pass, 697 Day Use Passes, and 11 Drop Offs generating approximately \$135,605 in revenue.

This year new fee shacks were constructed by City staff and deployed into service. At the conclusion of the Fishery, the exit road leading out of the City Dock was widened to allow for safer access for Emergency Vehicles in and out of the property next season.

Aerial photos below are a good indication of when the fish are in!





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Robert J. Frates, Parks & Recreation Director
DATE: October 5, 2020
SUBJECT: 2020 Personal Use Fishery (Dipnet) Report – Parks & Rec

The Fishery opened on the traditional start date of July 10 and concluded on July 31. The Alaska Department of Fish & Game (ADF&G) kept to the traditional 12-hour Fishery opening from 6:00 a.m. to 11:00 p.m. each day. The only Emergency Order issued pertaining to the Fishery was the prohibition of king salmon retention.

There were a few operational changes implemented this season, mostly in response to COVID-19. A notable change was made to our fee shack operations, which included going cashless and creating separation between participants and the operators. Thanks to the City's Finance Department, IT Manager, and the Public Works Department, all the fee shacks were reconfigured for the safety of the operators and participants. The hiring and supervision of the shack operators were placed under the purview of the IT Manager, Dan Castimore. This system provided a more streamlined and efficient process for both the shack operations and the department's summer maintenance program.

Other operational changes included moving the dumpsters from the north beach to placing them along Kenai Avenue. This created a much safer environment for both the dumpster operator and participants of the Fishery and had no negative impacts. Additionally, an extra set of portable restrooms were placed along Kenai Ave. near Meeks trail (future location of permanent restrooms). Several portable handwash stations were included both at the south beach and north beach locations as well.

Due to COVID-19, the Alaska Missions and Retreat did not return this year to participate in their annual Salmon Frenzy. It was anticipated that this would put an enormous strain on City staff managing traffic and providing assistance at the various locations. However, this did not materialize to the level anticipated, and City staff were able to manage traffic and parking without too much difficulty.

The following summary highlights the department's contribution toward the 2020 dipnet Fishery:

- Installed and removed approximately 1,600 lineal feet barrier fencing.

- Coordinated with ADF&G on the placement of their educational booth. Booth was staffed by ADF&G and Kenai Watershed Forum on the weekends. Information provided included tide tables, stewardship practices, water quality, and regulatory literature.
- Assembled material and supplies for the shack operations.
- Designed, purchased, and installed signage along north beach bluffs encouraging people to stay off.
- Striped the parking lot at the Kenai Little League complex.
- Assisted with the placement of portable restrooms and dumpsters.
- Conducted beach raking activities on the North & South Beach areas.
- 198 hours spent patrolling the north and south beach areas.
- 50.50 hours accumulated raking the north and south beaches.
- 103.50 hours waste management (restroom cleaning & trash).
- 102 hours installing & removing signs.
- 17 hours post Fishery clean-up. This work was supplemented with volunteers from Wal-Mart.
- General Fund equipment hours this season included:
 - PR3 (Fuel Truck) – 103.50 hrs. (refueling, restroom cleaning, trash pick-up and hauling.
 - PR32 (Kubota Tractor) – 6 hours
 - PR22 (John Deere Backhoe) – 20 hours (sign installation, cleaning fire pits)

SPECIFIC OBSERVATIONS & FUTURE CONSIDERATIONS

- 1) Additional fire rings should be provided along the north beach between South Spruce St. and the end of Kenai Ave. These could be set specifically during dipnet and retrieve for storage after the season.
- 2) Consideration should be given in the next couple of years to replacing some of the all-terrain vehicles used on the beach. For the department, this would include one (1) side-by-side and one (1) four-wheeler.
- 3) I believe there may have been some staff turnover recently at the Catholic Church along South Spruce Drive. We should have a meeting with these folks in advance of next year's Fishery.



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

COUNCIL MEETING OF: NOVEMBER 4, 2020

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
RED LINE SPORTS	MPF FACILITY MANAGEMENT	RECREATION	PROFESSIONAL SERIVCES	9,156.40



October 15, 2020

Mr. Paul Ostrander, City Manager
 City of Kenai
 210 Fidalgo Avenue
 Kenai, AK 99611

Dorothy Gray
 Chair
 Kenai

Angela Totemoff
 Vice Chair
 Anchorage

Sheri Burette
 Treasurer
 Anchorage

Tanya Komakhuk
 Secretary
 Anchorage

David Gregory
 Unalaska

Vanessa Norman
 Anchorage

Patty Gregory
 Unalaska

Mary Petola
 Bethel

Jobe Bernier
 Anchorage

Ex officio:
 David Mahaffey,
 Bishop of Sitka and
 Alaska

Dear Mr. Ostrander,

On behalf of ROSSIA, Inc., I would like to sincerely thank you and the entire Kenai City Council for your extremely generous grant of \$50,000.00 from the CARES Act funding for non-profits on July 22, 2020, dedicated to the Holy Assumption of the Virgin Mary Orthodox Church and National Historic Landmark in Kenai.

Due to the COVID-19 shutdown, the church in Kenai lost five major sources of financial backing:

1. The shutdown closed the church for several months; thus donations from parishioners greatly decreased. And even now with the church open, donations are at an all-time low.
2. People are out of work and others have lost money on the stock market which affects their ability to make donations they otherwise would have made.
3. The pandemic has kept visitors away for months. The cancellation of most Alaskan cruises and Canadian border closures has dropped the number of visitors to record lows so far this summer. Consequently, the amount of visitor donations which normally help support the church has completely disappeared.
4. The church gift shop has been closed due to the virus. In the past, the gift shop profits were able to contribute around \$15,000 to the church's operating budget.
5. The financial problem has been compounded by the lack of fund-raising options available at a time when social gatherings are subject to public health restrictions.

P. O. Box 212315 • Anchorage, AK 99521-2315 • www.rossialaska.org

Russian Orthodox Sacred Sites in Alaska 

ROSSIA Inc. is a 501(c)(3) U.S. tax exempt organization

The CARES Act funding will help replace lost revenues in the Kenai church's operating budget, and we are very thankful for your help not only to our non-profit organization, but all other non-profits in the community.

With sincere thanks for your support of non-profits that have lost money due to the COVID-19 shutdown. Please extend our appreciation to everyone at City Hall who was involved in the grant opportunity.


Dorothy Gray, Chair

Cc: Father Peter Tobias, Holy Assumption resident priest

Magpie Chatham

Soldotna, AK
99669

City of Kenai
210 Fidalgo Ave.
Kenai, AK
99611

Dear City of Kenai:

Many things have been cancelled this year. Would you please consider putting on the Thanksgiving fireworks show?

There would be no need to worry about public health and safety. Everyone can enjoy fireworks outside or in their own vehicles.

Having the Thanksgiving fireworks show would encourage people. It is a community tradition and, for many, a family tradition. It would give us all something fun to do, and be a safe, beautiful way for us to celebrate the holiday.

Sincerely,

Magpie Chatham

Magpie Chatham, age 10