



## Kenai City Council - Regular Meeting

November 06, 2019 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

[www.kenai.city](http://www.kenai.city)

## AGENDA

### A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. **Election of Vice Mayor**
5. 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. 3092-2019** - Amending Kenai Municipal Code, Section 1.10.030 – Organization Meeting, to Provide that the Terms of Office of the Mayor and Other Councilmembers Shall Begin the Monday Following Certification of the Election. (City Clerk)
- 2. Ordinance No. 3093-2019** - 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 for the Purchase of a Fire Station Alerting System, an IT Security Audit, and Base Radio System Replacement for Dispatch. (Administration)

- 3. Ordinance No. 3094-2019** - Accepting and Appropriating a Donation from Hilcorp Energy Company to Assist with the Annual Kenai Senior Center Thanksgiving Dinner. (Administration)
- 4. Resolution No. 2019-72** - Authorizing the City to Join the Alaska Remote Seller Sales Tax Commission for the Purpose of Developing, Implementing, and Enforcing a Remote Seller Sales Tax Code and Designating a Commission Representative. (Administration)
- 5. Resolution No. 2019-73** - Authorizing the City Manager to Recruit For and Hire an Additional Police Officer Position Based on Anticipated Attrition. (Administration)
- 6. Resolution No. 2019-74** - Declaring a Utility Easement Twenty Foot (20') Wide Between the Shared Lot Lines of Tract A, and Lots 4, 5, 6, Block 1, Bridge Road Subdivision Number 2 and Lot 7A, Block 1, Bridge Road Subdivision Lockwood Addition as Set Forth on the Attached Exhibit "A" is Not Needed for a Public Purpose and Consenting to its Vacation. (Administration)
- 7. Resolution No. 2019-75** - Awarding a Contract for City-Owned Lands Appraisal Services. (Administration)

**E. MINUTES**

- 1.** \*Regular Meeting of October 16, 2019. (City Clerk)
- 2.** \*Work Session Summary of October 16, 2019. (City Clerk)

**F. UNFINISHED BUSINESS**

- 1. Resolution No. 2019-71** - Repealing Policy No. 2017-02, Supervisory Sub-Committee. (Council Member Knackstedt) *[Clerk's Note: At its October 16 meeting Council postponed this item to the November 6 meeting; a motion to adopt is on the floor.]*

**G. NEW BUSINESS**

- 1. \*Action/Approval** - Bills to be Ratified. (Administration)
- 2. \*Action/Approval** - Purchase Orders Over \$15,000. (Administration)
- 3. \*Ordinance No. 3095-2019** - Increasing Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting a Grant from the Department of Justice for the Purchase of Ballistic Vests. (Administration)
- 4. \*Ordinance No. 3096-2019** - Determining that Real Property Described as Lot One (1), Aleyeska Subdivision Part 3, According to Plat No. 1531 and Lot One A (1-A), Aleyeska Subdivision Part 3, According to Plat K-1531, City-Owned Airport Land Located Outside the Airport Reserve, is not Needed for a Public Purpose and Authorizing the Sale of the Property to MITAK, LLC. (Administration)

- [5.](#) **\*Ordinance No. 3097-2019** - Increasing Estimated Revenues and Appropriations in the Terminal Improvements Capital Fund, and Authorizing an Increase to the Construction Purchase Order to Blazy Construction, Inc. (Administration)
- [6.](#) **Action/Approval** - Authorize the Issuance of a Request for Proposals for Naming Rights of the Multi-purpose Facility. (Administration)
- [7.](#) **Action/Approval** - Approving a Special Use Permit for Axtel Enterprises, LLC, to Conduct Fuel Reduction Activities on Tract A, Kenai Meadows, 2200 Redoubt Avenue, Parcel 03901065. (Administration)
- [8.](#) **Action/Approval** - Mayoral Nominations of Council Liaisons for Appointment to Committees and Commissions. (Mayor Gabriel)
- [9.](#) **Discussion/Action** - Bridges Community Resource Network Mini-Grant Request for its Project Homeless Connect Event. (Mayor Gabriel)
- [10.](#) **Discussion** - Personal Use Fishery Capital Improvement Projects. (Administration)

#### **H. COMMISSION / COMMITTEE REPORTS**

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

#### **I. REPORT OF THE MAYOR**

#### **J. ADMINISTRATION REPORTS**

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

#### **K. ADDITIONAL PUBLIC COMMENT**

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

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

- [1.](#) Purchase Orders between \$2,500 and \$15,000.
- [2.](#) Utilities Collection Site - Public Comment
- [3.](#) CIRCAC Comments on State of Alaska Oil Discharge Prevention and Contingency Plan Public Scoping

*The agenda and supporting documents are posted on the City's website at [www.kenai.city](http://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.*





Sponsored by: City Clerk

**CITY OF KENAI****ORDINANCE NO. 3092-2019**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AMENDING KENAI MUNICIPAL CODE SECTION 1.10.030 – ORGANIZATION MEETING, TO PROVIDE THAT THE TERMS OF OFFICE OF THE MAYOR AND OTHER COUNCILMEMBERS SHALL BEGIN THE MONDAY FOLLOWING CERTIFICATION OF THE ELECTION.

WHEREAS, at the October 1, 2019 regular election, the voters ratified Resolution No. 2019-49, approving a Charter amendment providing that the terms of office of the Mayor and other Council Members shall begin the Monday following certification of the election; and,

WHEREAS, Kenai Municipal Code Section 1.10.030, Organization Meeting, stated substantially the same thing as the Charter regarding Mayor and Council Member terms; and,

WHEREAS, it is appropriate to amend KMC Section 1.10.030 to reflect the Charter amendment.

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

**Section 1.** Amendment of Section 1.10.030 of the Kenai Municipal Code: That Kenai Municipal Code, Section 1.10.030 – Organization Meeting, is hereby amended as follows:

**1.10.030**      **Organization [M]Meeting.**

The terms of newly-elected Council Members shall begin [AT THE TIME PRESCRIBED FOR THE SECOND REGULAR COUNCIL MEETING AFTER THEIR] the Monday following certification of the election, as provided by the City Charter, Section 10-2. [AT SAID MEETING] On that Monday or as soon thereafter as practicable, the Council Member-elect [PRESENT] shall take and subscribe to the oath or affirmation of office, which shall be administered by the City Clerk or other authorized person. At [THIS] the first regular meeting following certification, or as soon thereafter as practicable, the Council shall elect a Vice-Mayor and otherwise organize for the ensuing year as needed and undertake its duties.

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

**Section 3.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 6<sup>th</sup> day of November, 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk

Introduced: October 16, 2019  
Enacted: November 6, 2019  
Effective: December 6, 2019



*"Village with a Past, City with a Future"*

210 Fidalgo Ave, Kenai, Alaska 99611-7794  
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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**FROM:** Jamie Heinz, City Clerk  
**DATE:** October 7, 2019  
**SUBJECT:** **Ordinance No. 3092-2019 – Terms and Organization Meeting**

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Pursuant to voter ratification of Resolution No. 2019-49, providing that terms of office for the Mayor and Councilmembers be changed to the Monday following certification of the election, it is appropriate that Kenai Municipal Code (KMC) Section 1.10.030 – Organization meeting be amended to follow suit.

Proposed amendments provide that the elected candidate's term will begin the Monday after certification of the election and the candidate will take their oath on that Monday or as soon as practicable thereafter. It further provides that the election of the Vice Mayor and other organization will take place at the first meeting after certification or as soon as practicable thereafter.

Your consideration is appreciated.





Sponsored by: Administration

## CITY OF KENAI

### ORDINANCE NO. 3093-2019

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 FOR THE PURCHASE OF A FIRE STATION ALERTING SYSTEM, AN IT SECURITY AUDIT, AND A BASE RADIO SYSTEM REPLACEMENT FOR DISPATCH

WHEREAS, the City of Kenai received a notice from the State of Alaska Department of Military and Veterans' Affairs that it was awarded \$473,000 for grant projects under the 2019 State Homeland Security Program; and,

WHEREAS, the projects that were awarded grant funding were the continuation of a Fire Station Alerting System project for \$45,000, a City IT Security Audit for \$35,000, and a Base Radio System Replacement for dispatch for \$393,000; and,

WHEREAS, the Fire Department in conjunction with other fire entities in the Borough started a Fire Station Alerting Project last year under a prior grant program and these additional grant funds will allow them to continue that project to include Fire Station 2; and,

WHEREAS, the Finance Department, which handles IT services for the City, has taken steps to secure the technology infrastructure within the City and the use of these funds to effect an audit on the security of that infrastructure will provide an evaluation of where improvements may be needed in the future; and,

WHEREAS, the Base Station Radio equipment used by Dispatch currently is based on very dated technology, and is no longer serviced by the manufacturer, leaving it vulnerable to major failures that would be difficult to service; 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 purchase of a Fire Station Alerting System, an IT Audit, and a Base Station Radio System, 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:

Public Safety Capital Project Fund:	
Increase Estimated Revenues –	
Federal Grants	<u>\$473,000</u>
Increase Appropriations –	
Machinery and Equipment	\$438,000
Professional Services	<u>35,000</u>
	<u>\$473,000</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. 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 6<sup>th</sup> day of November, 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk

Approved by Finance: 

Introduced: October 16, 2019  
Enacted: November 6, 2019  
Effective: November 6, 2019



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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** David Ross, Police Chief

**DATE:** October 9, 2019

**SUBJECT:** **Ordinance No. 3093-2019 - Ordinance accepting and appropriating a grant from the Department of Homeland Security**

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Grants were applied for by the City of Kenai, under the 2019 Homeland Security Program, and three of those grant requests were funded totaling \$473,000. The City received notice of award of a \$35,000 grant for the City to conduct an IT Security Audit. The City received notice of award of a grant for \$45,000 to continue work on the Fire Station Alerting System. The City received notice of award of \$393,000 for a Base Radio System replacement for the Dispatch Center. The first two grant requests were fully funded, while the Base Station Radio system grant application was partially funded. These grants do not require a monetary match by the City, however, with the radio system not fully funded we will be evaluating how to best move forward with the radio system upgrades, which may necessitate returning to Council to request additional appropriation of funds.

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**

**ORDINANCE NO. 3094-2019**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING A DONATION FROM HILCORP ENERGY COMPANY TO ASSIST WITH THE ANNUAL KENAI SENIOR CENTER THANKSGIVING DINNER.

WHEREAS, annually the Kenai Senior Center hosts a Thanksgiving Dinner that is open to seniors from all over the Peninsula; and,

WHEREAS, the City has received a donation from Hilcorp Energy Services in the amount of \$3,500 for the purchase of food and supplies for hosting the event; and,

WHEREAS, it is in the best interest of the City of Kenai to accept and appropriate this donation for the purposes described above.

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 donation from Hilcorp Energy Company in the amount of \$3,500 and to expend the donated funds to fulfill the purpose and intent of this ordinance.

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

Senior Citizen Fund:

Increase Estimated Revenues –	
Donations	<u>\$3,500</u>

Increase Appropriations:	
Congregate Meals – Operating Supplies	\$2,625
Home Meals – Operating Supplies	<u>875</u>
	<u>\$3,500</u>

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 6<sup>th</sup> day of November, 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk

Finance *T. Loh*

Introduced: October 16, 2019  
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**MEMORANDUM**

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Kathy Romain, Senior Center Director  
**DATE:** October 4, 2019  
**SUBJECT:** Ordinance No. 3094-2019 - Hilcorp Donation

Hilcorp has once again donated \$3,500.00 for the Annual Peninsula Wide Senior Thanksgiving Dinner which will be held on November 19, 2019. This is the seventh year Hilcorp has provided funding and volunteers for this event.

The Peninsula Wide Thanksgiving Dinner is a senior tradition that began in 1976. A Homemakers Club provided and served the first meal to the seniors. From there it grew and has been passed on through Unocal Oil, Agrium, and Marathon Oil. Since 2012, Hilcorp has continued the tradition by providing the funding and the volunteers. The donation will be used as follows:

Food	\$3,320.00
Centerpieces	180.00
<u>Total Donation</u>	<u>\$3,500.00</u>

Thank you for your consideration.





Sponsored by: Administration

## CITY OF KENAI

### RESOLUTION NO. 2019-72

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AUTHORIZING THE CITY TO JOIN THE ALASKA REMOTE SELLER SALES TAX COMMISSION FOR THE PURPOSE OF DEVELOPING, IMPLEMENTING, AND ENFORCING A REMOTE SELLER SALES TAX CODE AND DESIGNATING A COMMISSION REPRESENTATIVE.

WHEREAS, the inability to effectively collect sales tax on sales of personal property, products or services transferred or delivered into Alaska by a remote seller in response to orders placed electronically by local consumers is eroding the sales tax base of Alaska communities and resulting in revenue losses that is causing imminent harm to residents through the loss of critical funding for local education and other services; and,

WHEREAS, the harm from the loss of revenue is especially problematic in Alaska because the state has no broad-based tax, and sales tax revenues are essential in funding the provision of services by local governments; and,

WHEREAS, the failure to collect tax on remote sales creates artificial market distortions and competitive advantages for remote sellers by perpetuating tax shelters for businesses that limit their physical presence in the state or its municipalities but still sell goods and services to local consumers, something that becomes easier and more prevalent as technology continues to advance; and,

WHEREAS, the structural advantages for remote sellers, including the absence of point-of-sale tax collection, combined with the general growth of online retail, means that the erosion of the sales tax base is a growing problem that will only worsen in the near future if municipalities in the State are not able to legally collect remote seller sales tax within the framework of current United States Supreme Court case law; and,

WHEREAS, the recent decision by the United States Supreme Court in *South Dakota v. Wayfair* allows for the amendment of sales tax codes to account for remote sellers who do not have a physical presence in either the State of Alaska, Kenai Peninsula Borough, or City of Kenai but do have a taxable connection with these jurisdictions; and,

WHEREAS, the decision in *South Dakota v. Wayfair* provides guidance that includes the defensibility of a single-level statewide administration of remote sales tax collection and remittance; and,

WHEREAS, remote sellers who make a substantial number of deliveries into or have large gross revenues from Alaska benefit extensively from the Alaska market, affecting the economy generally, as well as local infrastructure; and,

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WHEREAS, modern computing and software options ensure that it is neither unusually difficult nor a substantial burden for remote sellers to collect and remit sales taxes associated with sales into Alaska taxing jurisdictions similar to traditional brick and mortar stores; and,

WHEREAS in order to implement a single-level statewide sales tax administration, it is the intent of numerous local taxing jurisdictions within Alaska to establish an intergovernmental entity known as the Alaska Remote Seller Sales Tax Commission (the "Commission"); and,

WHEREAS, the function and powers of the Commission will be set forth in the Alaska Intergovernmental Remote Seller Sales Tax Agreement (the "Agreement"), a cooperative agreement between Commission members; and,

WHEREAS, under the terms of the Agreement, in order to maintain membership in the Commission, the City through the Kenai Peninsula Borough will be required to adopt certain uniform code provisions for the collection and remittance of municipal sales tax applicable to sales made by remote sellers; and,

WHEREAS, the uniform remote sales tax code will be presented to the Borough Assembly for consideration once adopted by the Commission to comply with guidance found in the *Wayfair* decision; and,

WHEREAS, the City has adopted the Borough's sales tax code except where specifically denoted, and no further code changes will be required by the City; and,

WHEREAS, if adopted, the administration of remote sales tax collection and remittance will be delegated to the Commission; and,

WHEREAS, the intent of the Agreement is to enable Alaska's taxing jurisdictions to levy their municipal sales tax to the maximum limit of federal and state constitutional doctrines; and,

WHEREAS, Article X, Section 13 of the Alaska Constitution authorizes local governments to enter into agreements for the cooperative or joint administration of any function or power, unless otherwise prohibited by law or charter; and,

WHEREAS, the purpose of being an early member of the Commission is to have a voice during the formation process while not committing to any future obligation or action; and,

WHEREAS, a member will be able to withdraw from the Commission if the adopted bylaws, uniform code, or fees are not acceptable to the member municipality.

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

**Section 1.** The City Manager is authorized to negotiate, execute, and submit all necessary documents to obtain and maintain membership in the Alaska Remote Seller Sales Tax Commission, including the Alaska Intergovernmental Remote Seller Sales Tax Agreement included as Attachment A.

**Section 2.** The City Manager and City Attorney are authorized to appoint themselves, or other City employees as the City's representative on the Commission.

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

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PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 6<sup>th</sup> day of November, 2019.

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BRIAN GABRIEL, SR., MAYOR

ATTEST:

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Jamie Heinz, CMC, City Clerk

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# Alaska Intergovernmental Remote Seller Sales Tax Agreement

FINAL

October 11, 2019

## **Alaska Intergovernmental Remote Seller Sales Tax Agreement**

This Agreement is made and entered into by the signatories representing Alaska's cities and boroughs to enable them to implement single-level, statewide administration of remote sales tax collection and remittance. The provisions of the Agreement do not apply to administration and collection of sales taxes for the sales of goods and services originating from within the boundaries of a member municipality nor does this Agreement restrict how a member municipality administers and collects sales tax on such sales, nor on sales made by those retailers with a physical presence in the municipality. The authority to set rates and exemptions is maintained by the member municipality.

### **Article I. Background Principles.**

1. The signatories wish to enable local governments to benefit from opportunities for collection of existing sales tax on sales made by remote sellers. Remote sellers are sellers who sell, often through the internet, products or services in a taxing jurisdiction without having a physical presence in the taxing jurisdiction.
2. The collection of remote sales tax provides a level playing field for local businesses and strengthens the ability of local governments to provide public services and infrastructure.
3. The signatories are particularly mindful of the specific holding in, and implications of, the Supreme Court's *South Dakota v. Wayfair* decision, which provides guidance relative to nexus and the legal defensibility of a single-level statewide administration that reduces or removes potential burdens to interstate commerce.
4. Alaska's local governments have the authority to enter into intergovernmental agreements and applicable taxing authority has been delegated to organized boroughs and cities.
5. The signatories desire to establish an intergovernmental entity to enable cooperative centralized administration of sales tax collection, remittance, and enforcement on sales made by remote sellers.

### **Article II. Purpose.**

The purpose of this Agreement is to:

1. Enable cooperative centralized administration of sales tax collection, remittance, and enforcement on sales made by remote sellers using a single statewide intergovernmental entity;
2. Provide for and promote reasonable uniformity and compatibility in significant components of local sales tax levy and collection on sales made by remote sellers and marketplace facilitators in order to facilitate streamlined joint administration; and
3. Facilitate taxpayer and tax collector convenience and compliance in the filing of tax returns, the payment of tax, and in other phases of tax administration of sales made and services provided by remote sellers and marketplace facilitators.

### Article III. Definitions.

As used in this Agreement:

1. “Commission” means the Alaska Remote Seller Sales Tax Commission established pursuant to this Agreement.
2. “Local Government” means any home rule, first class, or second class borough, or any home rule, first class, or second class city, or unified municipality in Alaska.
3. “Member” means a Local Government signatory to this Agreement.
4. “Remote seller” means any corporation, partnership, firm, association, governmental unit or agency, or person acting as a business entity that sells property or products or performs services in the State of Alaska or a taxing municipality in the state, using the internet, mail order, or telephone, without having a physical presence in the state or taxing municipality.
5. “Sales tax” means a tax imposed with respect to the transfer for a consideration of ownership, possession, or custody of property or the rendering of services measured by the price of the property transferred or services provided.
6. “Marketplace facilitator” means a person that provides for sellers a platform to facilitate for consideration, regardless of whether deducted as fees from the transaction, the sale of the seller’s products or services (excluding lodging and rentals) through a physical or electronic marketplace operated by the person, and engages:
  - a. Directly or indirectly, through one or more affiliated persons in any of the following:
    - i. Transmitting or otherwise communicating the offer or acceptance between the buyer and seller;
    - ii. Owning or operating the infrastructure, electronic or physical, or technology that brings buyers and sellers together;
    - iii. Providing a virtual currency that buyers are allowed or required to use to purchase products from the seller; or
    - iv. Software development or research and development activities related to any of the activities described in (b) of this subsection (3), if such activities are directly related to a physical or electronic marketplace operated by the person or an affiliated person;
  - b. In any of the following activities with respect to the seller's products:
    - i. Payment processing services;

- ii. Fulfillment or storage services;
- iii. Listing products for sale;
- iv. Setting prices;
- v. Branding sales as those of the marketplace facilitator;
- vi. Order taking;
- vii. Advertising or promotion; or
- viii. Providing customer service or accepting or assisting with returns or exchanges.

#### **Article IV. The Commission.**

##### **1. Organization and Management.**

- a. The Alaska Remote Seller Sales Tax Commission (the “Commission”) is hereby established as an intergovernmental entity in the state of Alaska. It will be comprised of one designated representative from each Member, who shall have the authority to act on the Member’s behalf.
- b. Each Member will be entitled to one vote.
- c. To assist conducting business when the full Commission is not meeting, the Commission will annually elect a Board of Directors of seven members, including officers. The Board of Directors will act subject to the provisions of this Agreement and as provided in the bylaws of the Commission, as ratified by the members.
- d. No action will be binding unless approved by a majority of the Directors present at a meeting.
- e. The Commission will adopt an official logo.
- f. The Commission will hold an annual meeting rotating the location of the meeting each year, with telephonic participation provided for, in addition to scheduled regular meetings and special meetings as provided by its bylaws. Notices of special meetings must include the reasons for the meeting and the items to be considered.
- g. The Commission will elect annually, from among its members, a Chairman, a Vice Chairman, and a Secretary/Treasurer. The bylaws of the Commission shall provide for nomination and election of officers.
- h. The Commission will contract at formation for support and administrative



functions with the Alaska Municipal League (AML). The Executive Director of the AML will serve as a liaison between the Commission and AML and may appoint necessary staff support. This provision will be revisited within three years of legal formation of the Commission.

- i. The Commission may contract for supplies and professional services, and delegates to AML the same ability on its behalf.
- j. To carry out any purpose or function, the Commission may accept and utilize donations and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any Member or governmental entity.
- k. The Commission may establish one or more offices for the transacting of its business. Upon formation, its registered office and place of business will be the Alaska Municipal League at One Sealaska Plaza, Suite 200, Juneau, AK 99801.
- l. The Members will adopt the initial bylaws of the Commission. The Commission will make its bylaws easily accessible for Members and prospective members. The power to adopt, alter, amend or repeal bylaws is vested in the Board of Directors unless it is reserved to the Members per the bylaws. The bylaws shall contain provisions for the regulation and management of the affairs of the Commission not inconsistent with this Agreement.
- m. The Commission will provide annual reports to its members covering its activities for the preceding fiscal year. The Commission may make additional reports.

## 2. Committees.

- a. In furtherance of its activities, the Commission may establish advisory and technical committees by a majority vote of the membership body. Membership on a technical committee, may include private persons and public officials. Committees may consider any matter of concern to the Commission, including issues of special interest to any member and issues pertaining to collection of sales tax on behalf of members.
- b. The Commission may establish additional committees by a majority vote of the membership or Board of Directors as its bylaws may provide.
- c. Committees may not take any action but may recommend action to the Board of Directors for consideration.

## 3. Powers.

In addition to powers conferred elsewhere in this Agreement and in the bylaws, the Commission may:

- a. Study federal, state and local sales tax systems, and particular types of state and local taxes.

- b. Develop and recommend proposals to promote uniformity and compatibility of local sales tax laws with a view toward encouraging the simplification and improvement of local tax law and administration.
  - c. Compile and publish information to support and assist members in implementing the Agreement or assist taxpayers in complying with local government sales tax laws.
  - d. Do all things necessary and incidental to the administration of its functions pursuant to this Agreement, including:
    - i. Sue and be sued.
    - ii. Administer provisions of uniform sales tax ordinances pursuant to authority delegated by Members
  - f. The Commission may create and adopt policies and procedures for any phase of the administration of sales tax collection and remittance in accordance with this Agreement and the Commission's bylaws, including delegated authority to administer taxation or prescribing uniform tax forms. Prior to the adoption of any policy, the Commission will:
    - 1. As provided in its bylaws, hold at least one meeting after due notice to all affected members and to all taxpayers and other persons who have made timely requests to the Commission for advance notice of its policy-making proceedings.
    - 2. Afford all affected members and interested persons an opportunity to submit relevant written comments, which will be considered fully by the Commission.
  - g. The Commission will submit any policy adopted by it to the designated representative of all Members to which they might apply. Each such Member will in turn consider any such policy for adoption in accordance with its own laws and procedures.
  - h. Amend this Agreement by majority vote of the Members.
4. Finance.
- a. At least 90 days prior to the start of a new fiscal year, the Board of Directors will adopt a budget of its estimated expenditures for the upcoming fiscal year and submit to Members.
  - b. The Commission will follow a July 1 to June 30 fiscal year.
  - c. The Commission's budgets must contain specific recommendations for service fees built into statewide administration. Service fees will account for direct staff and software costs, and indirect costs, as justifiable to the Board of Directors.

- d. The Commission will not pledge the credit of any member. The Commission may meet any of its obligations in whole or in part with funds available to it, provided that it takes specific action to set aside such funds prior to incurring any obligation to be met in whole or in part in such manner. Except where the Commission makes use of funds available to it, the Commission may not incur any obligation prior to the allocation and commitment of funds adequate to meet the same.
- e. The Commission must keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission will be subject to the audit and accounting procedures established under its bylaws. All receipts and disbursements of funds handled by the Commission will be audited annually by a certified public accountant and the report of the audit will be included in and become part of the annual report of the Commission to Members.
- f. The accounts of the Commission will be open at any reasonable time for inspection by duly constituted officers of the Members, the State of Alaska, and by any persons authorized by the Commission.
- g. Nothing contained in this Article may be construed to prevent Commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the Commission.

#### **Article V. Membership Requirements; Remote Seller Sales Tax Code.**

1. To obtain and retain full membership, the Local Government must submit either an Ordinance or Resolution authorizing entry into the Agreement, including to:
  - a. Designate the individual at the municipality that may execute initial binding documents on behalf of the municipality and who will be the Member's representative on the Commission.
2. Once the Commission adopts its bylaws and adopts a uniform Remote Sellers Sales Tax Code, members must submit an Ordinance or Resolution that:
  - a. Delegates remote seller sales tax registration, exemption certification, collection, remittance, and audit authority to the Commission.
  - b. Within one hundred twenty (120) days, adopts, by reference or otherwise, the Remote Seller Sales Tax Code in its entirety as it pertains to collection of sales tax from remote sellers and marketplace facilitators. The Remote Seller Sales Tax Code is provided as "Addendum A".
3. To retain full membership status, changes made to the Agreement or Code should be ratified by the Member within one hundred twenty (120) days of the date the Commission adopts the change.
4. The Member must provide notice of tax or boundary changes to the Commission and must

assure the Commission of the accuracy of rates and exemptions. Rate and exemption changes will take effect within thirty (30) days of the date the Commission receives notice of the tax or boundary change.

## **Article VI. Sales Tax Collection and Administration.**

### **1. Collection; Registration; Remittance.**

- a. Every remote seller and marketplace facilitator meeting the Threshold Criteria of one hundred thousand (\$100,000) in annual sales or 100 annual transactions occurring in Alaska during the current or previous calendar year, shall collect sales taxes from the buyer at the time of sale or service and shall transmit the sales taxes collected to the Commission on a monthly or quarterly basis.
- b. The Commission will remit and report to Members by the last business day of the month.
- c. A remote seller or marketplace facilitator meeting the Threshold Criteria shall apply for a certificate of sales tax registration within thirty (30) calendar days of the adoption of this Remote Seller Sales Tax Code and/or within thirty (30) calendar days of meeting the threshold, whichever occurs later. Registration shall be to the Commission on forms prescribed by the Commission as set out in the remote seller sales tax code.
- d. Upon receipt of a properly executed application, the Commission shall issue the applicant a certificate of registration, stating the legal name of the seller, the primary address, and the primary sales tax contact name and corresponding title. A list of registered sellers in good standing shall be distributed to Members, made public and available on the Commission's webpage.

### **2. Returns; Confidentiality.**

- a. The Commission will provide all sales tax return information to the taxing jurisdiction, consistent with local tax codes.
- b. All returns, reports and information required to be filed with the Commission under this Code, and all information contained therein, shall be kept confidential and shall be subject to inspection only by:
  - i. Employees and agents of the Commission and taxing jurisdiction whose job responsibilities are directly related to such returns, reports and information;
  - ii. The person supplying such returns, reports and information; or
  - iii. Persons authorized in writing by the person supplying such returns, reports and information.

### 3. Title; Penalty and Interest; Overpayment.

- a. Upon collection by the seller, title to the sales tax vests in the Commission and the member on whose behalf the original tax arose. The Commission shall act as a third-party trustee and remit taxes collected on behalf of the member no later than thirty (30) days after each filing deadline.
- b. The Remote Sellers Sales Tax Code shall establish the per annum interest rate and any applicable penalties for late or non-compliant remote sellers.
- c. Upon request from a buyer or remote seller the Commission shall provide a determination of correct tax rate and amount applicable to the transaction. In the case of an overpayment of taxes, the remote seller shall process the refund and amend any returns accordingly.

### 4. Audit; Compliance and Enforcement.

- a. The Commission shall have sole audit authority and will make final determinations regarding: (1) whether a remote seller or marketplace facilitator meets Threshold criteria; (2) the accuracy of returns filed by a remote seller or marketplace facilitator with the Commission; and (3) whether a remote seller or marketplace facilitator filing returns with the Commission is in compliance with collection and remittance obligations.
- b. The Commission shall have authority to enforce issues relating to the Remote Sellers Sales Tax Code including, but not limited to, the collection of late fees and penalties, and filing of civil suits and injunctions.

## **Article VII. Entry into Force and Withdrawal.**

1. This Agreement will be in force and effective when formally approved by any seven signatories and will terminate if membership falls below seven.
2. Any Member may withdraw from this Agreement through ordinance or resolution rescinding signatory action and giving notice to the Commission of the effective date of the ordinance, with a minimum of 30 days' notice. Withdrawal will not affect any liability already incurred by or chargeable to a Member prior to the effective date of such withdrawal. The obligations of the Commission to remit and report remain until no longer necessary.

## **Article VIII. Effect on Other Laws and Jurisdiction.**

Nothing in this Agreement may be construed to:

1. Affect the power of any local government to fix rates or tax exemptions, except that all members must adopt and implement the Commission's common definitions and tax code

changes or demonstrate parity or non-applicability.

2. Withdraw or limit the authority of local government with respect to any person, corporation, or other entity or subject matter, except to the extent that such authority is expressly conferred by or pursuant to this Agreement upon another agency or body.
3. Supersede or limit the jurisdiction of any court of the State of Alaska.

#### **Article IX. Construction and Severability.**

This Agreement shall be liberally construed so as to effectuate its purposes. The provisions of this Agreement shall be severable and if any phrase, clause, sentence, or provision is declared or held invalid by a court of competent jurisdiction, the validity of the remainder of this Agreement and its applicability to any government, agency, person or circumstance will not be affected. If any provision of this Agreement is held contrary to the charter of any member, the Agreement will remain in full force and effect as to the remaining members and in full force and effect as to the Member affected in all other provisions not contrary to charter.



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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**FROM:** Scott Bloom, City Attorney

**DATE:** March 12, 2019

**SUBJECT:** **Resolution No. 2019-72 - Alaska Intergovernmental Remote Seller Sales Tax Agreement**

This resolution authorizes the City administration to execute the Alaska Intergovernmental Remote Seller Sales Tax Agreement (the "Agreement") and become a member municipality of the Alaska Remote Seller Sales Tax Commission (the "Commission"). The formation of and membership on the Commission is the first step toward implementing a single-level administrator for the collection and remittance of remote seller sales taxes. A single-level administrator of remote seller sales taxes is a necessary long-term solution if the City through the Kenai Peninsula Borough wants to collect remote seller, or "e-commerce", sales tax.

The inability to effectively collect sales tax on sales of personal property, products, or services transferred or delivered into the City by a remote seller in response to orders placed electronically by local consumers is eroding the sales tax base of Alaska's communities. The resulting revenue losses is causing imminent harm to residents through the loss of critical funding for City Services and Borough education. The failure to collect tax on remote sales results in artificial market distortions and competitive advantages for remote sellers through perpetuating tax shelters for businesses that limit their physical presence but still sell goods and services to local consumers, which gains more and more prevalence as technology continues to advance.

The recent decision by the United States Supreme Court in *South Dakota v. Wayfair* allows for the amendment of the Borough's sales tax code to account for remote sellers who do not have a physical presence in either the state of Alaska, Kenai Peninsula Borough or City but do have a taxable connection with those jurisdictions. The City has adopted the Borough's sales tax, and changes made to the Borough's sales tax code will not require any further action by the City. The decision in *South Dakota v. Wayfair* provided guidance that included the defensibility of a single-level statewide administration of remote sales tax collection and remittance.

Remote sellers who make a substantial number of deliveries into or have large gross revenues in Alaska benefit extensively from the Alaska market, affecting the economy generally, as well as local infrastructure. Modern computing and software options ensure that it is neither unusually



difficult nor a substantial burden for remote sellers to collect and remit sales taxes associated with sales into Alaska taxing jurisdictions.

In the absence of state legislative action, in order to implement a single-level statewide sales tax administration, it is the intent of local taxing jurisdictions within Alaska to establish an intergovernmental entity (the "Commission"). The function and powers of the Commission will be set forth in the Agreement. Under the terms of the Agreement, in order to maintain membership in the Commission, the City through its existing adoption of the Borough's sales tax code will be required to adopt certain uniform code provisions for the collection and remittance of municipal sales tax applicable to sales made by remote sellers.

Article X, Section 13 of the Alaska Constitution authorizes local government to enter into agreements for the cooperative or joint administration of any function or power, unless otherwise prohibited by law or charter. The intent of the Agreement is to enable Alaska's taxing jurisdictions to levy their municipal sales tax as now allowed by federal constitutional doctrines.

The uniform remote sales tax code will be presented to the Kenai Peninsula Borough Assembly for consideration once adopted by the Commission. The sales tax code will also be presented to the City Council for review and consideration of whether the City would like to make any changes. If the uniform code is adopted by the Assembly, the administration of remote sales tax collection and remittance will be delegated to the Commission. To be clear, this resolution only authorizes entry into the Commission and a "seat at the table" during the formation process. As an initial Commission member, the City will have a voice in adopting Commission bylaws, adopting a uniform remote seller sales tax code, and in the election of the Commission's Board of Directors. Once the Commission is formed and bylaws are adopted, and before collections may begin, subsequent legislation will come before the Assembly and City Council that would adopt the uniform code, address questions of fees for participation, and delegate remote seller sales tax administration, collection, audit, and enforcement authority to the Commission.





Sponsored by: Administration

## CITY OF KENAI

### RESOLUTION NO. 2019 – 73

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AUTHORIZING THE CITY MANAGER TO RECRUIT FOR AND HIRE AN ADDITIONAL POLICE OFFICER POSITION BASED ON ANTICIPATED ATTRITION.

WHEREAS, the City Council has authorized funding for 13 police officer positions in the annual budget ordinance and has approved a budget in accordance with that number; and,

WHEREAS, the Police department has been experiencing high rates of attrition and difficulty recruiting for several years and is anticipating a continuation of that trend with anticipated attrition in the coming year and retirement eligibilities in the following year(s); and,

WHEREAS, the City would benefit from a more stable staffing level in the Police Department provided by recruiting for a 14<sup>th</sup> officer position in advance of the actual vacancy; and,

WHEREAS, there are significant impacts to services provided by the Police Department and to public safety related to the Department being consistently understaffed; and,

WHEREAS, understaffing also exacerbates the officer retention challenges, including personal leave receiving increased scrutiny or denial, increased voluntary and assigned overtime shifts, reduced or denied training, removal of the police officer from the Kenai schools as a school resource officer for the 2019-2020 school year, removal of the officer from the regional drug task force, reduced response time to some calls, more calls where no officer is available at all, and increased scrutiny to close cases where the investigation requirements are disproportionate to resources; and,

WHEREAS, the Police Department is currently recruiting for two vacant positions and one recently filled position is still in training; and,

WHEREAS, hiring and training a police officer can take approximately a full year or longer from the time a vacancy exists until an individual can be hired, sent to attend a training academy, complete on-the-job field training, and be placed on their own filling an officer shift; and,

WHEREAS, the City Administration anticipates that by evaluating the history of attrition, evaluating reasonably anticipated attrition in the future, and evaluating budget lapse that may occur as a result of attrition, that anticipatory hiring can be done largely in line with the approved budget; and,

WHEREAS, the last several years have produced budget lapses from the Police Department due to the inability to maintain staffing; and,

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WHEREAS, there are some fiscal risks associated with anticipatory recruitment, in that if a period of full employment were to persist it may require additional appropriation, however, the benefits to public safety operations outweigh those risks.

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

**Section 1.** That effective November 6, 2019, the City Manager is authorized to recruit for and hire one officer position more than is authorized within the budget based on anticipated attrition.

**Section 2.** That the City Manager, in accordance with his authority to manage personnel program of the City, is authorized to recruit for and hire one officer position more than what is budgeted within the FY2020 budget.

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

ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 6<sup>th</sup> day of November 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk



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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** David Ross – Police Chief

**DATE:** October 23, 2019

**SUBJECT:** **Resolution No. 2019-73 - Authorizing the City Manager to Recruit for and Hire an Additional Officer Position**

For several years now the Police Department has been unable to reach or maintain a status of fully staffed and fully trained. The Police Department and City Administration have been evaluating solutions to the staffing issues at the Police Department over the last couple years, and those efforts are continuing in order to find long term solutions to the problem.

Current high rates of attrition, anticipated additional attrition, difficulty recruiting, and related impacts to operations and public service all indicate that we should consider additional steps in the near term. The Police Department has two vacancies at this time that are being recruited for, there is another recent hire attending the police academy, and there is an officer on light duty due to injury. Those circumstances leave 4 positions that are unable to fill police officer shifts at this time. Along with those currently existing issues there is the near term potential for one to three additional vacancies in the coming year. Additionally, within less than three years the remaining 4 employees that are in the PERS Tier 3 retirement system are all eligible for retirement.

The impacts due to staffing have included: personal leave receiving increased scrutiny or denial, increased voluntary and assigned overtime shifts, reduced or denied training, removal of the police officer from the Kenai schools as a school resource officer for the 2019-2020 school year, removal of the officer from the regional drug task force, reduced response time to some calls, more calls where no officer is available at all, and increased scrutiny to close cases where the investigation requirements are disproportionate to resources.

Hiring and training a police officer can take approximately a full year or longer from the time a vacancy exists until an individual can be hired, sent to attend a training academy, and complete on-the-job field training, and be placed on their own filling an officer shift.



One of the near term solutions we looked at, is to pre-hire for anticipated attrition based on the consistent recent history of that. The last few years have produced significant budgetary lapse from the police department based on this inability to keep the positions filled. Hiring based on anticipated attrition does, however, carry fiscal risk that a period of staffing above what was budgeted for could exceed the budget and require additional appropriation.

Your consideration of this Resolution allowing for hiring an additional officer, based on anticipated attrition, is appreciated.



Sponsored by: Administration

**CITY OF KENAI**

**RESOLUTION NO. 2019-74**

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, DECLARING A UTILITY EASEMENT TWENTY FOOT (20') WIDE BETWEEN THE SHARED LOT LINES OF TRACT A AND LOTS 4, 5, 6, BLOCK 1, BRIDGE ROAD SUBDIVISION NUMBER TWO AND LOT 7A, BLOCK 1, BRIDGE ROAD SUBDIVISION LOCKWOOD ADDITION AS SET FORTH ON THE ATTACHED EXHIBIT "A" IS NOT NEEDED FOR A PUBLIC PURPOSE AND CONSENTING TO ITS VACATION.

WHEREAS, on September 11, 2019, by Resolution No. PZ2019-36 the Planning and Zoning Commission of the City of Kenai recommended that the Kenai Peninsula Borough Planning Commission approve BRIDGE ROAD SUBDIVISION 2019 REPLAT with vacation of a twenty foot (20') wide utility easement; and,

WHEREAS, on October 14, 2019, the Kenai Peninsula Borough Plat Committee met and granted conditional approval of the Preliminary Plat of BRIDGE ROAD SUBDIVISION 2019 REPLAT consistent with the recommendation of the Planning and Zoning Commission for the City of Kenai; and,

WHEREAS, ACS, GCI, ENSTAR Natural Gas, and Homer Electric Association have submitted written statements to the Kenai Peninsula Borough offering non-objection to the removal of the utility easement; and,

WHEREAS, on October 14, 2019, the Kenai Peninsula Borough Planning Commission approved the vacation of utility easement; and,

WHEREAS, on October 15, 2019, the Kenai Peninsula Borough submitted a letter to the Kenai City Council requesting the approval of the vacation of the Utility Easement, pursuant to Kenai Municipal Code 22.05.110; and,

WHEREAS, Kenai Municipal Code 22.05.110 - Determination as to need for public use, states City Council may vacate rights-of-way or easements by resolution.

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

**Section 1.** That the utility easement within the BRIDGE ROAD SUBDIVISION 2019 REPLAT is no longer needed for a public use and the Council of the City of Kenai consents to the vacation of the Utility Easement located between the shared lot lines of former Tract A and Lots 4, 5, 6, Bridge Road Subdivision Number Two and former Lot 7A, Block 1, Bridge Road Subdivision Lockwood Addition as set forth on the attached Exhibit "A".

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

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ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 6th day of November, 2019.

ATTEST:

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk

**NOTES**

1. 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.
2. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
3. BUILDING SET BACK - A BUILDING SET BACK OF 20 FT. IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
4. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5 FEET OF THE SIDE LOT LINES IS ALSO A UTILITY EASEMENT.
5. ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE CITY OF KENAI IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM.
6. DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14 ZONING CODE REQUIREMENTS.

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I, THE UNDERSIGNED, HEREBY CERTIFY THAT PENINSULA MINI STORAGE LLC., IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED AS LOTS 5-6 AND TRACT A BLOCK 1 BRIDGE ROAD SUBDIVISION NUMBER TWO (KN84-68) AND LOT 7A BLOCK 1 BRIDGE ROAD SUBDIVISION LOCKWOOD ADDITION (KN2004-18) AND ON BEHALF OF PENINSULA MINI STORAGE LLC., 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.

DAVID SCHILLING MEMBER  
PENINSULA MINI STORAGE LLC., (OWNER)  
47 SPUR VIEW DR., KENAI, AK 99611

MICHAEL SCHILLING MEMBER  
PENINSULA MINI STORAGE LLC., (OWNER)  
47 SPUR VIEW DR., KENAI, AK 99611

**NOTARY'S ACKNOWLEDGEMENT**

FOR:  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019  
MY COMMISSION EXPIRES : \_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF ALASKA

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I, THE UNDERSIGNED, HEREBY CERTIFY THAT SBC DEVELOPMENT GROUP INC., IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED AS LOT 4 BLOCK 1 BRIDGE ROAD SUBDIVISION NUMBER TWO (KN84-68) AND ON BEHALF OF SBC DEVELOPMENT GROUP INC., 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.

SEAN CUDE  
SBC DEVELOPMENT GROUP, INC., (OWNER)  
42115 KALIFORNISKY BEACH RD, SUITE B,  
SOLDOTNA, AK 99669

**NOTARY'S ACKNOWLEDGEMENT**

FOR:  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019  
MY COMMISSION EXPIRES : \_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF ALASKA

**CERTIFICATE OF ACCEPTANCE**

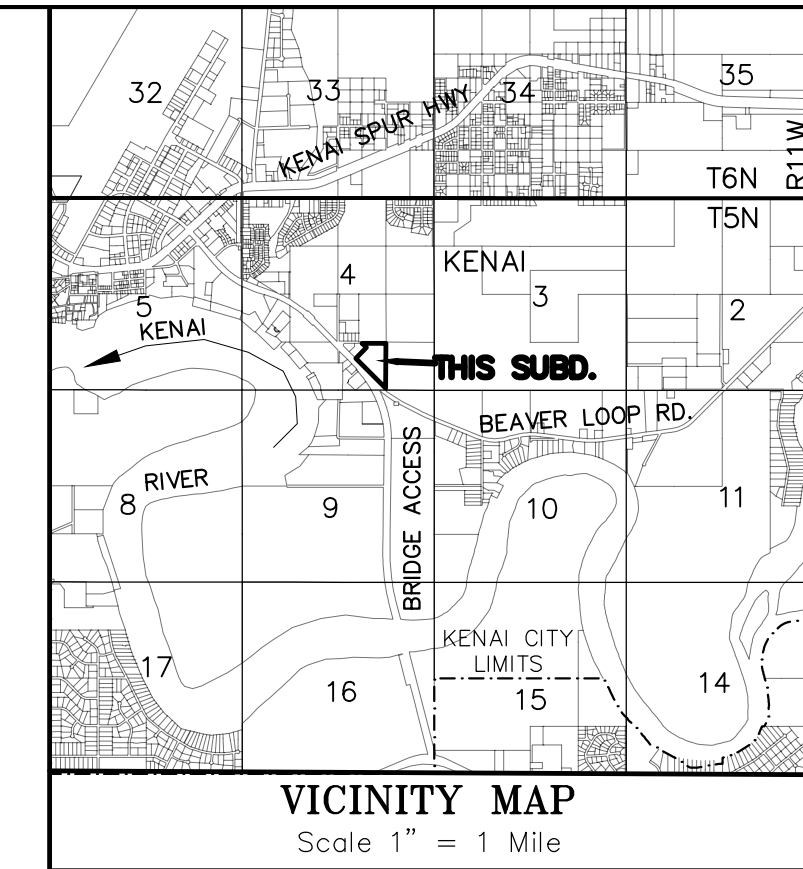
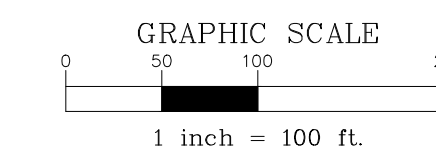
THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT. THE ACCEPTANCE OF LANDS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

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
PAUL OSTRANDER  
CITY MANAGER  
CITY OF KENAI

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_, 2019.

AUTHORIZED OFFICIAL \_\_\_\_\_



**LEGEND**

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 5/8" REBAR UNLESS NOTED
- SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-S
- ⚡ POWER POLE
- DHE OVERHEAD ELECTRIC
- ▭ AREA SUBJECT TO INUNDATION
- CONTOUR INTERVAL = 4'
- ▨ UTILITY EASEMENT PER BRIDGE ROAD SUBDIVISION NUMBER TWO KN84-68, TO BE VACATED BY THIS PLAT AND APPROVED FOR VACATING BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION MEETING XXXX, 2019.

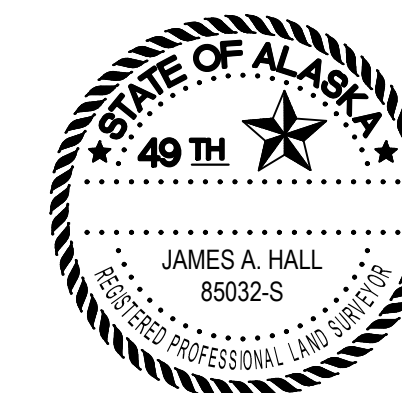
**WASTEWATER DISPOSAL: TRACT A-1**

THIS TRACT IS AT LEAST 200,000 SQUARE FEET OR NOMINAL 5 ACRES IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

**WASTEWATER DISPOSAL: LOT 4-A**

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

CODY R. McLANE C.E. 11510 AK DATE \_\_\_\_\_



**BRIDGE ROAD SUBDIVISION 2019 REPLAT**

(A RESUBDIVISION OF LOTS 4 - 6 & TRACT A BLOCK 1 BRIDGE ROAD SUBDIVISION NUMBER TWO KN84-68 AND LOT 7A BLOCK 1 BRIDGE ROAD SUBDIVISION LOCKWOOD ADDITION KN2004-18)

PENINSULA MINI STORAGE LLC., (OWNER)  
47 SPUR VIEW DR., KENAI, AK 99611

SBC DEVELOPMENT GROUP, INC., (OWNER)  
42115 KALIFORNISKY BEACH RD, SOLDOTNA, AK 99669

13.006 AC. M/L SITUATED IN A PORTION OF THE SE1/4 OF SEC.4, T.5N., R.11W., S.M., AK, THE CITY OF KENAI, AND THE KENAI PENINSULA BOROUGH, IN THE KENAI RECORDING DISTRICT.

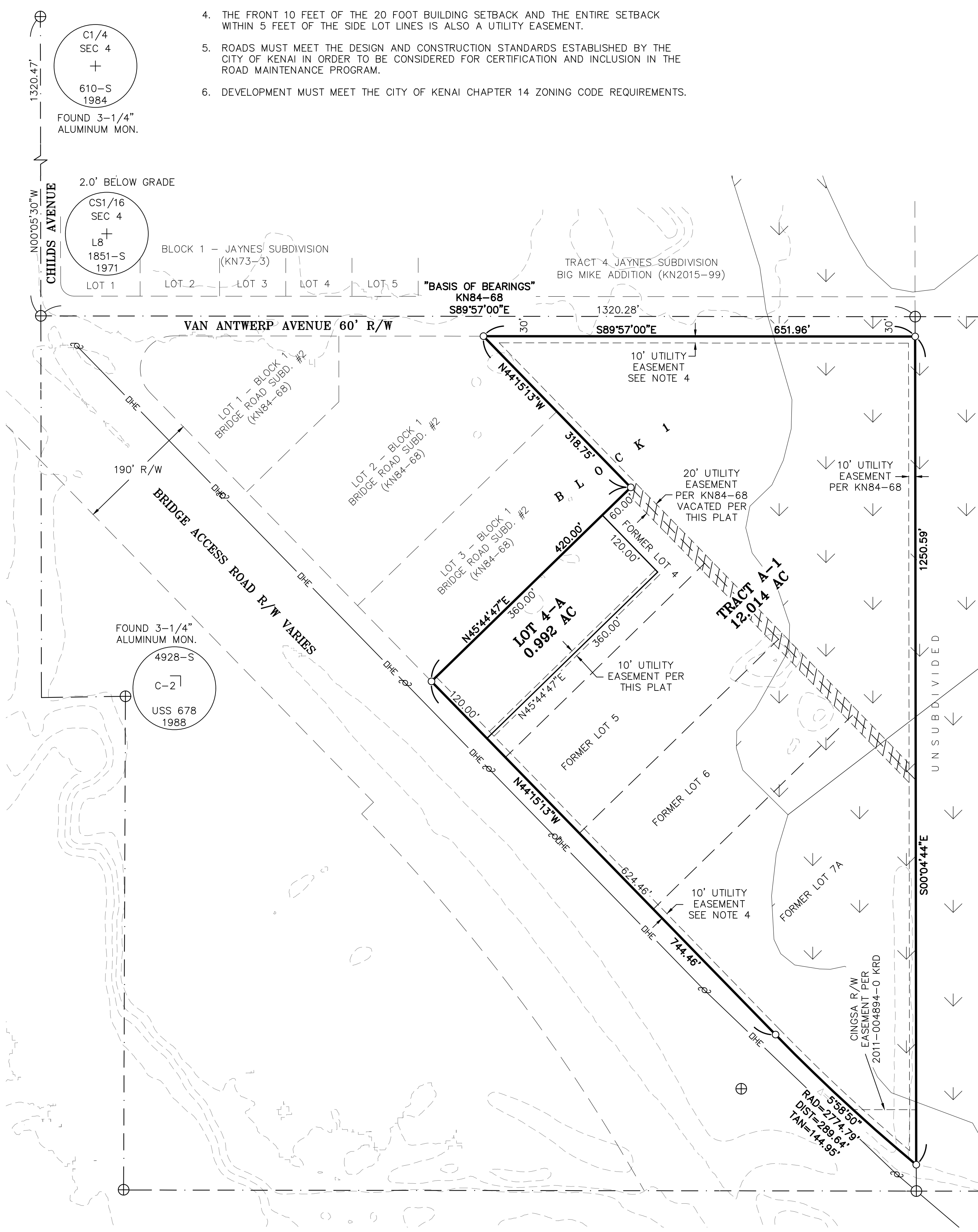
	ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 468 SOLDOTNA, AK 99669 VOICE: (907) 283-4218 FAX: (907) 283-3268 WWW.MCLANECG.COM	KPB FILE NO. 2019-XXX
	PROJECT NO. 192013	
SCALE 1" = 100'	DATE: AUG 2019	BOOK NO.: 19-XX DRAWN BY: JAH

Plat # \_\_\_\_\_

Rec Dist \_\_\_\_\_

Date \_\_\_\_\_ 20\_\_

Time \_\_\_\_\_ M







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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Elizabeth Appleby, City Planner

**DATE:** October 29, 2019

**SUBJECT:** **Resolution No. 2019 - 74 – Determining a 20-Foot Wide Utility Easement Between Shared Lot Lines**

On September 11, 2019, the City of Kenai Planning & Zoning Commission passed Resolution PZ2019-36, recommending approval of the preliminary plat of BRIDGE ROAD SUBDIVISION 2019 REPLAT, subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. A City of Kenai Water and Sewer Waiver Agreement be signed for the new parcel with the new owner.

The preliminary plat showed a vacation of a utility easement twenty-foot (20') wide between the shared lots lines of former Tract A and Lots 4, 5, 6, Block 1, Bridge Road Subdivision Number Two, and former Lot 7A, Block 1, Bridge Road Subdivision Lockwood Addition (to become Lot 4-A and Tract A-1, Block 1, Bridge Road Subdivision 2019 Replat). The preliminary plat of Bridge Road Subdivision 2019 Replat was granted conditional approval by the Kenai Peninsula Borough Plat Committee. On October 14, 2019, the Kenai Peninsula Borough Planning Commission approved the vacation of the utility easement and submitted a request on October 15, 2019 to the Kenai City Council to consent to the utility easement vacation pursuant to Kenai Municipal Code 22.05.110, Determination as to need for public use. Kenai Municipal Code 22.05.110 states City Council may vacate rights-of-way or easements by resolution.

No objections have been received for the easement vacation and ACS, GCI, ENSTAR Natural Gas, and Homer Election Association have submitted written statements of non-objection to the





removal of the utility easement. No utility lines were located within the reserved utility easement. With the removal of the lot lines between adjacent parcels, there is no longer a need to keep the easement in place along the rear of the former lots for utilities. Vacation of the utility easement will not affect access to the parcels.

Thank you for your consideration.



Sponsored by: Administration

## CITY OF KENAI

## RESOLUTION NO. 2019-75

## A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AWARDING A CONTRACT FOR CITY-OWNED LANDS APPRAISAL SERVICES

WHEREAS, after advertising a Request for Proposals, the following proposals were received and ranked by City Administration on October 25, 2019:

BIDDER	RANKING	TOTAL BASIC BID
MacSwain Associates, LLC	1	\$32,000
Rikrland Valuation Services	2	\$58,895

WHEREAS, MacSwain Associates, LLC provides the best option for City based on evaluation criteria of the proposer's experience, qualifications of key staff, proposal quality, understanding of the work to be performed, and cost; and,

WHEREAS, the recommendation from City Administration is to award the contract to MacSwain Associates, LLC; and,

WHEREAS, sufficient funds are appropriated.

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

**Section 1.** That the contract for City-Owned Lands Real Estate Appraisal Services is awarded to MacSwain Associates, LLC for the total amount of \$32,000.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 6<sup>th</sup> day of November, 2019.

---

BRIAN GABRIEL, SR., MAYOR

ATTEST:

---

Jamie Heinz, CMC, City Clerk

Finance 

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*"Village with a Past, City with a Future"*

210 Fidalgo Ave, Kenai, Alaska 99611-7794  
 Telephone: (907) 283-7535 | Fax: (907) 283-3014  
[www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Elizabeth Appleby, City Planner

**DATE:** October 29, 2019

**SUBJECT:** **Resolution No. 2019 - 75 – Awarding a Contract for City-Owned Lands Appraisal Services**

City Administration requested proposals from qualified independent real estate appraisers certified by the State of Alaska under AS 08.87 to provide appraisals for a number of City-owned properties to determine the fair market value of the properties as if vacant (site value). Many of the parcels are improved to their highest and best use and are encumbered by land lease agreements or are available for lease. The City determines annual rent by computing a lease rate percentage of the fair market value of the land. The parcels included in the appraisal are those requiring a determination of fair market value on a five-year cycle in order to compute a lease rate. Maps of the 41 specific properties requiring appraisal are included as an attachment to this memorandum.

The City received two proposals to perform the required appraisals for City-owned lands. One proposal was from MacSwain Associates, LLC, and the other proposal was from Rikrland Valuation Services.

A selection committee scored each proposal on the evaluation criteria outlined in the Request for Proposals (RFP). The evaluation criteria included the proposer's experience, qualifications of key staff, proposal quality, the understanding of work to be performed, and cost. City Administration recommends awarding the contract to MacSwain Associates, LLC for the total cost of \$32,000. Sufficient funds were appropriated for the project in the FY20 budget.

If City Council approves the contract award with Resolution No. 2019-75, the attached draft Professional Services Agreement will be executed.

Thank you for your consideration.



## PROFESSIONAL SERVICES AGREEMENT (Real Estate Appraisal Services)

**THIS AGREEMENT** is made this \_\_\_\_ day of \_\_\_\_\_, 2019, between the City of Kenai (City), whose address is 210 Fidalgo, Kenai, AK 99611, and MacSwain Associates, LLC (Contractor), whose address is 4401 Business Park Boulevard, Suite 22, Anchorage, AK 99503.

### WITNESSETH

**WHEREAS**, the City desires to obtain professional real estate appraisal services to determine the fair market value of certain City-owned lands for purposes of setting lease rental rates; and,

**WHEREAS**, Contractor submitted a proposal to provide professional real estate appraisal services to the City of Kenai and the Contractor has demonstrated qualifications to perform the work in a timely manner.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

#### 1. DEFINITIONS.

- A. "Agreement" means this Professional Services Agreement and all attachments hereto.
- B. "City," unless the context clearly suggests otherwise, means the City of Kenai, its officers, agents, employees, and representatives.
- C. "Contractor," unless the context clearly suggests otherwise, means MacSwain Associates, LLC, its officers, agents, employees, and representatives.
- D. "Project" means the appraisal of a number of municipally-owned properties located in the City of Kenai and as described in the Scope of Work, below, and in the attachments hereto.

**2. TERM.** The Project shall begin on the effective date of this Agreement and the work shall be completed no later than **March 2, 2020**, unless sooner terminated according to the provisions of this Agreement.

**3. COST.** The total fee to be paid to the Contractor for this Agreement is a fixed fee of **\$32,000**. At no time will any provision of this Agreement make the City liable for payment for performance of work under this Agreement in excess of the amount that has been appropriated by the City Council and obligated for expenditure for purposes of this Agreement.

**4. PAYMENT.** Payment will be made by the City within 30 working days after receipt and approval of Contractor's billing statement and following acceptance by the City of Contractor's Final Appraisal Report and all associated, required documentation owned by the City and to be supplied by Contractor. Unless otherwise agreed, payment will be based on a properly-documented billing statement.

**5. TAXES.** Contractor shall obtain all necessary licenses and permits, pay all taxes lawfully-imposed on its business and/or sales, and pay any other fee or charge assessed under any applicable public statute, regulation, or ordinance.

**6. SCOPE OF WORK.**

A. The City and Contractor have agreed upon a scope of work described in the Contractor's proposal, Attachment A, to provide professional real estate appraisal services based on approved standards and instructions, as specifically described in the Request for Proposals (RFP) Attachment B to this Agreement. In general, Contractor shall perform the following services and provide the following work product.

- i. Conduct appraisals on parcels of municipally-owned land as provided in the Request for Proposals issued October 7, 2019 and contract documents.
- ii. Contractor shall provide the City with a Draft Appraisal Report no later than **February 28, 2020**.
- iii. Contractor shall provide the City with five (5) bound copies and one (1) electronic pdf copy of the Final Appraisal Report no later than **March 2, 2020**.

B. Any work added or deleted from the Scope of Work shall be specified in a change order or addendum to this Agreement that will set forth the nature and scope of the deleted work and shall be signed by both parties to this Agreement. Work deleted under a change order shall not proceed thereafter. Performance of any work by Contractor shall waive any claim by Contractor for compensation of this deleted work.

**7. COMPLETION DATES.** A Draft Appraisal Report shall be due to the City no later than **February 28, 2020**. The Final Appraisal Report shall be due to the City no later than **March 2, 2020**. The Project shall be considered complete when the City has received and found acceptable all finished product of all work as described in contract documents, and in any authorized changes to this Agreement.

**8. LIQUIDATED DAMAGES.** Time is of the essence in performance of services under this Agreement. The City is timing matters relating to the Project and development of the Final Appraisal Report based upon and in reliance upon the Scope of Work dates and time schedules for performance by the Contractor. Contractor's failure to meet any such deadlines or required performance may adversely imperil other contractual obligations of the City. If Contractor fails to deliver the Final Appraisal Report by **March 2, 2020**, Contractor shall pay as liquidated damages and not as penalty \$200 per day for each day after **March 2, 2020**, that Contractor fails to deliver the Final Appraisal Report.

**9. PERSONNEL.**

A. The Project work and services provided by the Contractor will be performed by: MacSwain Associates, LLC. The following personnel are considered to be essential to the provision of adequate services by Contractor: Steve MacSwain, Dan Shantz, and Alex Kleinke.

- B. Contractor shall give the City reasonable advance notice of any necessary substitution of key personnel and shall submit justification therefore in sufficient detail to permit the City to evaluate the impact of such substitution on this Agreement. No substitutions shall be made without the written consent of the City.
- C. The City may, with reasonable cause, upon providing written notice to Contractor, cause to be removed immediately from the Project, or any phase thereof, any personnel whose continued involvement in the opinion of the City, is not in the best interest of the Project or the City. Contractor, upon receipt of such written notice to remove an individual(s), shall have five (5) business days to provide the City with the name and summary of credentials of proposed replacement(s) for those removed. The participation of those proposed personnel shall be subject to approval by the City.

**10. OWNERSHIP OF WORK PRODUCT.** Payment to Contractor for services hereunder include full compensation for all work products and other materials produced by the Contractor (and any subcontractors) pertaining to this Agreement.

The originals of all material prepared or developed by Contractor, including documents, drawings, designs, calculations, maps, sketches, notes, reports, data, models, computer tapes, and samples shall become the property of the City when prepared, whether delivered or not, and shall, together with any materials furnished Contractor by the City hereunder, be delivered to the City upon request and/or upon termination or completion of this Agreement.

Materials previously created and copyrighted by Contractor included in this Project will remain property of the Contractor although copies of said materials will be made available to the City upon request.

Materials purchased from and copyrighted by third parties are not included in this provision.

**11. STANDARD OF PERFORMANCE.** Contractor accepts the relationship of trust and confidence established between it and the City by this Agreement. Contractor covenants with the City to furnish its best skill and judgment, and to further the interest of the City at all times through efficient business administration and management. Contractor shall provide all services in a competent manner. It is understood that some of the services to be rendered hereunder require professional judgment and skill and Contractor agrees to adhere to the professional standards and requirements applicable to Contractor's profession and the work to be provided under the Project.

**12. INDEMNIFICATION.**

- A. General. Contractor shall indemnify, defend, and hold harmless the City and its agents, employees, and insurers from claim, loss, damage, liability, or expense of any kind alleged to arise out of or be related to any act or omission concerning the Project, this Agreement, and any work performed under or related to this Agreement, and caused in whole or in part by any act or omission of Contractor. This provision shall survive expiration or termination of this Agreement. This paragraph shall not be construed so as to require indemnification of the City from such claims, damages, death, losses, or expenses caused by or resulting from the sole negligence of the City.

- B. Specific Indemnification for Patents, Trademarks, and Copyrights. Contractor agrees to defend, indemnify, and hold harmless the City, its agents, employees, and insurers harmless from and against any and all claims, loss, damage, liability, expense of any kind, and royalties of any kind of nature whatsoever which may arise out of or result from or be reasonably incurred in contesting any claim that the methods, processes, or acts employed by Contractor or its employees in connection with the performance of services under this Agreement infringes or contributes to the infringement of any letter patent, trademark, or copyright. In case such methods, processes, or acts are in suit held to constitute infringement and use is enjoined, Contractor, within reasonable time and at its own expense, will either secure a suspension of the injunction by procuring for the City a license or otherwise, or replace such method, process, etcetera, with one of equal efficiency.

### 13. **INSURANCE.**

- A. Contractor shall maintain in good standing the insurance described in subsection B of this Article. Before rendering any services under this Agreement, the Contractor will provide the City with proof of insurance coverage in the form of an insurance policy or a certificate of insurance, together with proof that the premiums have been paid, showing the types and monetary limits of coverage secured. All insurance requirements shall be subject to the sole determination of the City. The City Manager may, with the counsel of the City Attorney, waive or reduce the insurance requirements under (C) of this Article.
- B. Notwithstanding anything to the contrary, if Contractor fails or neglects to secure required insurance, or if said policy or policies are terminated, altered, or changed in any manner not acceptable to the City, then and in that event the City may cancel and/or terminate this Agreement, without penalty, on five (5) days' written prior notice to Contractor.
- C. Contractor shall provide the following insurance:
- i. Comprehensive general liability insurance, including premises, all operations, property damage, personal injury and death, broad-form contractual coverage with a per occurrence limit of not less than \$1,000,000 combined single limit; and,
  - ii. Worker's compensation insurance with coverage for all employees engaged in work under this Agreement as required by AS 23.30.045 (Proposer is responsible for worker's compensation insurance for any sub-proposer who directly or indirectly provides services under the Agreement); and,
  - iii. Comprehensive automobile liability insurance covering all owned, hired, and non-owned vehicles with coverage limits not less than \$1,000,000 combined single limit per occurrence, and,
  - iv. For comprehensive general liability and automobile liability insurance, name the City of Kenai as an additional insured; and,
  - v. For workers compensation insurance, general liability, and automobile liability insurance, where possible, include a waiver of subrogation so that the insurer

waives all rights of subrogation against the City of Kenai for payments made under the policy; and,

- vi. Provide Owner with at least 30 days' written notice before any termination, cancellation, or material change in insurance coverage is effective; and,
- vii. Be issued by a company/corporation currently rated "A-" or better by A.M. Best.

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

#### **14. TERMINATION.**

- A. Termination for Convenience. The City may terminate this Agreement, in whole or in part, at any time, by at least 15 days' written notice to the Contractor. No fee or other compensation for the uncompleted portion of the services will be paid, except for already incurred indirect costs which Contractor can establish and which would have been compensated for over the life of the phase of the appraisal underway, but because of the termination, would have to be absorbed by Contractor without further compensation.
- B. Termination for Cause. If Contractor fails to perform in the manner called for in this Agreement, or if Contractor fails to comply with any other provisions of the Agreement and fails to correct such noncompliance within five (5) days' written notice thereof, the City may terminate this Agreement for cause. The City shall effect termination for cause by serving a notice of termination on the Contractor setting forth the manner in which Contractor is in default. Contractor will only be paid for services performed in accordance with the manner of performance set forth in this Agreement. If the City terminates this Agreement it will pay Contractor a sum equal to the percentage of work completed that can be substantiated by Contractor and the City.
- C. Activities Subsequent to Receipt of Notice of Termination. Immediately upon receipt of a notice of termination and except as otherwise directed by the City, Contractor shall:
  - i. stop work performed under this Agreement on the date and to the extent specified in the notice;
  - ii. terminate all orders and subcontracts to the extent that they relate to the performance of the work terminated or suspended by the notice;
  - iii. place no further orders for materials, services, or facilities, except as may be necessary for completion of such portion of the work under this Agreement that is not terminated or suspended; and,



- iv. transfer title to the City (to the extent that title has not already been transferred) and deliver in the manner, at the times, and to the extent directed by the City's representative, work in progress, completed work, supplies, and other material produced as a part of, or acquired in respect of the performance of the work terminated or suspended by the notice.

**15. DISCRIMINATION PROHIBITED.** Contractor shall not discriminate in the conduct of its work on the Project and performance of services under this Agreement on the grounds of race, color, religion, national origin, ancestry, marital status or change in marital status, age, or gender. Contractor understands that any such discrimination shall be deemed to be a material breach of this Agreement.

**16. SAFETY/PERFORMANCE.** Contractor shall perform the work in a safe and workmanlike manner. Contractor shall comply with all federal and state statutes, ordinances, orders, rules, and regulations pertaining to the protection of workers and the public from injury, death, or damage, and shall take all other reasonable precautions to protect workers and the public from injury, death, or damage.

**17. NO ASSIGNMENT OR DELEGATION.** The Contractor may not assign or delegate this Agreement, or any part of it, or any right to any of the money to be paid under it without written consent of the City. This consent shall not be unreasonably withheld.

**18. INDEPENDENT CONTRACTOR.** The Contractor is an independent contractor in the performance of the work under this Agreement and is not be an employee of the City.

**19. NO JOINT VENTURE.** This Agreement is not intended to create, and nothing in this Agreement should convey or be construed to create, a joint venture between the City and Contractor. No term or provision of this Agreement is intended to be, or shall be, for the benefit of any person, firm, organization, limited liability company, partnership or corporation, nor shall any other person, firm, organization, limited liability company, partnership or corporation have any right or cause of action hereunder.

**20. COMPLIANCE WITH LAWS.** Contractor shall at all times comply with all federal, state, and municipal laws, ordinances, rules and regulations, all applicable safety orders, all orders or decrees of courts and administrative agencies or other legally constituted authorities having jurisdiction or authority over the Contractor, the City, or the services to be performed under this Agreement.

**21. NOTICES.** Any and all notices required or permitted under this Agreement shall be in writing and hand-delivered or mailed by certified mail, return receipt requested, or by overnight delivery to the following addresses:

**To City:**

City of Kenai  
Attn: City Planner  
210 Fidalgo Avenue  
Kenai, AK 99611

**To Contractor:**

MacSwain Associates, LLC  
4401 Business Park Boulevard, Suite 22  
Anchorage, AK 99503

Either party may change its address for notice by giving notice as provided herein to the other party. Notice is effective upon hand delivery or deposit, postage prepaid, in the United States mail.

**22. VALIDITY OF PARTS.** If any term, condition, or provision of this Agreement is declared void or unenforceable, or limited in its application or effect, such event shall not affect any other provisions hereof and all other provisions shall remain fully enforceable.

**23. NO WAIVER.** If the City does not insist in any one or more instances on the strict performance by the Contractor of any provision or article under this Agreement, it is not a waiver or relinquishment for the future, but the provision or article will continue in full force. A City waiver of any provision or article in this Agreement cannot be enforced nor relied on unless the waiver is in writing and signed on behalf of the City.

**24. ENTIRE AGREEMENT.** This Agreement constitutes the entire agreement between the parties. All negotiations, statements, representations, warranties, and assurances, whether oral or written, which are in any way related to the subject matter of this Agreement or the performance of either party hereto are merged and integrated into the terms of this Agreement. This Agreement may not be modified or amended except by a writing signed by both parties hereto, and any purported amendment or modification is without effect until reduced to a writing signed by both parties.

**25. TIME OF ESSENCE.** Time is of the essence in the performance of all rights and obligations of the parties to this Agreement. See *also*, paragraph 8, above, Liquidated Damages.

**26. GOVERNING LAW.** The laws of State of Alaska will determine the interpretation of this Agreement and performance thereof.

**27. DISPUTES.** In any dispute between the parties, the laws of the State of Alaska will govern. If any such dispute results in a lawsuit, the parties will bring the lawsuit before the courts of the State of Alaska in the Third Judicial District in Kenai.

**28. ATTORNEY'S FEES AND COSTS.** If any legal proceeding is brought for the enforcement of this Agreement, or because of a dispute, breach, default, or misrepresentation in connection with any of the provisions of this Agreement, the prevailing party shall be entitled to recover from the other party, in addition to any other relief to which such party may be entitled to full, reasonable attorney's fees and other Alaska R. Civ. P. 79 costs incurred in that action or proceeding.

**29. RIGHTS OR REMEDIES.** No right or remedy herein conferred upon or reserved to each respective party is intended to be exclusive of any other right or remedy. Each and every right

and remedy shall be cumulative and in addition to any other right or remedy given hereunder, or now or hereafter existing at law or in equity or by statute.

**30. INTERPRETATION.** Headings of paragraphs herein are solely for convenience of reference and shall not affect meaning, construction, or effect of this Agreement. Unless the context otherwise indicates, words expressed in the singular shall include the plural and vice versa. Unless the context otherwise indicates, the use of the neuter, masculine, or feminine gender shall include the others as well.

**31. EFFECTIVE DATE.** This Agreement and all of its terms shall be effective upon the later of signature of both parties.

**32. DUPLICATE ORIGINALS.** This Agreement may be executed in duplicate originals.

**WITNESS WHEREOF,** the parties have set their hands and day and year as stated in the acknowledgments below.

**CITY OF KENAI:**

By: \_\_\_\_\_  
Paul Ostrander  
Its: City Manager

**MACSWAIN ASSOCIATES:**

By: \_\_\_\_\_  
Steve MacSwain  
Its: Owner

STATE OF ALASKA                    )  
  ) ss  
THIRD JUDICIAL DISTRICT        )

THIS IS TO CERTIFY that on this \_\_\_ day of \_\_\_\_\_, 2019, PAUL OSTRANDER, City Manager of the City of Kenai, Alaska, being personally known to me or having produced satisfactory evidence of identification, appeared before me and acknowledged the voluntary and authorized execution of the foregoing instrument on behalf of 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 \_\_\_\_\_, 2019, STEVE MACSWAIN, Owner of MacSwain Associates, LLC, being personally known to me or having produced satisfactory evidence of identification, appeared before me and acknowledged the voluntary and authorized execution of the foregoing instrument on behalf of MacSwain Associates, LLC.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires:\_\_\_\_\_

**KENAI CITY COUNCIL – REGULAR MEETING  
OCTOBER 16, 2019 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
PRESIDENT PRO TEM MOLLOY, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai City Council was held on October 16, 2019, in City Hall Council Chambers, Kenai, AK. Councilmember Molloy called the meeting to order at approximately 6:00 p.m.

**1. Pledge of Allegiance**

Council Member Molloy led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

- |                  |                          |
|------------------|--------------------------|
| Robert Molloy    | Glenese Pettey           |
| Henry Knackstedt | Tim Navarre (telephonic) |
| Jim Glendening   | Robert Peterkin          |

A quorum was present.

Also in attendance were:

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

**MOTION:**

Council Member Knackstedt **MOVED** to elect Bob Molloy as President Pro Tem for the meeting. Council Member Glendening **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

**3. Certification of Election**

**MOTION:**

Council Member Peterkin **MOVED** to certify the election results of October 1, 2019, as presented and Council Member Glendening **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

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

**4. Administer Oath of Office**

The City Clerk administered the Oath of Office to Council Members Glendening and Pettey.

**5. Agenda Approval**

President Pro Tem Molloy noted the following revisions to the packet:

- Add to item J.1.                      City Manager's Report
  - Public Works Director Mid-Month Report

**MOTION:**

Council Member Knackstedt **MOVED** to approve the agenda with the requested revisions to the packet and requested **UNANIMOUS CONSENT**. Council Member Peterkin **SECONDED** the motion.

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

**6. Consent Agenda**

**MOTION:**

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

President Pro Tem Molloy 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 councilmember 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**

Peter Hanson provided a brief update on the bush doctor cabin noting the site for placement of the cabin had been determined and it was expected that the cabin would be moved to its location within a few weeks.

Jon Taylor formerly of Artistic Puppy and Coy West from Diving Point spoke about their firms merging and their work to assist the City with marketing.

**D.    PUBLIC HEARINGS**

- 1. **Ordinance No. 3089-2019** - Amending Kenai Municipal Code Section 1.15.040, Agenda, to Revise Public Notice Requirements and Amend the Agenda/Package Preparation, Distribution, and Publication Administrative Policies and Procedures to make Standard Revisions and Housekeeping Changes. (Council Members Molloy and Knackstedt)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3089-2019 and Council Member Peterkin **SECONDED** the motion.

President Pro Tem Molloy opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

It was noted the motivation for the ordinance was for cost efficiencies by eliminating the requirement for publishing the entire agenda in the paper. It was further noted the change to the code indicated the requirements would be included in policies and the associated policy provided that “non-routine” items would be published and “non-routine” was defined. It was suggested members of the public looked to agendas to see what was coming up in the future to develop their comments and should still be published.

The point was made that the savings could be taken a bit farther by requiring publication of only public hearing items which was consistent with the Kenai Peninsula Borough and City of Homer. It was noted that full agendas were available on the website and posted in City Hall and other places.

It was noted that there was a need to serve the public to get them the information. Clarification was provided that the full agenda and packets were also available at the library. It was suggested that ordinances for introduction be read by the City Clerk during approval of the Consent Agenda to provide those listening to the meeting information on upcoming items.

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend item C.1. of the policy to replace the words “non-routine” with “public hearing,” and removing item C.6. in its entirety and Council Member Peterkin **SECONDED** the motion.

It was noted the practice was consistent with other municipalities and provided significant cost savings.

**VOTE ON THE AMENDMENT:**

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

**MOTION PASSED UNANIMOUSLY.**

**VOTE ON THE MAIN MOTION AS AMENDED:**

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

**MOTION PASSED.**

- 2. **Ordinance No. 3090-2019** - Increasing Estimated Revenues and Appropriations in the General and Public Safety Capital Project Funds and Accepting an Assistance to Firefighter Grant from the Federal Emergency Management Agency for the Cooperative Purchase of Self-Contained Breathing Apparatus for the City of Kenai Fire Department, Nikiski Fire Department and Central Emergency Services. (Administration)

**MOTION:**

Council Member Peterkin **MOVED** to enact Ordinance No. 3090-2019 and Council Member Glendening **SECONDED** the motion.

President Pro Tem Molloy opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

Appreciation was expressed for the collaboration and the Fire Department commended for their leadership.

**VOTE:**

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

**MOTION PASSED UNANIMOUSLY.**

- 3. **Ordinance No. 3091-2019** - Amending Kenai Municipal Code Section 17.10.010 – Mandatory Connection and Abandonment of Old Well, and Section 17.20.010 - Mandatory Connections and Abandonment of Old On-Site Sewer Systems, to Clarify the Intent of Ordinance 3003-2018 and Make Housekeeping Changes. (Council Member Knackstedt)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3091-2019 and Council Member Glendening **SECONDED** the motion.

President Pro Tem Molloy opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

Clarification was provided that the ordinance was a housekeeping ordinance to clarify intent that a water or sewer line wasn't run down a right-of-way in order to hook up to a main, only if the main was immediately adjacent. Clarification was further provided that the change didn't affect anyone utilizing an existing well.

**VOTE:**

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



**MOTION PASSED UNANIMOUSLY.**

4. **Resolution No. 2019-67** - Establishing Dates for Regular Meetings of the City Council for 2020. (City Clerk)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2019-67 and requested **UNANIMOUS CONSENT**. Council Member Peterkin **SECONDED** the motion.

President Pro Tem Molloy opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

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

5. **Resolution No. 2019-68** - Approving a Memorandum of Agreement between the U.S. Fish and Wildlife Service, Alaska Region, Alaska State Parks, and the City of Kenai for a Gateway to Public Lands Display in the Kenai Municipal Airport. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2019-68 and requested **UNANIMOUS CONSENT**. Council Member Peterkin **SECONDED** the motion.

President Pro Tem Molloy opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

Clarification was provided that the Airport Commission approved the agreement and liked the interactive display.

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

6. **Resolution No. 2019-69** - Awarding Non-Exclusive On-Airport Car Rental Concession to EAN Holdings, LLC, for the Period of December 1, 2019 through June 30, 2021. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2019-69 and requested **UNANIMOUS CONSENT**. Council Member Peterkin **SECONDED** the motion.

President Pro Tem Molloy opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

Clarification was provided that the concession was approved by the Airport Commission and that there was enough parking available.

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

7. **Resolution No. 2019-70** - Approving a Standard Lease Form for City Lands Outside the Airport Reserve. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2019-70 and requested **UNANIMOUS CONSENT**. Council Member Glendening **SECONDED** the motion.

President Pro Tem Molloy opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

Clarification was provided that code required the form to be approved by Council and that it was designed to be filled in for different scenarios dependent on applicable clauses. Clarification was also provided that lands the City was leasing, which was restricted by the FAA and outside of the Airport Reserve, were being addressed and there were options available to the lessee regarding improvements made to the property. Clarification was further provided that valuation processes and options to purchase were specified in code and an option to purchase document would be individualized.

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

An error in Resolution No. 2019-69 was noted and it was asked that section one of the Resolution be amended to reflect what was indicated in the title.

**MOTION TO RECONSIDER:**

Council Member Knackstedt **MOVED** to reconsider the adoption of Resolution No. 2019-69 and Council Member Peterkin **SECONDED** the motion.

**VOTE ON RECONSIDERATION:**

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

NAY:

**MOTION PASSED UNANIMOUSLY.**

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend section one of Resolution No. 2019-69 to read, "That the City Manager is authorized to sign a non-exclusive on-airport car rental concession to EAN Holdings, LLC with a commencement date of December 1, 2019, through June 30, 2021" and requested **UNANIMOUS CONSENT**. Council Member Peterkin **SECONDED** the motion.

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

**UNANIMOUS CONSENT** was requested on the motion to adopt Resolution No. 2019-69 as amended.

**VOTE ON THE MAIN MOTION AS AMENDED:** There being no objection; **SO ORDERED.**

8. **Resolution No. 2019-71** - Repealing Policy No. 2017-02, Supervisory Sub-Committee. (Council Member Knackstedt)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Resolution No. 2019-71 and requested **UNANIMOUS CONSENT**. Council Member Glendening **SECONDED** the motion.

President Pro Tem Molloy opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

It was noted that Council's three employees were annually reviewed and the resolution repealed the supervisory sub-committee as it wasn't necessary and, if additional reviews were needed or if an employee wanted a review, those could be accomplished as a group. It was further noted that the three employees and the HR Director had no objection to the repeal of the sub-committee.

It was suggested that if the policy needed to be amended that could be done; it had been good to hear from the employees on a regular basis. It was noted that normally employees have one boss to go to and it was recognized that having seven bosses could be difficult. It was suggested the sub-committee provided a proactive valuable tool as opposed to being reactive when things weren't going well.

It was also suggested that for consistency Council should have annual employee reviews and have the opportunity to meet with their employees along the way and it should be done together, not as a sub-committee.

**MOTION TO POSTPONE:**

Council Member Pettey **MOVED** to postpone Resolution No. 2019-71 and have an executive session. Council Member Peterkin **SECONDED** the motion.

It was clarified that the subject matter may not qualify for executive session.

**MOTION TO AMEND POSTPONEMENT:**

Vice Mayor Navarre **MOVED** to remove the executive session requirement and add that it be postponed to the next meeting of the Council and Council Member Peterkin **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

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

**VOTE ON THE AMENDED POSTPONEMENT:** There being no objection; **SO ORDERED**.

**E. MINUTES**

1. \*Regular Meeting of October 2, 2019

Approved by the consent agenda.

**F. UNFINISHED BUSINESS – None.**

## G. NEW BUSINESS

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

Approved by the consent agenda.

2. **\*Ordinance No. 3092-2019** - Amending Kenai Municipal Code, Section 1.10.030 – Organization Meeting, to Provide that the Terms of Office of the Mayor and Other Councilmembers Shall Begin the Monday Following Certification of the Election. (City Clerk)

Introduced by the consent agenda and public hearing set for November 6.

3. **\*Ordinance No. 3093-2019** - 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 for the Purchase of a Fire Station Alerting System, an IT Security Audit, and Base Radio System Replacement for Dispatch. (Administration)

Introduced by the consent agenda and public hearing set for November 6.

4. **\*Ordinance No. 3094-2019** - Accepting and Appropriating a Donation from Hilcorp Energy Company to Assist with the Annual Kenai Senior Center Thanksgiving Dinner. (Administration)

Introduced by the consent agenda and public hearing set for November 6.

## H. COMMISSION/COMMITTEE REPORTS

1. Council on Aging – It was reported that at their October 10 meeting the Council continued discussions regarding a Code of Conduct for the Senior Center; next meeting November 14.
2. Airport Commission – It was reported that at their October 10 meeting the Commission recommended approval of a Memorandum of Agreement for an interpretive display regarding public lands and a rental car concession; next meeting November 14.
3. Harbor Commission – No report; next meeting November 4.
4. Parks and Recreation Commission – It was reported that at their October 3 meeting the Commission discussed multi-purpose facility banners; next meeting November 7.
5. Planning and Zoning Commission – No report; next meeting October 30.
6. Beautification Committee – It was reported the Committee did not have a quorum for their October 8 meeting; next meeting January 14.
7. Mini-Grant Steering Committee – It was reported the Committee approved a \$200 grant to Mountain View Elementary School to paint pumpkins during the Pumpkin Festival.

## I. REPORT OF THE MAYOR – None.

**J. ADMINISTRATION REPORTS**

1. City Manager –City Manager P. Ostrander reported on the following:
  - Discussions ongoing with Mayor Pierce regarding increased costs to commercial businesses for refuse and increased costs for sludge refuse;
  - Toured the Golf Course and discussed capital projects with them; noted the spruce bark beetle-killed trees would be a significant issue for them to deal with;
  - Recruitment opened for the third time for a Library Director noting recruitment for smaller libraries was often difficult;
  - The draft Land Management Plan was finished and the next step was taking the draft and working on it administratively;
  - Provided an update on the number of restrooms and toilet paper dispensers at the airport;
  - The City's request to fund the Design Phase of the Bluff Erosion Project was with the Secretary of the Army, Civil Works to be signed; and
  - Upcoming travel to an International City Managers Association Conference and then a Board of Fisheries Meeting.
  
2. City Attorney – City Attorney S. Bloom provided an update on meetings with the Kenai Peninsula Borough regarding online sales tax collection through Alaska Municipal League and the need for an Intergovernmental Remote Seller Sales Tax Agreement. He explained that municipalities that sign on will form a Commission and by-laws and the Commission will buy software to enable collection of online sales tax. He added that case law indicated a requirement for a centralized collection point with one sales tax code to decipher. He also added that staff still had some concerns but they were hopeful that by signing on and being members of the Commission the City can help shape the project going forward and, if needed, the City could get out of the agreement with a 30-day notice.
 

Mr. Bloom also noted he attended an Airport Executive Law Workshop recently and topics such as grant assurances, finance, concessions, per and polyfluoroalkyl substances pollution, contracting, and leases were presented. He thanked Council for the opportunity to attend.
  
3. City Clerk – City Clerk J. Heinz noted recruitment was ongoing for the recruitment of Committee and Commission members.

**K. ADDITIONAL PUBLIC COMMENT**

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

None.

2. Council Comments

Council Member Pettey noted the good work accomplished by the Council during the meeting.

Council Member Peterkin noted the Pumpkin Festival looked successful and that he attended Kenai Brown Bear hockey games; the team did well and there was a good attendance.

Council Member Knackstedt noted he regretted he was unable to make it to the Pumpkin Festival.

Council Member Glendening noted he attended the Pumpkin Festival noting it was well attended. He also noted the census coming up in 2020 with a goal to count everyone, adding that federal funding was affected by the counts.

Council Member Molloy noted the hay maze at the Pumpkin Festival; he appreciated working with Council Member Knackstedt on the ordinance regarding agenda publication and that it worked to collaborate on something where you don't necessarily agree. He thanked Council Member Knackstedt for the collaboration and the assistance of the City Clerk and the City Attorney. Finally, he thanked the marketing firm for their work with the City.

Vice Mayor Navarre noted he looked forward to Council Members Glendening and Pettey serving for another three years.

**L. EXECUTIVE SESSION** – None.

**M. PENDING ITEMS** – None.

**N. ADJOURNMENT**

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

I certify the above represents accurate minutes of the Kenai City Council meeting of October 16, 2019.

---

Jamie Heinz, CMC  
City Clerk

**KENAI CITY COUNCIL WORK SESSION  
IPAD APP TRAINING  
OCTOBER 16, 2019 – 5:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
COUNCIL MEMBER BOB MOLLOY, PRESIDING**

**NOTES**

Council present: H. Knackstedt, B. Molloy, R. Peterkin  
Others present: City Manager P. Ostrander, City Attorney, S. Bloom, City Clerk J. Heinz

Council Member Bob Molloy called the work session to order at approximately 5:10 p.m. advising the work session was called for Council to receive training from the City Clerk on a more user friendly iPad app for Council packets.

City Clerk, Jamie Heinz, provided training for the Adobe Acrobat App including the following:

- 1. Basic Operations**
  - Downloading a packet
  - Renaming a packet
  - Creating folders
- 2. Working with Documents**
  - Opening and viewing a document
  - Bookmark view
  - Sub-bookmarks within the bookmark view
  - Annotation options
  - Annotation view

The work session adjourned at approximately 5:30 p.m.

Notes were prepared by:

---

Jamie Heinz, CMC  
City Clerk



Sponsored by: Council Member Knackstedt

**CITY OF KENAI**

**RESOLUTION NO. 2019-71**

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, REPEALING THE ESTABLISHMENT OF A SUB-COMMITTEE OF COUNCIL FOR THE SUPERVISION OF THE CITY ATTORNEY, CITY CLERK AND CITY MANAGER AND REPEALING COUNCIL POLICY 2017-02 ESTABLISHING PROCEDURES AND RESPONSIBILITIES OF THE SUB-COMMITTEE.

WHEREAS, the City Attorney, City Manager and City Clerk are appointed and removed by the City Council; and,

WHEREAS, the City Council reviews these employees' performance; and,

WHEREAS, the Sub-Committee formed by the City Council to provide further review and supervision for these employees is not needed; and,

WHEREAS, rather than utilize a sub-committee, any additional needed review and communication can be accomplished by the Council as a whole.

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

**Section 1.** That the Sub-Committee of the City Council formed for the purpose of improving efficiency in the supervision of the City Attorney, City Clerk and City Manager is repealed along with Policy No. 2017-02: Supervisory Sub-Committee.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 6th day of November 2019.

\_\_\_\_\_  
BRIAN GABRIEL, SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk

\_\_\_\_\_





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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**FROM:** Council Member Henry Knackstedt

**DATE:** October 7, 2019

**SUBJECT:** **Resolution No. 2019 – 71 Repealing the Council’s Supervisory Sub-Committee and Associated Policy No. 2017-02**

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The City Council appoints and removes the City Attorney, City Clerk and City Manager as well as reviews these employees’ performance. In 2017, the Council created a Sub-Committee to provide an additional tool for communicating with these employees. The Sub-Committee was intended to act as an informal liaison between the Council and its employees. After trying this approach for a couple years, I do not find the Sub-Committee to be necessary and believe the Council as a whole can adequately provide performance reviews and communicate effectively with its employees. This resolution would repeal the formation of the Sub-Committee and associated Policy No 2017-02: Supervisory Sub-Committee.

Your consideration is appreciated.





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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**FROM:** Tim Navarre, Vice Mayor

**DATE:** October 31, 2019

**SUBJECT:** **Resolution No. 2019 – 71 – Council Supervisory Sub-Committee**

I recommend that rather than repealing Council’s Supervisory Sub-Committee, Council make the following amendments discussed below. While the Sub-Committee may not have been meeting as anticipated, there is still value in having this tool as a benefit for both the Council and its employees, now and in the future. The first amendment proposed below removes the set number of meeting requirements. The second proposed amendment is intended to ensure the Sub-Committee is merely a conduit between the Council and its employees to ensure compliance with the Open Meetings Act. If Council desires to amend, rather than repeal the Policy, this Resolution should be postponed, and I will sponsor a substitute resolution at the next meeting. Your consideration is appreciated.

### **POLICY NO. 2017-02: SUPERVISORY SUB-COMMITTEE**

**A. Purpose**

The purpose of this Policy is to establish procedures and duties of the Supervisory Sub-Committee of the City Council for the purpose of facilitating communication and efficiency between the City Council and the City Attorney, City Manager and City Clerk regarding performance and other work matters.

**B. Appointment**

The Supervisory Sub-Committee will consist of three Councilmembers, including the Mayor, Vice-Mayor and a third Councilmember appointed by the Mayor and confirmed by Council. The appointment of the third member shall occur at the same Council Meeting that committee and commission liaisons are appointed and confirmed, or as soon thereafter as practicable.



**C. Procedures**

The Supervisory Sub-Committee will meet privately with the City Attorney, City Manager and City Clerk ~~at least once each quarter~~ as needed to review performance related matters and/or other work related matters. Meetings may be with one or more council employees. In the quarter in which the Council completes an annual review of the employees' performance, the Supervisory Sub-Committee shall meet with each employee after the annual performance review.

**D. Duties**

The Supervisory Sub-Committee shall discuss performance related matters and/or other work related matters with the City Attorney, City Manager and City Clerk. After each meeting, the Supervisory Sub-Committee shall provide a written report available to the City Council and employee. This report shall be considered a confidential working record for the sole purpose of accumulating data for evaluation reports. Such reports shall be kept outside the employee's personnel file and destroyed after each annual evaluation performed by the City Council. The reports shall be considered unofficial and have no standing other than as a temporary record of items discussed. Such reports are confidential, and shall be sealed and maintained by the City Clerk and are accessible only to the City Council and Council employee.

The Supervisory Sub-Committee may take no action, but shall act as an informal liaison between Council and its employee's. The Supervisory Sub-Committee may make ~~recommendations and~~ reports to Council regarding performance, monitor performance expectations and goals, provide recommendations to employees regarding performance and work place matters and convey direction determined by Council.

The City Attorney, City Manager, and City Clerk may contact any Councilmember or the Council as a whole regarding any work related matter, and also may request meetings on a more frequent basis with the Supervisory Sub-Committee. This Policy does not preclude Councilmembers or the Council as a whole from addressing its employees on performance or other work related matters by other means.

**PAYMENTS OVER \$15,000.00 WHICH NEED COUNCIL RATIFICATION  
COUNCIL MEETING OF: NOVEMBER 6, 2019**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPARTMENT</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
PERS	PERS	VARIOUS	LIABILITY	96,404.82
INTEGRITY JANITORIAL	SEPT. SERVICE AT CITY HALL	NON-DEPARTMENTAL	REPAIR & MAINTENANCE	1,389.00
PRECIOUS JANITORIAL	SEPT. SERVICE AT LIBRARY	LIBRARY	REPAIR & MAINTENANCE	2,795.00
PRECIOUS JANITORIAL	SEPT. SERVICE AT TERMINAL	AIRPORT	REPAIR & MAINTENANCE	4,495.00
PRECIOUS JANITORIAL	SEPT. SERVICE AT POLICE	POLICE	REPAIR & MAINTENANCE	978.00
PRECIOUS JANITORIAL	SEPT. SERVICE AT VISITOR CENTER	VISITOR CENTER	REPAIR & MAINTENANCE	928.00
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	117,848.27

**INVESTMENTS**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>MATURITY DATE</b>	<b>AMOUNT</b>	<b>Effect. Int.</b>
PIPER JAFFRAY	U.S. GOV'T SECURITY	2/3/2020	247,000.00	1.80%
PIPER JAFFRAY	U.S. GOV'T SECURITY	1/29/2020	247,000.00	1.85%
PIPER JAFFRAY	U.S. GOV'T SECURITY	10/17/2022	500,000.00	2.00%

**PURCHASE ORDERS OVER \$15,000.00 WHICH NEED COUNCIL APPROVAL  
 COUNCIL MEETING OF: NOVEMBER 6, 2019**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPT.</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
ZONES	DELL COMPUTERS & MONITORS	VARIOUS	SMALL TOOLS	30,405.20
BDO	ANNUAL AUDIT	LEGISLATIVE	PROFESSIONAL SERVICES	47,650.00
ACCEL FIRE SYSTEMS	AIRPORT OPS DRY SPRINKLER REPLACEMENT	A/P ARFF/SRE FACILITY	CONSTRUCTION	18,576.00

**INCREASE OF EXISTING PURCHASE ORDER**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>P.O. # - DEPT.</b>	<b>REASON</b>	<b>AMOUNT</b>	<b>TOTAL PO AMT</b>
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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manger  
 Terry Eubank, Finance Director

**FROM:** Dan Castimore, IT Manager

**DATE:** October 29, 2019

**SUBJECT:** **Purchase Orders Over \$15,000 – Computer Replacement Schedule/  
 Zones LLC**

During the FY19 budget process, the decision was made to change how the City budgets for replacement computers. In the past, the City has replaced computers on an individual basis; however, this makes budgeting difficult as the cost to each department can vary wildly from year to year.

For FY20, departments will be charged based on the price of 1/5 of each computer each year. The amount budgeted was \$260 per computer, or \$1,300 every five years. This will provide for replacement of a \$1,000 computer and a \$300 monitor, or a \$1,300 laptop. Because most users have two monitors, and a monitor has a ten-year life, budgeting for one replacement every five years is sufficient.

The total number of computers was split up over five years based on the original purchase date. During the first round of replacements, through FY24, the average age of replacement will be 6.3 years. Beginning in FY25 computers will be replaced on a five-year schedule.

A request for equipment standardization and exemption from formal bid was approved by the City Manager on October 4, 2019.

I requested quotes from four vendors and received a response from each. The lowest price was \$30,405.20 from Zones LLC. At this time I am recommending that the City completes the purchase of this hardware from Zones LLC.

Thank you for your consideration.





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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** October 30, 2019  
**SUBJECT:** **Purchase Orders over \$15K**

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The purpose of this memo is to request approval to issue a Purchase Order to Accel Fire Systems, Inc. in the amount of \$18,576.00 for the completion of the Kenai Municipal Airport Operations Facility Dry Sprinkler Replacements Project. This project was approved with the FY2020 Budget with \$40,000 appropriated within the Airport Operations Facility Improvement Capital Projects Fund.

A Request for Quotes was sent to four qualified firms; Accel Fire Systems, Inc. was found to be the lowest responsive and responsible quote.

The Project is anticipated to start and finish before December 1, 2019.

Council's approval is respectfully requested.





Sponsored by: Administration

**CITY OF KENAI**

**ORDINANCE NO. 3095-2019**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND – POLICE DEPARTMENT AND ACCEPTING A GRANT FROM THE DEPARTMENT OF JUSTICE FOR THE PURCHASE OF BALLISTIC VESTS.

WHEREAS, the Kenai Police Department participates in a Ballistic Vest Partnership (BVP) grant program through the Department of Justice; and,

WHEREAS, those grant funds are available to cover 50% of the cost of replacement ballistic vests for officers on a five-year replacement cycle; and,

WHEREAS, two ballistic vests will be replaced this fiscal year under the grant program at a cost of \$945 each, and half of that (\$945) is eligible for reimbursement by the grant.

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 and expend a Department of Justice Ballistic Vest Partnership grant for the replacement of two (2) ballistic vests.

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

General Fund:

Increase Estimated Revenues – Federal Grants - Police	\$945
Increase Appropriations – Police – Small Tools	\$945

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

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



ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4<sup>th</sup> day of December, 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk

Approved by Finance:

*J. Heinz*

Introduced: November 6, 2019  
Enacted: December 4, 2019  
Effective: December 4, 2019



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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** David Ross – Police Chief

**DATE:** October 23, 2019

**SUBJECT:** **Ordinance No. 3095-2019 - Accepting and Appropriating a Grant from the Department of Justice**

---

The police department participates in the Department of Justice’s Ballistic Vest Partnership (BVP), which provides grant funds for half the cost of Officer ballistic vest replacement on a five-year cycle. This year there are two vests to replace at a cost of \$945 each, therefore the available grant funds will be \$945.

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





Sponsored by: Administration

## CITY OF KENAI

### ORDINANCE NO. 3096-2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, DETERMINING THAT REAL PROPERTY DESCRIBED AS LOT ONE (1), ALEYESKA SUBDIVISION PART 3, ACCORDING TO PLAT NO. 1531 AND LOT ONE A (1-A), ALEYESKA SUBDIVISION PART 3, ACCORDING TO PLAT K-1531, CITY-OWNED AIRPORT LAND LOCATED OUTSIDE THE AIRPORT RESERVE, IS NOT NEEDED FOR A PUBLIC PURPOSE AND AUTHORIZING THE SALE OF THE PROPERTY TO MITAK INC.

WHEREAS, the City of Kenai received a quitclaim deed from the Federal Aviation Administration (FAA) on December 1, 1963, to nearly 2,000 acres of land subject to certain restrictions, including a restriction that no property shall be used, leased, sold salvaged, or disposed of for reasons other than for airport purposes; and,

WHEREAS, on February 4, 1982, the FAA executed a Deed of Release, for an area of land subject to the Quitclaim Deed shown as Unit D-1 on the Airport Layout Plan that included Lot One (1), Aleyeska Subdivision Part 3, according to Plat No. 1531 and A lot One A (1-A), Aleyeska Subdivision Part 3, according to Plat K-1531, allowing a lease, sale, or disposal for nonairport purposes; and,

WHEREAS, the City has received a request to purchase Lot 1 and Lot 1-A, Aleyeska Subdivision from MITAK, Inc., the current lessee; and,

WHEREAS, KMC 22.05.015 – Disposition of City Land, Land Available for Lease, Sale Or Disposal, provides that the City may sell City-owned real property outside the Airport Reserve when in the judgement of the City Council, such lands are not required by the City for a public purpose; and,

WHEREAS, the properties are leased to MITAK, Inc. and developed for private commercial use and not needed for a public purpose; and,

WHEREAS, Resolution No. 2018-12 amended the City's Policy for sale of specific Airport Land Lots and both of these are parcels are addressed in the policy; and,

WHEREAS, the sale of this property is in the best interest of the City and Kenai Municipal Airport and encourages new development and/or improvements to the property; and,

WHEREAS, KMC 22.05.095 – Disposition of City Land, Methods of Sale or Disposal, allows for a non-competitive sale at not less than fair market value.

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

**Section 1.** Statement of Ownership: That the City of Kenai is the owner of Lot One (1), Aleyeska Subdivision Part 3, according to Plat No. 1531 and A lot One A (1-A), Aleyeska Subdivision Part 3, according to Plat K-1531.

**Section 2.** Public Purpose and Best Interest Findings: That the Property is not needed for future public municipal or Airport purposes. Under the Airport Layout Plan, the Property is designated for non-aviation commercial uses. The sale of the Property is in the best interests of the City and Airport, as it serves a purpose of continuing commercial growth and investment in the City and will add to the Airport's Land Sale Permanent Fund.

**Section 3.** Authorization of Sale: That the Kenai City Council hereby authorizes the City Manager to sell the City-owned lands described as Lot One (1), Aleyeska Subdivision Part 3, according to Plat No. 1531 and A lot One A (1-A), Aleyeska Subdivision Part 3, according to Plat K-1531, under the procedures and terms established for the sale of City-owned lands outside of the Airport Reserve, as set forth in KMC 22.05.095, Disposition of City Land, Methods of Sale or Disposal, and subject to the following additional essential terms and conditions of sale under the Policy for Sale of Specific Airport Leased Lands approved by City of Kenai Resolution No. 2018-12:

- (a) The sale will be made through a negotiated sale to MITAK, Inc. for \$605,000, a value determined by an appraisal dated September 5, 2019 that valued Lot 1 at \$535,000 and valued Lot 1-A at \$70,000, and a minimum new investment in the construction of new permanent improvements on the premises equal to 25% of the fair market value of the land (\$151,250) within three (3) years of sale.

**Section 4.** Title: That title shall be conveyed by quitclaim deed. Any instrument conveying title to the Property shall include the following restrictions, promises, and/or covenants:

- (a) that the City of Kenai reserves unto that the grantee expressly agree for itself and its heirs, executors, administrators, successors, transferees, and assigns, for the use and benefit of the public a right of flight for the passage of aircraft in the airspace above the surface of the Property, together with the right to cause in said airspace such noise as may be inherent in the operation of aircraft, now known or hereafter used, for navigation of or flight in the said airspace, and for use of said airspace for landing on or at and for taking off from or operating on Kenai Municipal Airport; and,
- (b) that the grantee expressly agree for itself and its heirs, executors, administrators, successors, transferees, and assigns to restrict the height of structures, objects of natural grown, and other obstructions on the Property to a height of not more than 242 feet above mean sea level; and,
- (c) that the grantee expressly agree for itself and its heirs, executors, administrators, successors, transferees, and assigns to prevent any use of the Property which would interfere with landing or taking off of aircraft at the Kenai Municipal Airport, or otherwise constitute an airport hazard; and,
- (d) that all covenants heretofore stated shall run with the land and shall inure to the benefit of, and be binding upon the heirs, executors, administrators, successors, transferees, and assigns of the parties to the contract for sale and conveyance.

**Section 5.** Proceeds of Sale: That should a sale of the Property be finalized, all revenues from the sale shall be deposited in the Airport Land Sale Permanent Fund for use in the development, improvement, and operation of the Kenai Municipal Airport and as otherwise required in the Deed of Release dated February 4, 1982.

**Section 6.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4<sup>th</sup> day of December, 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk

Introduced: November 6, 2019  
Enacted: December 4, 2019  
Effective: January 4, 2020



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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Elizabeth Appleby, City Planner

**DATE:** October 29, 2019

**SUBJECT:** **Ordinance No. 3096 - 2019 Authorizing Sale of Property to MITAK, Inc.**

---

MITAK, LLC submitted a request to purchase the above City-owned leased land outside the Airport Reserve with substantial constructed leasehold improvements pursuant to the City's Policy for Sale of Specific Airport Leased Lands, approved by Resolution No. 2018-12. Main Street Tap & Grill and the Main Street Hotel are currently operated by the lessee on these parcels. A map attached to this memorandum shows their location.

MITAK, Inc. is the current lessee of Lot 1 and Lot 1-A, Aleyeska Subdivision Part 3. The lease for Lot 1 was entered into on May 5, 1967, to be used in accordance with the zoning code for the City of Kenai. The lease for Lot 1-A was entered into on March 1, 1968, to provide a parking area behind the hotel. The leases had been transferred several times over the years before MITAK was assigned the leases in 2006. MITAK, LLC subleases the properties to Pink Coyote Limited. The 54-year and 55-year lease terms for both properties expires on June 30, 2022. MITAK, Inc. is current on obligations due to the City and the leases are in good standing.

On February 4, 1982, the Federal Aviation Administration (FAA), released the property for sale for other than airport purposes, allowing the property to be sold at fair market value. All revenues from the sale would be deposited in the Airport Land Sale Permanent Fund for use in the development, improvement, and operation of the Kenai Municipal Airport as required by the Deed of Release.

The City's Policy does not provide for the sale of any specific property, but only a method for such sale, subject to the Ordinances of the City of Kenai. The policy is in effect until July 6, 2021. Any specific sale must be separately approved by the sole discretion of the Kenai City Council. MITAK, Inc. requests to purchase the properties at their fair market value excluding lessee-constructed improvements as determined by an appraisal and a minimum new investment in the construction



of new permanent improvements on the premises equal to 25% of the fair market value of the land within three years of sale.

MITAK, Inc. submitted a good-faith deposit and the City ordered an appraisal to be performed on the property as-if vacant. The fair market value of the properties was determined to be \$605,000 in total (\$535,000 for Lot 1 and \$70,000 for Lot 1-A) by appraisals performed by Reliant, Advisory Services, LLC on September 5, 2019. Based on the amount of the appraisal, MITAK, Inc. proposes to meet the minimum new investment requirement equal to \$151,250 on the premises through an interior remodel of the hotel and restaurant building and improvements to the parking lot asphalt and landscaping. The City will verify the value of the improvements using an estimate from a licensed contractor. The permanent improvements must be completed within three (3) years of the sale.

If the City Council approves the sale, City Administration may proceed with a sale.

Thank you for your consideration.

cc: MITAK, Inc.



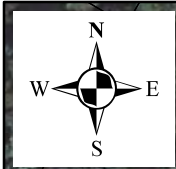
# Map for Ordinance No. 3096-2019

**04338003 (Lot 1-A)  
04338004 (Lot 1),  
Aleyeska Subd  
Part 3**



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: 10/28/2019



**04338003  
Lot 1-A**

**04338004  
Lot 1**

0 40 80 Feet





Sponsored by: Administration

## CITY OF KENAI

### ORDINANCE NO. 3097-2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE TERMINAL IMPROVEMENTS CAPITAL FUND, AND AUTHORIZING AN INCREASE TO THE CONSTRUCTION PURCHASE ORDER TO BLAZY CONSTRUCTION, INC.

WHEREAS, the City of Kenai executed a Construction Agreement with Blazy Construction, Inc. on October 1, 2018 for the Terminal Rehabilitation Project in the amount of \$10,985,994; and,

WHEREAS, Council, through enactment of Ordinance 3037-2018 authorized the City Manager to issue a Purchase Order in the amount of \$11,485,994 for the Contract amount of \$10,985,994 including \$500,000 of contingency funding; and,

WHEREAS, Council, through enactment of Ordinances 3060-2019 and 3080-2019 increased estimated revenues and appropriations by \$734,232.51 to provide for continued project contingency funds and increased the purchase order amount to \$12,220,226.51; and,

WHEREAS, to date the City has executed six change orders totaling \$980,165.39; and,

WHEREAS, the Federal Aviation Administration grant eligible portion of those Change Orders 1-6 has been determined to be \$868,181.49 with the City of Kenai's share as \$111,983.90; and,

WHEREAS, Administration is requesting appropriation of the additional eligible federal share and an increase to the authorized Purchase Order Amount to Blazy Construction, Inc. of the same amount, \$133,948.98 to replenish project contingency and to allow for the continued processing of future change orders; and,

WHEREAS, once complete, the authorized purchase order amount to Blazy Construction, Inc. will be \$12,354,175.49, the authorized contract to Blazy Construction, Inc. will be \$11,966,159.39, with available contingency to complete the project of \$388,016.10; and,

WHEREAS, Council will continue to be informed of Change Orders through Public Works Mid-Month Report.

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

**Section 1.** The City Manager is authorized to accept grant funding from the Federal Aviation Administration in the amount of \$133,948.98 for the grant eligible portions of Change Order 6 to Blazy Construction, Inc.

---

**Section 2.** The City Manager is authorized to increase Purchase Order No. 116510 to Blazy Construction, Inc. by \$133,948.98.

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

Terminal Improvement Capital Project Fund:

Increase Estimated Revenues –  
FAA Grant

\$133,948.98

Increase Appropriations:  
Construction

\$133,948.98

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 4<sup>th</sup> day of December, 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk

Approved by Finance: 

Introduced: November 6, 2019  
Enacted: December 4, 2019  
Effective: December 4, 2019



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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Scott Curtin, Public Works Director

**DATE:** October 30, 2019

**SUBJECT:** **Ordinance No. 3097-2019 – Authorizing increases to the Terminal Rehabilitation Project**

The Kenai Municipal Airport Terminal Rehabilitation Project has been underway since October 1, 2018. The current completion date has been adjusted slightly to February 20, 2020 through execution of Change Order 6 which added 18 Calendar days as the result of labor and material delays resulting from highway closures from the Swan Lake Fire.

The Project was awarded with \$500,000.00 in contingency funds to allow for the prompt processing of change orders during construction to minimize potential cost impacts related to time delays. The Public Works Director in coordination with the City Manager have been reviewing and processing change requests as they are received, and notifying council through Departmental Mid-month reports throughout the project.

To summarize:

Change Order #1 - \$188,955.55 executed on January 31, 2019  
Change Order #2 - \$272,630.01 executed on March 4, 2019

Ordinance 3060-2019 appropriating the Federal share of CO#1-2 April 3, 2019- \$408,849.41

Change Order #3 - \$203,602.75 executed on April 26, 2019  
Change Order #4 - \$67,624.42 executed on May 29, 2019

Ordinance 3080-2019 appropriating the Federal share of CO#3-5 August 21, 2019 - \$325,383.10

Change Order #5 - \$96,126.03 executed on September 3, 2019  
Change Order #6 - \$151,226.63 executed on October 21, 2019



The Original Contract to Blazy Construction, Inc. was \$10,985,994.00  
Total Change Orders to date CO#1-6 - \$980,165.39  
Total Contract to date shall be \$11,966,159.39

Passage of this Ordinance will replenish the contingency and allow for the continued processing of future change orders. Council will continue to be informed of change orders through Public Works Mid-Month reports.

As a reminder to Council, the extent of the Asbestos Abatement, is the largest contributing factor to the additional costs, accounting for \$546,896.40 of all change orders to date.

Council's approval is respectfully requested.



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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Robert J. Frates, Parks & Recreation Director

**DATE:** October 28, 2019

**SUBJECT:** **Action Approval – Renaming of the Kenai Multi-Purpose Facility**

---

The purpose of this memorandum is to seek authorization from the Kenai City Council to pursue advertising and naming rights for the City of Kenai, Multi-Purpose Facility, also known as, the Kenai Ice Rink.

The previous advertising and naming agreement was between the City of Kenai and ConocoPhillips Alaska in 2005. The terms of this agreement was for three years and included a one-time \$15,000 payment. This agreement expired in 2008.

Authorization would allow Administration to pursue an open and competitive process whereby third parties may express their interest in the exclusive advertising and naming rights of the above-mentioned facility. Negotiations would commence after the designated closing date for submission of proposals for development of a Facility Advertising and Naming Rights Agreement.

Thank you for your consideration.





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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Elizabeth Appleby, City Planner

**DATE:** October 31, 2019

**SUBJECT:** **Action Approval - Authorizing SUP to Axtel Enterprises, LLC for Fuel Reduction at Tract A Kenai Meadows (2200 Redoubt Avenue)**

Mr. Walter Blauvelt, owner of Axtel Enterprises, LLC, contacted the City to request a Special Use Permit to clear dead and dying trees for fuel reduction at Tract A Kenai Meadows. The City owns Tract A Kenai Meadows (2200 Redoubt Avenue), a vacant parcel of approximately 72.21 acres. There are many dead or dying trees on the parcel due to damage from the spruce bark beetle (*Denfroctonus rufipennis*). Dead and dying spruce trees present a wildfire hazard when standing because they can support intense, rapidly moving crown fires and when fallen they can support intense surface fires.

Axtel Enterprises, LLC is currently doing work to clear dead and dying trees for fuel reduction on the parcel adjacent to Tract A Kenai Meadows for Hall Building LLC (1712 Redoubt Avenue). City staff looked at the work being done on this parcel on October 29, 2019. The site was appropriately thinned and was not clear-cut. Logs were neatly stacked and the site looked neat without slash left messily. Axtel Enterprises, LLC has also done similar work for the Kenai Peninsula Borough through a Land Use Permit granted in May 2019 after requesting access to remove dead trees from Borough-owned property. Kenai Peninsula Borough staff reported being pleased with the work of Axtel Enterprises, LCC during a phone call with City staff on October 31, 2019.

Terms and conditions applied to the Special Use Permit would protect the value of the parcel for the City. Terms in the Special Use Permit include: no roads or other development must be created, the premises must be left in clean and neat condition, all slash and debris may not be scattered or left in piles and should be removed from the site, open fires are prohibited, and City staff may conduct site inspections.



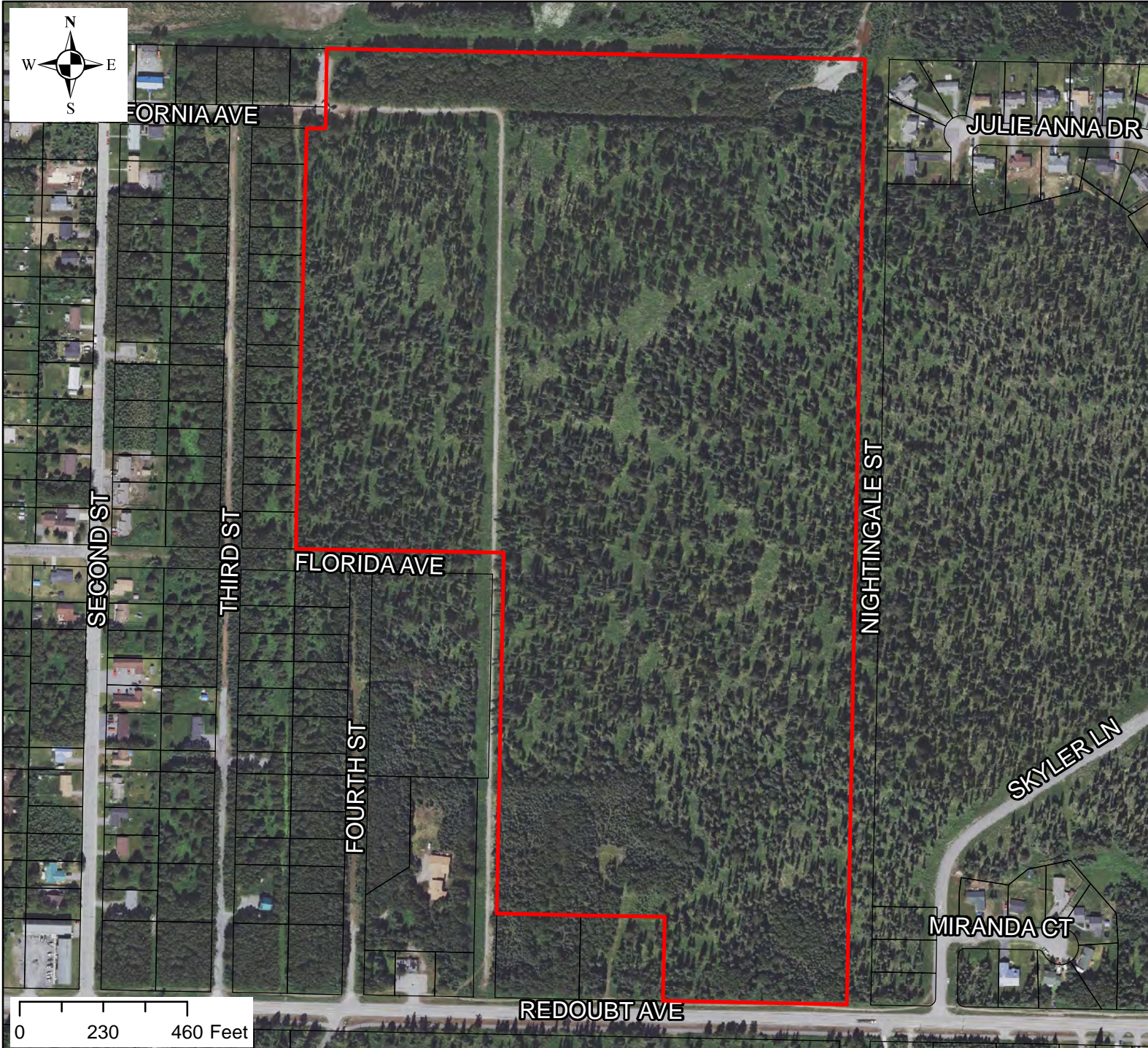
The Special Use Permit would be granted for a time period of six months for non-exclusive right of access to Tract A Kenai Meadows. If the Council approves, City Administration would finalize the Special Use Permit.

cc: Axtel Enterprises, LLC



**Special Use Permit  
Axtel Enterprises, LLC  
for Fuel Reduction**

**City-Owned Parcel  
03901065  
Tract A  
Kenai Meadows  
2200 Redoubt Avenue**



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.



**SPECIAL USE PERMIT FOR FUEL REDUCTION**

The CITY OF KENAI (City) grants to Axtel Enterprises LLC, (Permittee), whose address is 72520 Griner Avenue #85, Anchor Point, AK 99556, a Special Use Permit to clear/harvest dead or dying trees at Tract A Kenai Meadows, 2200 Redoubt Avenue, Kenai, Alaska 99611, Parcel No. 03901065, subject to the requirements and the conditions set forth below.

- 1. Premises.** Permittee shall have the non-exclusive right to use Tract A Kenai Meadows, 2200 Redoubt Avenue as described in the attached Exhibit A for the uses identified in this Permit.
- 2. Term.** The term of this Permit shall be for 6 months commencing on November 7, 2019, and ending on May 7, 2020. Regardless of the date of signature, this Permit shall be effective as of November 7, 2019.
- 3. Permit Fees.** Permittee shall pay the following fees for the privileges extended to Permittee under this Permit: \$10.00.

Payment shall be directed to City of Kenai, ATTN: Finance Department, 210 Fidalgo Avenue, Kenai, AK 99611 and a courtesy notice of payment provided to Airport Administration at 305 North Willow Street, Suite 200, Kenai, AK 99611 In the event of delinquency, interest at the rate of ten percent (10%) per annum, and penalty of ten percent (10%) shall also be due (KMC 1.75.010). Interest shall accrue from the date due until the date paid in full. Failure to timely make payments is grounds for termination of this Permit. (See ¶ 22, Termination).

- 4. Use.** City authorizes Permittee’s non-exclusive use of the Premises for the following purpose(s):

Cutting and removal of dead or dying trees for fuel reduction. Slash and debris must be removed from site and may not be left scattered or in piles. No roads or other development may be created by Permittee. Premises must be left in clean and neat condition. Open fires on the property are prohibited. Permittee agrees to requested site inspections by City staff.

This Permit, and any access rights allowed hereunder, are for Permittee’s use only and may not be transferred or assigned.

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

Permittee acknowledges that the use granted herein is subject to the Kenai Municipal Code and as those laws and regulations may be amended from time to time.

Solicitation of donations or operation of a business or other commercial enterprise not contemplated by this Permit is prohibited without the written consent of City.

**5. Insurance.** Permittee shall secure and keep in force adequate insurance, as stated below, to protect City and Permittee. Where specific limits are stated, the limits are the minimum acceptable limits. If Permittee’s insurance policy contains higher limits, City is entitled to coverage to the extent of the higher limits.

**A.** 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. A waiver may be provided if applicable.

**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 on the Airport. 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 thirty (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 prior to any activity by Permittee on the property.

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

**6. Assumption of Risk.** Permittee assumes full control and sole responsibility as between Permittee and City for the activities of Permittee, its personnel, employees, and persons acting on behalf of or under the authority of the Permittee anywhere on the Premises. 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.

**7. Indemnity, Defend, and Hold Harmless Agreement.** Permittee agrees to fully indemnify, defend, and hold harmless, the City of Kenai, its officers, agents, employees, and volunteers from and against all actions, damages, costs, liability, claims, losses, judgments, penalties, and expenses of every type and description, including any fees and/or costs reasonably incurred by the City's staff attorneys and outside attorneys and any fees and expenses incurred in enforcing this provision (hereafter collectively referred to as "Liabilities"), to which any or all of them may be subjected, to the extent such Liabilities are caused by or result from any negligent act or omission or willful misconduct of the Permittee in connection with or arising from or out of Permittee's activities on or use of the Premises. This shall be a continuing obligation and shall remain in effect after termination of this Permit.

**8. No Discrimination.** Permittee shall not discriminate against any person because of the person's race, creed, color national origin, sex, age, or handicap. Permittee recognizes the right of City to take any action necessary to enforce this requirement of the Permit. Permittee will furnish services provided under this Permit on a reasonable, and not unjustly discriminatory, basis to all users of the Airport and shall charge reasonable, and not unjustly discriminatory, prices for each product or service provided at the Airport.

**9. Licenses and Permits.** Permittee shall obtain and maintain all required federal, state, and local licenses, certificates, and other documents required for its operations under the Permit. Permittee shall provide proof of compliance to City upon request by the City.

- 10. Compliance with Law/Grant Assurances.** This Permit, and Permittee's activities conducted under this Permit, is subject to all executive orders, policies and operational guidelines and all applicable requirements of federal, state, and City statutes, ordinances, and regulations in effect during the term of this Permit. This Permit is subordinate to the City's grant assurances and federal obligations if applicable.
- 11. No Exclusivity.** The privileges granted under this Permit are not exclusive to Permittee.
- 12. Assignment.** The privileges granted under this Permit are personal to Permittee and may not be assigned by Permittee.
- 13. No Joint Venture.** 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. No Waiver.** Failure to insist upon a strict compliance with the terms, conditions, and requirements 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.
- 15. Personalty.** Permittee shall remove any and all personal property, including all vehicles, from the Premises at the termination of this Permit (or any renewal thereof). Personal property placed or used upon the Premises will be removed and/or impounded by the City, if not removed upon termination of this Permit and when so removed and/or impounded, such property may be redeemed by the owner thereof only upon the payment to the City of the costs of removal plus storage charges of \$25.00 per day. The City of Kenai is not responsible for any damage to or theft of any personalty of Permittee or of its customers.
- 16. Termination; Default.** This Permit may be terminated by either party hereto by giving thirty (30) days advance written notice to the other party. City may terminate the Permit immediately, or upon notice shorter than thirty (30) days, to protect public health and safety or due to a failure of Permittee to comply with condition or term of this Permit which failure remains uncured after notice by City to Permittee providing Permittee with a reasonable time period under the circumstances to correct the violation or breach





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**MEMORANDUM**

**TO:** Mayor Brian Gabriel and Kenai City Council  
**FROM:** Jamie Heinz, City Clerk  
**DATE:** October 31, 2019  
**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 Jim Glendening
Airport Commission	Council Member Tim Navarre
Harbor Commission	Council Member Robert Peterkin
Parks and Recreation Commission	Council Member Bob Molloy
Planning and Zoning Commission	Council Member Henry Knackstedt
Beautification Committee	Council Member Glenese Pettey
Mini-Grant Steering Committee	Mayor Brian Gabriel



**TOGETHER  
WE CAN!**

<b>City of Kenai Mini-Grant Application</b>	
<b>Grant Number:</b>	_____
<b>Date Received:</b>	_____

**Applicant** BRIDGES COMMUNITY RESOURCE NETWORK **Date:** 10/20/2019  
**Applicant Address:** PO BOX 1612 SOLDOTNA AK 99669 **Phone:** 907-262-3800  
**Email Address:** MARTA.PAUL.TAYLOR@GMAIL.COM  
**Contact Person:** MARTA TAYLOR **Phone:** 907-953-5999  
**Project Title:** PROJECT HOMELESS CONNECT  
**Project Start/End Dates:** JANUARY 29, 2020  
**Total Project Cost:** \$10000 **Amount Requested:** \$500

**Please check:**

**501(c)(3) Non-profit Organization** EIN# 92-0151271 (New grantees should attach a copy of their IRS Letter of Determination.)

**Society/Group\***

**Individual\***

\*There may be a tax liability for grant awards to non-exempt entities.

1. Provide a brief description of your organization, society, group, or entity. As an individual applicant, describe your involvement in the community and your experience/expertise as it relates to this project. (Attach separate sheet, if necessary.)

BRIDGES PROVIDES ACCESS TO A DIVERSITY OF RESOURCES SUPPORTING EMOTIONAL, PHYSICAL, MENTAL AND SPIRITUAL WELL BEING. BRIDGES HAS A FOCAL POINT OF NURTURING PERSONAL GROWTH.









Did you comply with the Letter of Agreement?

Yes

No (If no, attach a current status of your project.)

I certify the information contained in this application, including all attachments and support material, is true and correct. I understand the grant funds, if granted, will be used only for the project or purpose described in this application. I understand ninety percent (90%) of the funds approved will be provided in advance. The balance will be paid at the completion of the project and report filed with the steering committee. Signatory must be an authorized officer for an organization. Student applications must also be signed/approved by a teacher.

Applicant

Signature: Marta Taylor

Date: 10/20/2019

Name Printed: MARTA TAYLOR

Title: VOLUNTEER (if applicable)

Approval (Teacher)

Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Title: \_\_\_\_\_ (if applicable)

**From:** [Marta P. Taylor](#)  
**To:** [Jamie Heinz](#); [Jacquelyn LaPlante](#)  
**Subject:** RE: Kenai Mini Grant  
**Date:** Monday, October 21, 2019 5:48:39 PM

---

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

Hi Jamie & Jacquelyn – Marta Taylor with Project Homeless Connect again – I just learned today that we HAVE received the Kenai grant in the past (2017??), but I put on the application that we have NOT. I wanted to clarify. Please let me know if you need additional information and thank you again for your consideration!

Sent from [Mail](#) for Windows 10

---

**From:** [Marta P. Taylor](#)  
**Sent:** Sunday, October 20, 2019 2:03 PM  
**To:** [jheinz@kenai.city](mailto:jheinz@kenai.city); [jlaplante@kenai.city](mailto:jlaplante@kenai.city)  
**Cc:** [kgensel@cpgh.org](mailto:kgensel@cpgh.org)  
**Subject:** Kenai Mini Grant

Hi Jamie and Jacquelyn,

I am attaching a mini grant application and a copy of Bridges IRS Letter of Determination. We are requesting \$500 to go towards the 2020 Project Homeless Connect event, to occur on January 29<sup>th</sup>. Thank you for your consideration and please do not hesitate to contact me with any questions. THANKS!

Marta Taylor



## Mini-Grant Overview / Procedures

City of Kenai  
210 Fidalgo Avenue  
Kenai, AK 99611  
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# TOGETHER WE CAN

**Purpose:** *Together We Can!* Provides funding in the form of mini-grants for residents, school programs and organizations to use for projects that will have an immediate, positive, and long-lasting effect for their neighborhoods and the City of Kenai. Mini-grants are intended to provide start-up funding for small innovative projects within the City of Kenai. Our goal is for families, neighbors and all members of Kenai to work together to build healthier neighborhoods, help kids succeed in school and improve the quality of life for all residents.

**Who may apply:** Youth, neighborhood groups, organizations, and individuals who have a desire to improve the quality of life in their community.

**How to apply:** Complete a *Together We Can!* Mini-Grant application and submit to the City Clerk at City Hall.

**Types of Projects:** Only new or expanded projects will be considered.

**Selection:** Grant recipients will be chosen by the Steering Committee, appointed by the Kenai City Council. The Steering Committee will include the Mayor, Kenai Economic Development member, one representative each from Kenai Central High School and the Kenai Chamber of Commerce.

**Funding:** The City of Kenai may provide funds in its annual Legislative Budget for distribution. The maximum grant amount the Committee may award is \$500. Grants larger than \$500 must be approved by the Kenai City Council. Awards for funding are granted to prior-approved projects only.

**Project Completion:** Upon completion of the project, a report must be filed with the *Together We Can!* Steering Committee and the report will be submitted to the Kenai City Council explaining how the funds were spent and the outcome of the project.

**Procedures:** Applications are submitted to the City of Kenai ***Together We Can!*** Steering Committee for review through the Kenai City Clerk. (Students' applications must be signed/approved by a teacher.) Upon approval of application and execution of Letter of Agreement, 90% of the grant funds will be issued through the Kenai Finance Department. A report will be given to the City Council of awarded projects. A written report must be submitted to the Steering Committee within thirty (30) days of completion of the project. Council will present a proclamation upon receipt of the completed project and financial reports.

**Awards:** Projects most likely to receive funding are those that will benefit the community/neighborhoods the most. This includes projects that create the most visible and lasting change.



*"Village with a Past, City with a Future"*

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## MEMORANDUM

**TO:** Mayor Gabriel and City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Dan Castimore, IT Manager

**DATE:** October 29, 2019

**SUBJECT:** **Personal Use Fishery Capital Projects**

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In 2013 the City received a grant from the State of Alaska to construct a new access road on South Beach. This grant was in the amount of \$1.9 million. In order to complete this project, the City acquired a large parcel of land which also consisted of several structures. Upon completion of the road, the remaining land and structures were sold, with the resulting revenue returning into the grant account. As of today, a total of \$786,209.94 remains in this account.

During the 2019 legislative session, a change to the grant language was received that allowed for this grant money to be spent on projects that benefit both the north and south beaches rather than only the south beach as originally intended. As a result, the City Manager directed me to put out a call to all departments seeking proposals for projects. These projects were received and scored based on a matrix. Enclosed is the result of this process.

Several projects were clearly scored higher than others, and as a result, additional time was spent to develop the project proposals. A basic narrative for each project is included below, ranked in order of the scoring matrix.

### Vault Restrooms

This project would install four new vault-type restrooms, each with two additional toilets.

Currently, one of the larger operating expenses each year is in contracted services. By installing three additional vault restrooms on North Beach the city should save \$6,381 per year. These restrooms would also be available for the remainder of the year for use by residents. Installing a vault restroom on south beach would save the city \$325 per year, and for the first time provide for permanent restrooms for users of this recreational area.

In 2010 three vault restrooms were installed for a total cost of \$96,000. We have engineered drawings available and construction could likely be completed for the 2020 season.

The estimated cost of this project is \$180,000



### **Spruce Campground**

Prior to the opening of Walmart in 2010, the city previously maintained two different campgrounds. Kenai Municipal Park was operated as a campground as recently as the 1980s, closing due to complaints from the residents of the adjacent Redoubt Terrace Subdivision. In the late 1990s, a campground was constructed in the area that is now Walmart. With the closure of this campground, Kenai became the only municipality on the Peninsula without a public campground.

A two-acre parcel was identified on South Spruce St that is currently owned by the city. Directly to the south of this parcel is an additional two-acre parcel that is in private ownership. This project would construct a campground with 20 accessible spots, a restroom with showers, a small play area, and a pavilion. In the event that the southern parcel was acquired, an additional 10 spaces could be added along with a scenic viewing platform. Each of the spaces would be spaced approximately 50 feet apart, providing the privacy and nature experience similar to that of a state park. Each site would include electrical hookups with water and sewer if the budget allows.

The estimated cost for the first phase of this project would be \$400,000.

### **Little League Permanent Restrooms**

In 2019 the city paid \$4,254 to have portable restrooms installed at the little league fields for the personal use fishery. In addition, each year little league spends an additional \$5,200 each year to provide restrooms for the spring season. As the current concession stand has water, sewer, and electric, the cost of extending utilities should be minimal.

The estimated cost for this project is \$125,000.

### **Kenai Avenue Water and Sewer**

This project would extend a water and sewer line to the end of Kenai Avenue with the plan of eventually providing running water restrooms. This project would be dependent on having electricity at the end of Kenai Ave.

The estimated cost of this project is \$1,000,000.

### **North Beach Parking Lot Asphalt**

Each year the parking lot on North Beach requires maintenance for eliminating potholes, dust control, and temporary striping. Paving the parking lot would reduce the maintenance costs, and allow for better traffic control using permanent striping.

The estimated cost of this project is \$350,000

### **Kenai Avenue Paving**

Kenai Avenue is a narrow gravel road that is used by many participants to access the fishery. Currently, the road is narrow, and because it is gravel it is not striped. Due to high usage and weather, the road can develop potholes. Because of the high usage, road maintenance during July can be difficult. Paving this road would reduce these issues.

The estimated cost of this project is \$250,000.



### **Anchor Campground**

Similar to the Spruce Campground, another parcel was identified that would be useful as a campground. This is a 5-acre parcel that was previously the Anchor Trailer Park. As this parcel was previously a mobile home park, existing utilities may exist. This site would be laid out similar to the Spruce Campground and feature the same amenities. Because this site has been completely cleared and converted to a gravel lot, development costs would likely be lower than the Spruce Campground.

Because this land is privately held, the cost of land acquisition could be quite high. In addition, the lack of any existing vegetation would also limit the appeal of such a campground.

The estimated cost of this project is \$350,000 not including the land acquisition costs. The current Borough assessment of this land is \$328,100.

### **South Beach Shack Replacement**

The current fee shack on South Beach was not constructed for the current purpose. When constructed, the fee shacks were only staffed for a portion of the day and used paper receipt books rather than computers. Generators were used when light was needed. Currently, electricity is provided by HEA, computers and other sensitive equipment are used, and the shacks are staffed 24 hours per day.

This project would construct a new shack with large windows for increased visibility, an HVAC system for temperature control, and better lighting. In addition, traffic gates would be added to better control traffic similar to what is being used on North Beach.

The estimated cost of this project is \$35,000.

### **Kenai Avenue Electric**

This project would extend HEA power to the end of Kenai Avenue. Having electricity would allow for better facilities and more vendor opportunities.

The estimated cost of this project is \$100,000.

### **South Beach Fence Completion**

Currently, the City maintains approximately 2,500 feet of fencing along the dunes on South Beach. A private landowner maintains another 1,800 feet of fencing protecting the remainder of the dunes and part of the flats to the north of Royal Ct. There is a remaining section of approximately 800 feet that would connect this fence to the chain link fence on the Hilcorp pad.

The estimated cost of this project is \$40,000.

### **South Beach Parking Area**

Prior to the 2017 season, access to South Beach was via Dunes Rd. Adjacent to Dunes Rd. is a small parking lot that was used by fishery participants that didn't have four-wheel-drive vehicles. These participants would park in this lot and drive an ATV down to the fishery. Since the access has moved to Royal Ct, there is a lack of parking for participants without four-wheel-drive vehicles. This project would create a parking lot to the north of the Hilcorp pad.

The estimated cost of this project is \$100,000.



**Recommendation**

Based on our scoring rubric, the following projects provide the greatest value to the City.

1. Vault Restrooms
2. Spruce Campground
3. Little League Permanent Restrooms
4. South Beach Shack Replacement

Administration is recommending the available grant dollars be utilized to pursue these projects, and that Council refers these projects to the Parks and Recreation Commission and the Harbor Commission for their consideration. Administration will bring a resolution to Council at your December 4<sup>th</sup> meeting that includes the recommendation of both commissions.

Thank you for your consideration.





# Personal Use Fishery Capital Project Scoring Matrix Results

<b>Project</b>	<b>Cost</b>	<b>Score</b>
Vault Restrooms	\$ 180,000	167
Spruce Campground	\$ 400,000	140
Little League Permanent Restroom	\$ 125,000	124
Kenai Ave Water/Sewer	\$ 1,000,000	122
North Beach Parking Lot Asphalt	\$ 350,000	120
Kenai Ave Asphalt	\$ 250,000	115
Anchor Campground	\$ 350,000	113
South Beach Shack Replacement	\$ 35,000	110
Kenai Ave Electric	\$ 100,000	97
South Beach Fence Completion	\$ 40,000	77
South Beach Parking Area	\$ 100,000	51

These scores are the total amount of the three individuals who scored the projects.

Describe how this project would improve safety to residents or participants: (up to 15 points)

- 15 points - project would significantly improve safety for members of the public.
- 15 points – project would directly improve safety for personal use fishery employees.
- 10 points – project would moderately improve safety for members of the public.
- 5 points – project may improve safety for members of the public.
- 0 points – project would not impact public safety.

Describe how this project would reduce operating expenses: (up to 15 points)

- 15 points – project would result in a reduction of operating expenses year-round.
- 10 points – project would result in a reduction of operating expenses during the fishery.
- 5 points – project may result in a reduction of operating expenses.
- 0 points – project wouldn't reduce, or would increase, operating expenses.

Describe how this project would increase revenue: (up to 15 points)

- 15 points – project would result in an increase of revenue year-round.
- 10 points – project would result in an increase of revenue during the fishery.
- 5 points – project may result in an increase of revenue.
- 0 points – project wouldn't increase, or may decrease, revenue.

Describe how this project would improve the quality of life (QoL) for residents: (up to 40 points)

- 40 points – project would result in an increase QoL for **most** residents year-round.
- 30 points – project would result in an increase QoL for **some** residents year-round.
- 20 points – project would result in an increase QoL for **most** residents for part of the year.
- 10 points – project would result in an increase QoL for **some** residents for part of the year.
- 0 points – project wouldn't increase, or may decrease, QoL for residents.

Provide an estimated timeline for completion of this project: (up to 15 points)

- 15 points – project can be completed with minimal effort in 3 months or less.
- 12 points – Project can be completed with some effort before June 30, 2019.
- 8 points – Project can be completed with significant effort before June 30, 2019.
- 4 points – Project is unlikely to be completed before June 30, 2019.
- 0 points – Project will take more than 1 year to complete.

# Personal Use Fishery Capital Improvement Request

Project Name: Vault Restrooms

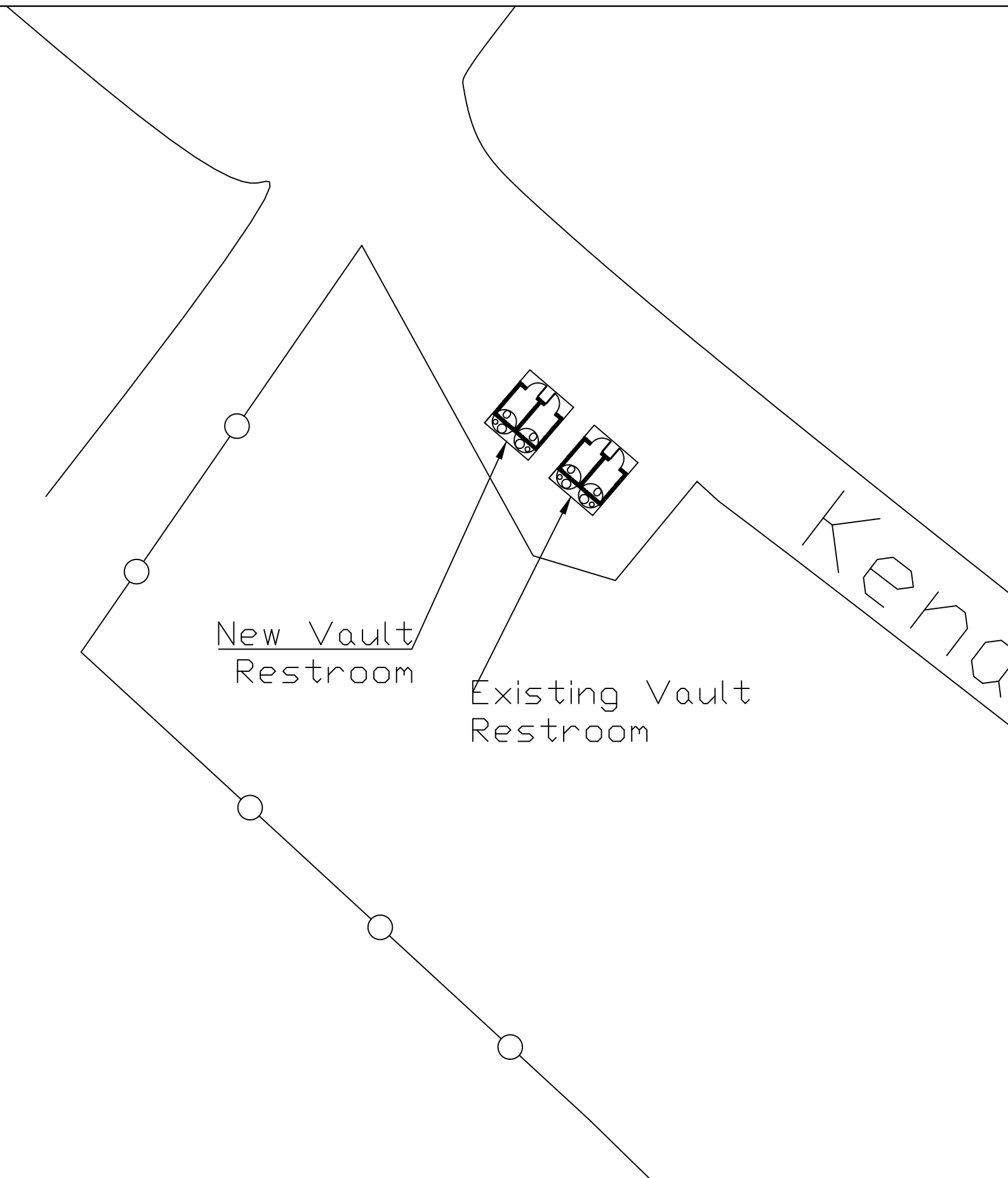
Project Location: Misc Estimated Cost: \$180,000

<b>Project Description:</b>	<b>Score</b>
Install Vault restrooms to replace portable toilets in locations that are accessible by road. Install 4 stalls at the intersection of Meeks Trail and Kenai Ave, 2 additional stalls at the end of Spruce St, and 2 additional stalls in the parking lot on South Beach. In 2010 three of these units were installed for a price of \$32,000 each.	
<b>Describe how this project would improve safety to residents or participants: (up to 15 points)</b>	
<b>Describe how this project would reduce operating expenses of the fishery: (up to 15 points)</b>  This would eliminate the need for portable toilets at all locations except the dock and south beach camping area.	
<b>Describe how this project would increase revenue during the fishery: (up to 15 points)</b>	
<b>Describe how this project would improve the quality of life for residents: (up to 40 points)</b>  This would provide additional restrooms for residents year round.	
<b>Provide an estimated timeline for completion of this project: (up to 15 points)</b>  July 2020. Existing engineered drawings and contract documents from 2010 exist.	
<b>Total Score:</b>	<b>0</b>

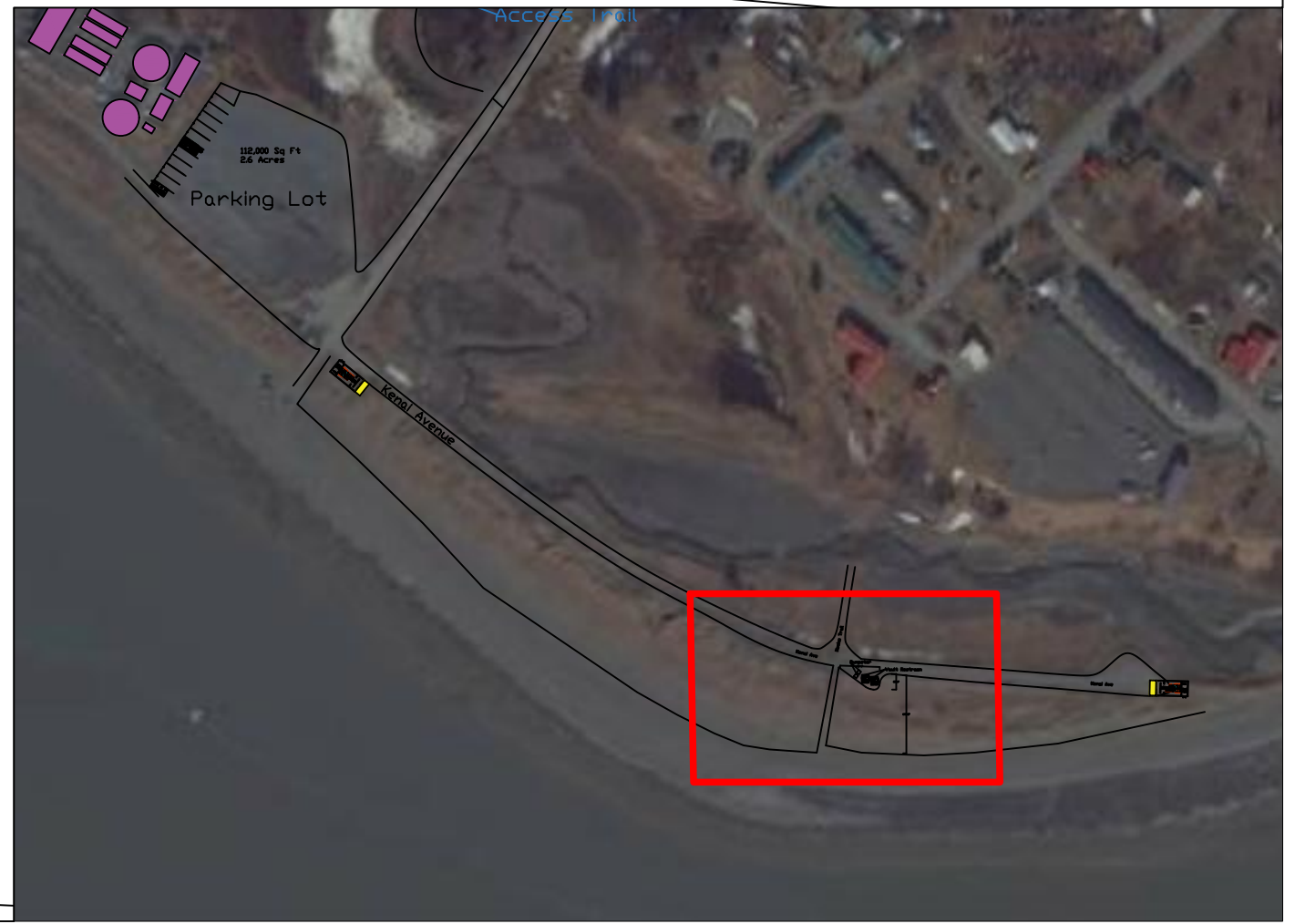
Form prepared by: Dan Castimore Department: Finance

**Reset Form**

# North Beach Parking Lot Vault Restrooms



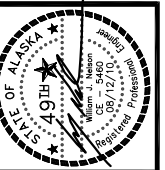
# Meeks Trail Vault Restrooms





# South Beach Vault Restroom





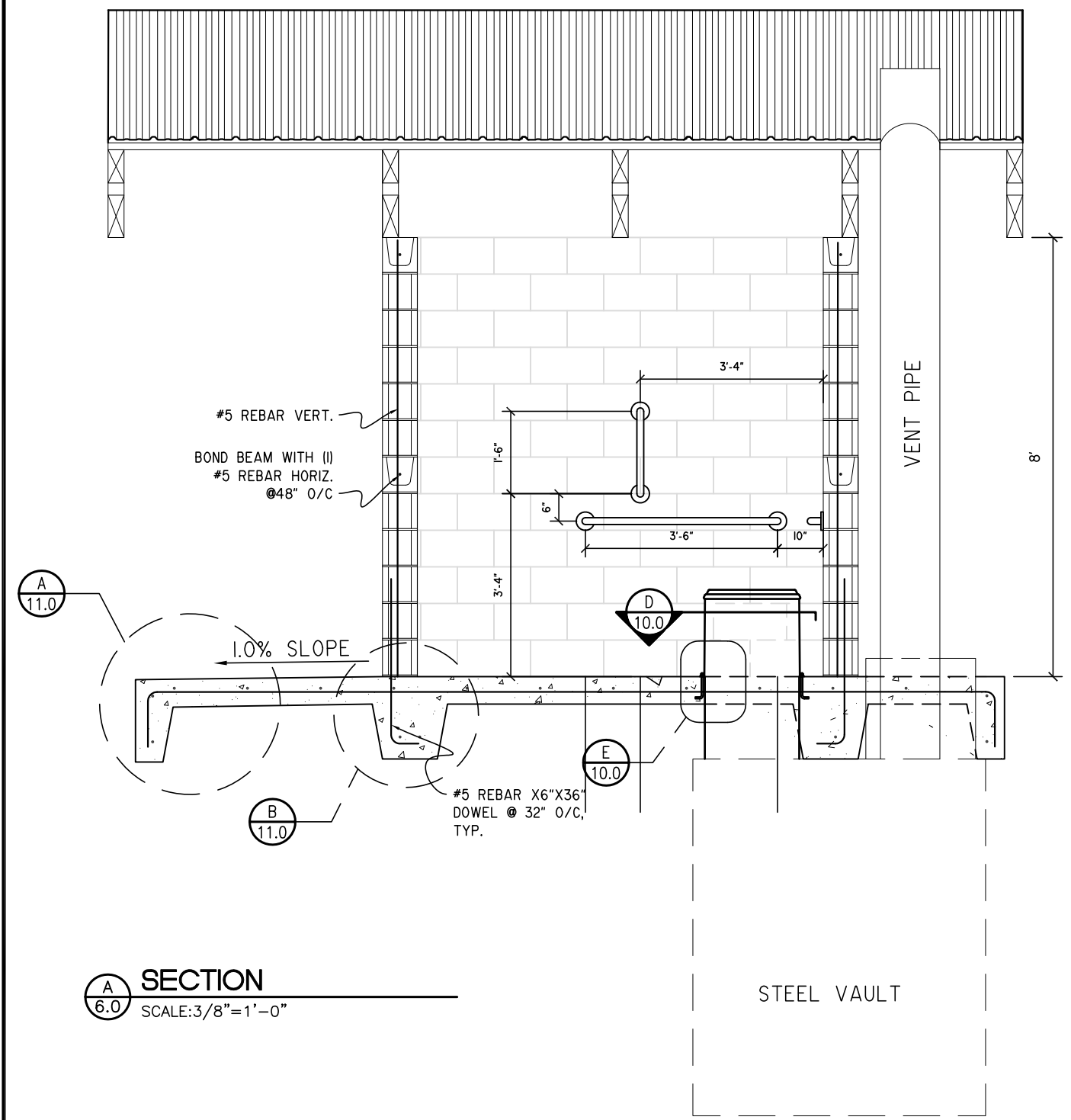
NO.	REVISION	DATE
1	VERT. REBAR II/08/10	
2	GRAB BARS II/08/10	

CONSULTING ENGINEERS  
STRUCTURAL/CIVIL  
155 BIDARCA ST  
KENAI, AK 99611  
TEL: (907) 283-3583  
NELSONENGINEER@ALASKA.NET

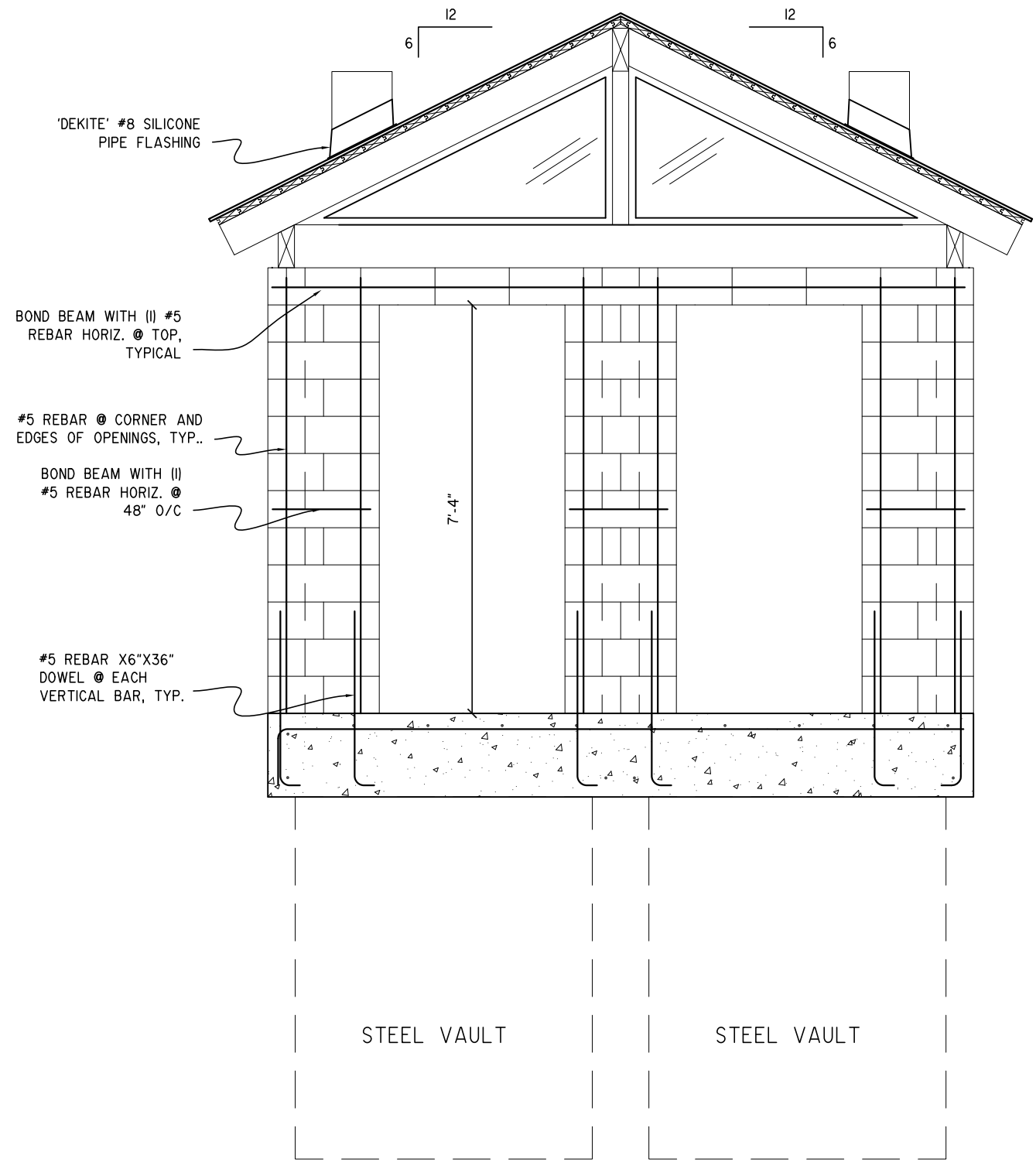


**KENAI NORTH SHORE IMPROVEMENTS**  
RESTROOMS  
TYPICAL SECTIONS

PROJECT NO. 1034.1  
DRAWN BY: MEH  
CHECKED BY: WJN  
DATE: 08/04/10  
SCALES: NOTED  
HORIZ. NOTED  
VERT. NOTED  
SHEET **36.0**  
6 OF 12



**A**  
SECTION  
6.0 SCALE: 3/8"=1'-0"



**B**  
SECTION  
6.0 SCALE: 3/8"=1'-0"

# Personal Use Fishery Capital Improvement Request

Project Name: Spruce Campground

Project Location: 330 South Spruce St Estimated Cost: \$400,000

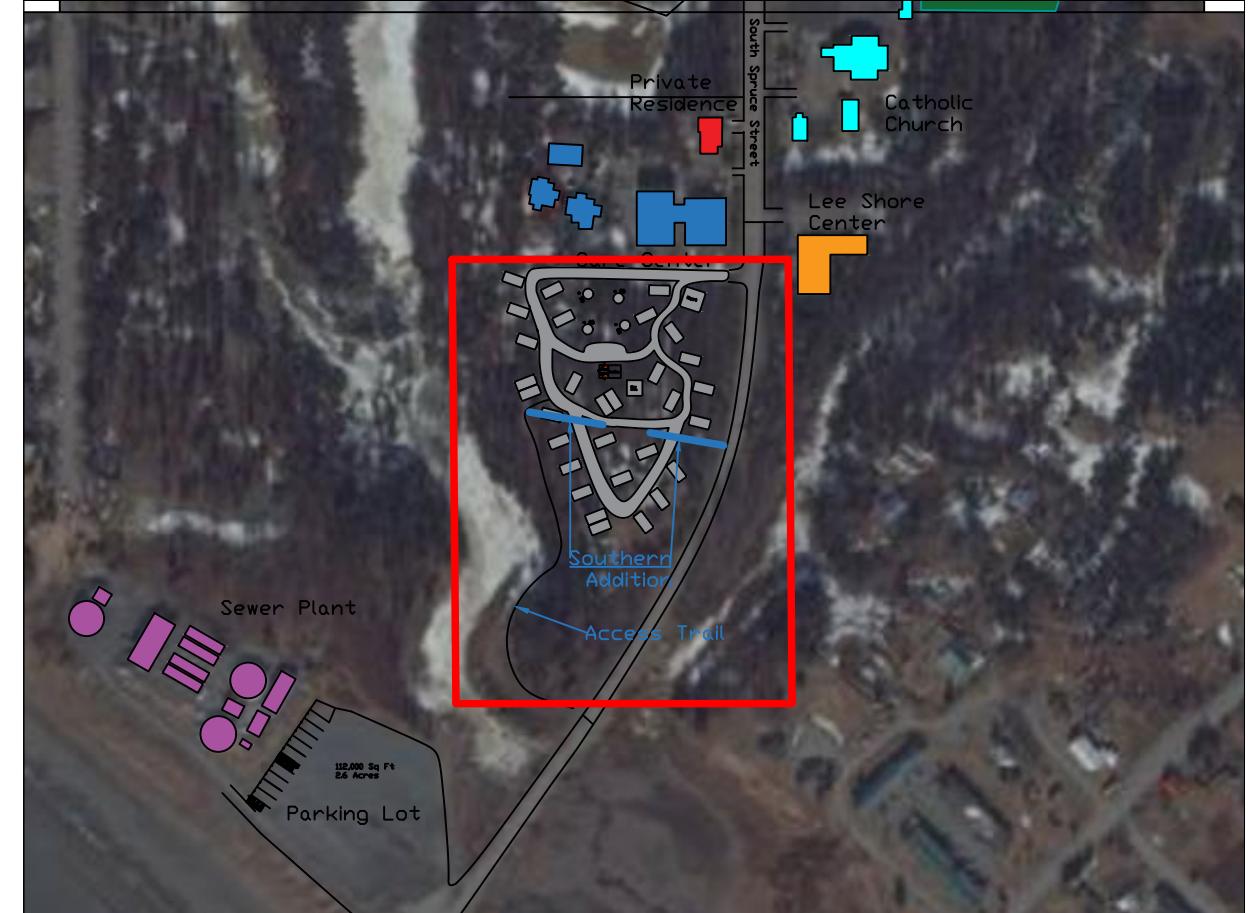
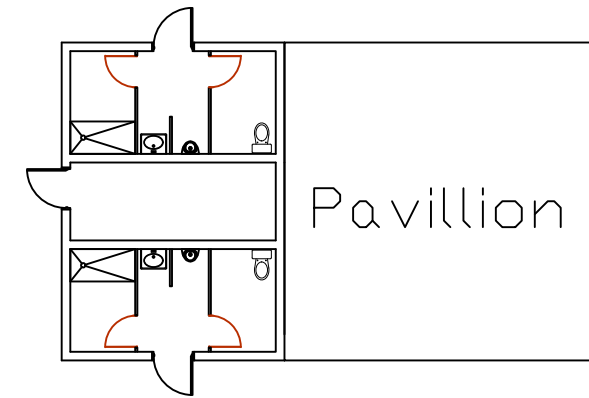
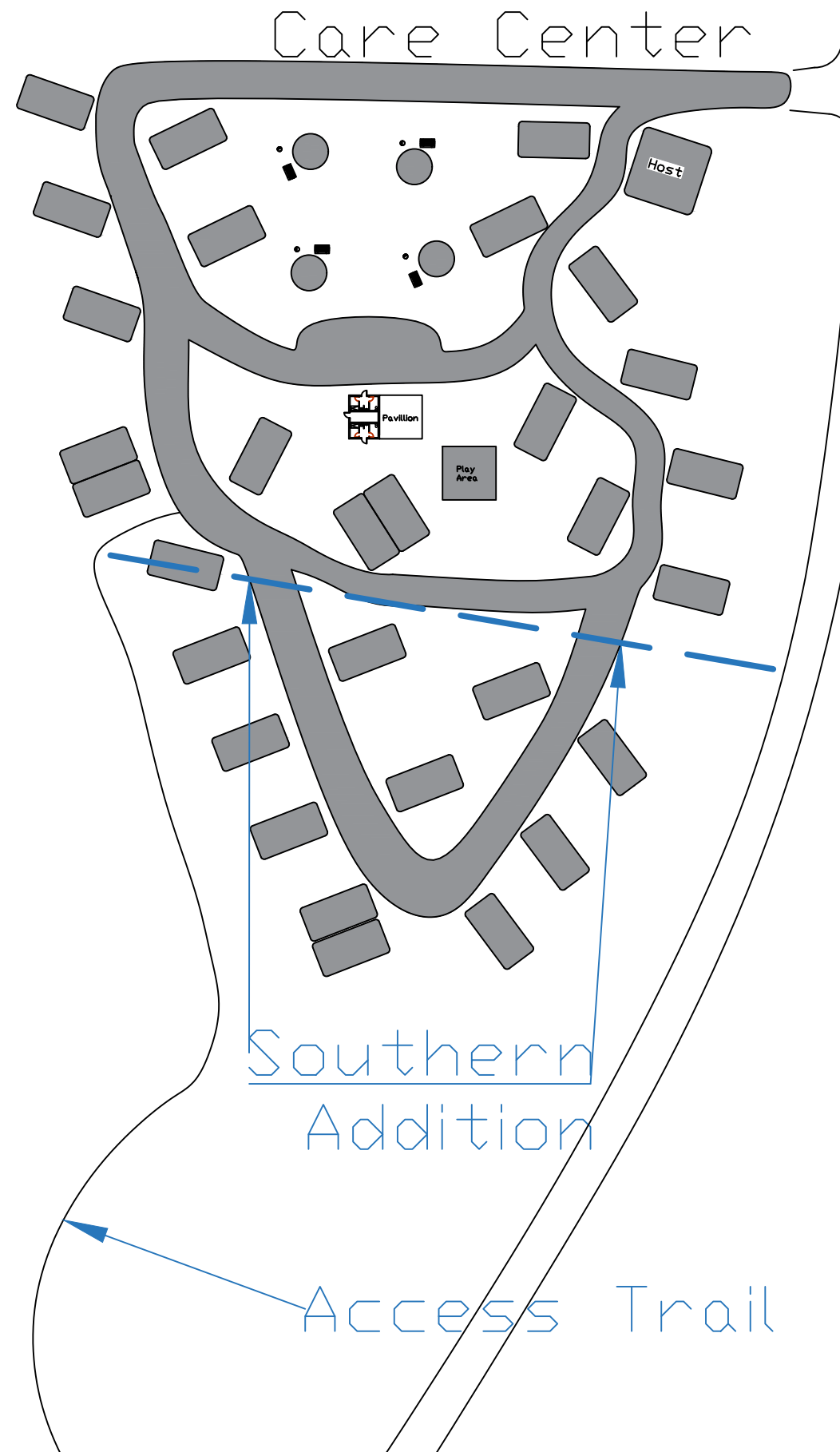
<b>Project Description:</b>	<b>Score</b>
<p>Create a campground on City land at 330 South Spruce Street. This 2 acre parcel is mostly flat terrain, with all utilities adjacent. A right of way separates this property and the care center, and is already partially improved. This site would accommodate full length RV spaces along with a small restroom, pavilion, play area, and several tent sites or a group camp site. An additional parcel to the south is privately held. If the City acquired this parcel, an additional 10 spaces could be added, along with a trail for better access to the fishery.</p>	
<p><b>Describe how this project would improve safety to residents or participants: (up to 15 points)</b></p> <p>By providing power at each site users would not run generators, which are a fire hazard and source of carbon monoxide. Full hookups at each site would provide clean water and sewer to improve overall sanitation. A running water restroom with showers would also improve sanitation and provide a source of potable water.</p>	
<p><b>Describe how this project would reduce operating expenses of the fishery: (up to 15 points)</b></p> <p>This would likely increase the operating expenses as the electrical service would have reoccurring costs. This could be offset by higher fees for these sites.</p>	
<p><b>Describe how this project would increase revenue during the fishery: (up to 15 points)</b></p> <p>Higher fees could be charged for these sites.</p>	
<p><b>Describe how this project would improve the quality of life for residents: (up to 40 points)</b></p> <p>This would provide a municipal campground for visitors year round. The pavilion would be available to residents year round.</p>	
<p><b>Provide an estimated timeline for completion of this project: (up to 15 points)</b></p> <p>This project would likely 12+ months to complete.</p>	
<b>Total Score:</b>	<b>0</b>

Form prepared by: Dan Castimore Department: Finance

**Reset Form**



# Spruce Campground



# Personal Use Fishery Capital Improvement Request

Project Name: Little League Permanent Restrooms

Project Location: Kenai Little League Fields Estimated Cost: \$100,000

<b>Project Description:</b>	<b>Score</b>
Construction of a 24'x26' CMU permanent restroom attached to the existing concession building. Restroom would have water and sewer and be used seasonally May through September.	
<b>Describe how this project would improve safety to residents or participants: (up to 15 points)</b>	
Permanent restrooms constructed in the suggested location would improve safety by reducing the hazard created by children walking across a busy parking lot to access portable toilets. By providing running water sinks, sanitation for restroom users would improve.	
<b>Describe how this project would reduce operating expenses of the fishery: (up to 15 points)</b>	
Would reduce operating expense of the fishery by approximately \$4,300 by eliminating the rental and servicing of contracted portable toilets.	
<b>Describe how this project would increase revenue during the fishery: (up to 15 points)</b>	
<b>Describe how this project would improve the quality of life for residents: (up to 40 points)</b>	
Permanent restrooms would reduce, and in most cases, eliminate the need for several community organizations to rent portable toilets throughout the baseball/softball season, thus, allowing these groups to better utilize their funds for other purposes. Organizations include KCHS, American Legion Post 20 Baseball and Kenai Little League.	
<b>Provide an estimated timeline for completion of this project: (up to 15 points)</b>	
June 30, 2019	
<b>Total Score:</b>	<b>0</b>

Form prepared by: Robert J. Frates Department: Parks & Recreation

**Reset Form**

# Little League Permanent Restrooms



# Personal Use Fishery Capital Improvement Request

Project Name: Kenai Ave Water & Sewer Extension

Project Location: Kenai Ave Estimated Cost: \$1,000,000

<b>Project Description:</b>	<b>Score</b>
Install additional lift station at the end of Kenai Ave. Install 2,800 feet of water main from WWTP to end of Kenai Ave.	
<b>Describe how this project would improve safety to residents or participants: (up to 15 points)</b>  This will enable running water restrooms which will improve sanitation and provide potable water to participants. Fire hydrants would be installed along Kenai Ave to improve fire safety.	
<b>Describe how this project would reduce operating expenses of the fishery: (up to 15 points)</b>  This would enable the installation of running water restrooms throughout the fishery area, eliminating the need for any portable restrooms.	
<b>Describe how this project would increase revenue during the fishery: (up to 15 points)</b>  	
<b>Describe how this project would improve the quality of life for residents: (up to 40 points)</b>  Permanent restrooms would be available to residents year round.	
<b>Provide an estimated timeline for completion of this project: (up to 15 points)</b>  Project would likely take more than 12 months to complete.	
<b>Total Score:</b>	<b>0</b>

Form prepared by: Dan Castimore Department: Finance

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Project Name: North Beach Parking Lot Asphalt

Project Location: North Beach Estimated Cost: \$350,000

Project Description:	Score
This project would provide an asphalt parking lot on North Beach. Area to be paved is approximately 120,000 sq ft.	
<b>Describe how this project would improve safety to residents or participants: (up to 15 points)</b>	
An asphalt parking lot could be striped, clearly delineating traffic patterns. Eliminating potholes during rainy times would reduce vehicle wear.	
<b>Describe how this project would reduce operating expenses of the fishery: (up to 15 points)</b>	
Less time would be required to maintain the parking lot during rainy periods. Dust control would no longer be required.	
<b>Describe how this project would increase revenue during the fishery: (up to 15 points)</b>	
Parking would be easier to control as parking spaces would be clearly defined. Currently vehicles will take up more room than allowed due to poor markings.	
<b>Describe how this project would improve the quality of life for residents: (up to 40 points)</b>	
An asphalt surface would reduce vehicle wear, reduce dust, and provide for better parking control.	
<b>Provide an estimated timeline for completion of this project: (up to 15 points)</b>	
July 2021	
<b>Total Score:</b>	<b>0</b>

Form prepared by: Dan Castimore Department: Finance

**Reset Form**

# Personal Use Fishery Capital Improvement Request

Project Name: Kenai Ave Asphalt

Project Location: Kenai Ave Estimated Cost: \$250,000

<b>Project Description:</b>	<b>Score</b>
This project would provide an asphalt driving surface on Kenai Ave. Approximately 1800 feet of road surface, averaging 18' in width, would be paved.	
<b>Describe how this project would improve safety to residents or participants: (up to 15 points)</b>  An asphalt road could be striped, clearly delineating the lanes. Eliminating potholes during rainy times would reduce vehicle wear.	
<b>Describe how this project would reduce operating expenses of the fishery: (up to 15 points)</b>  Less time would be required to maintain the gravel road during rainy periods. Dust control would no longer be required.	
<b>Describe how this project would increase revenue during the fishery: (up to 15 points)</b>  	
<b>Describe how this project would improve the quality of life for residents: (up to 40 points)</b>  An asphalt surface would reduce vehicle wear, reduce dust, and provide for increased safety due to clear lane delineation.	
<b>Provide an estimated timeline for completion of this project: (up to 15 points)</b>  July 2021	
<b>Total Score:</b>	<b>0</b>

Form prepared by: Dan Castimore Department: Finance

**Reset Form**

# Personal Use Fishery Capital Improvement Request

Project Name: Anchor Campground

Project Location: 11823 Kenai Spur Highway Estimated Cost: \$350,000 + Land

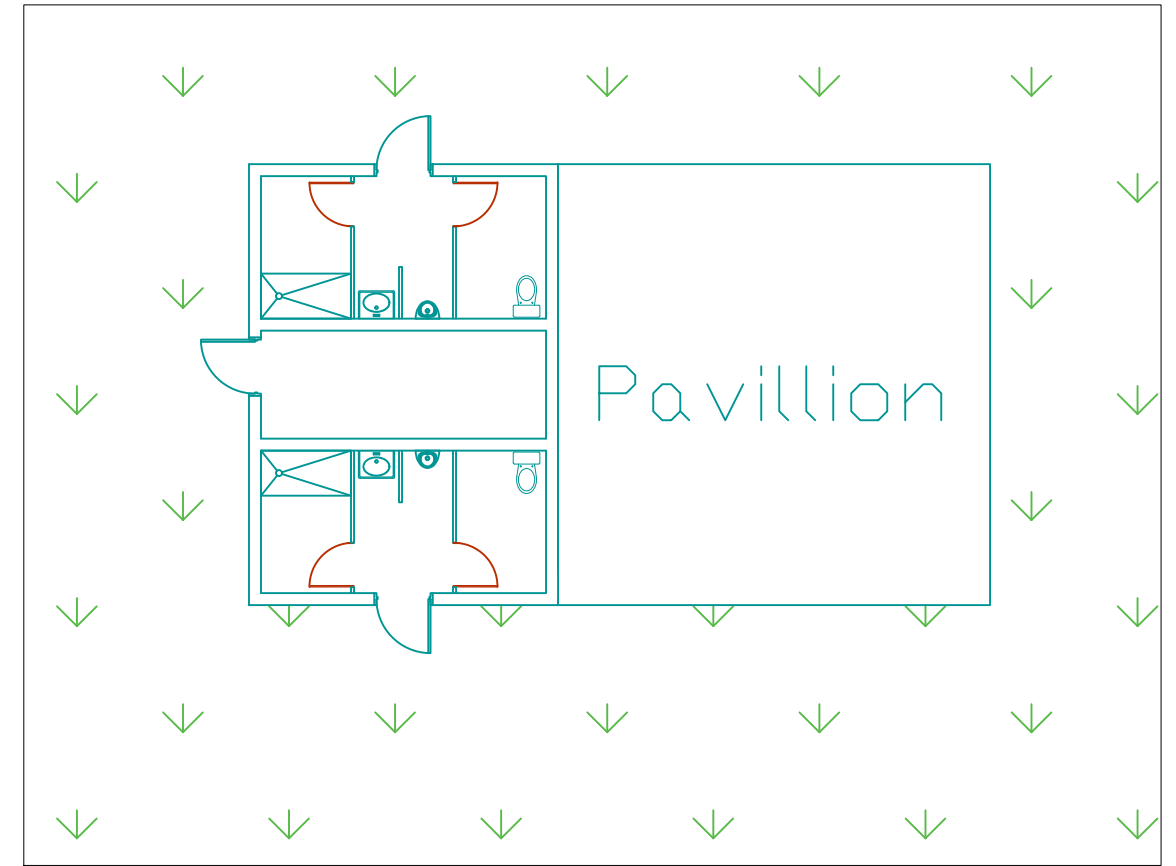
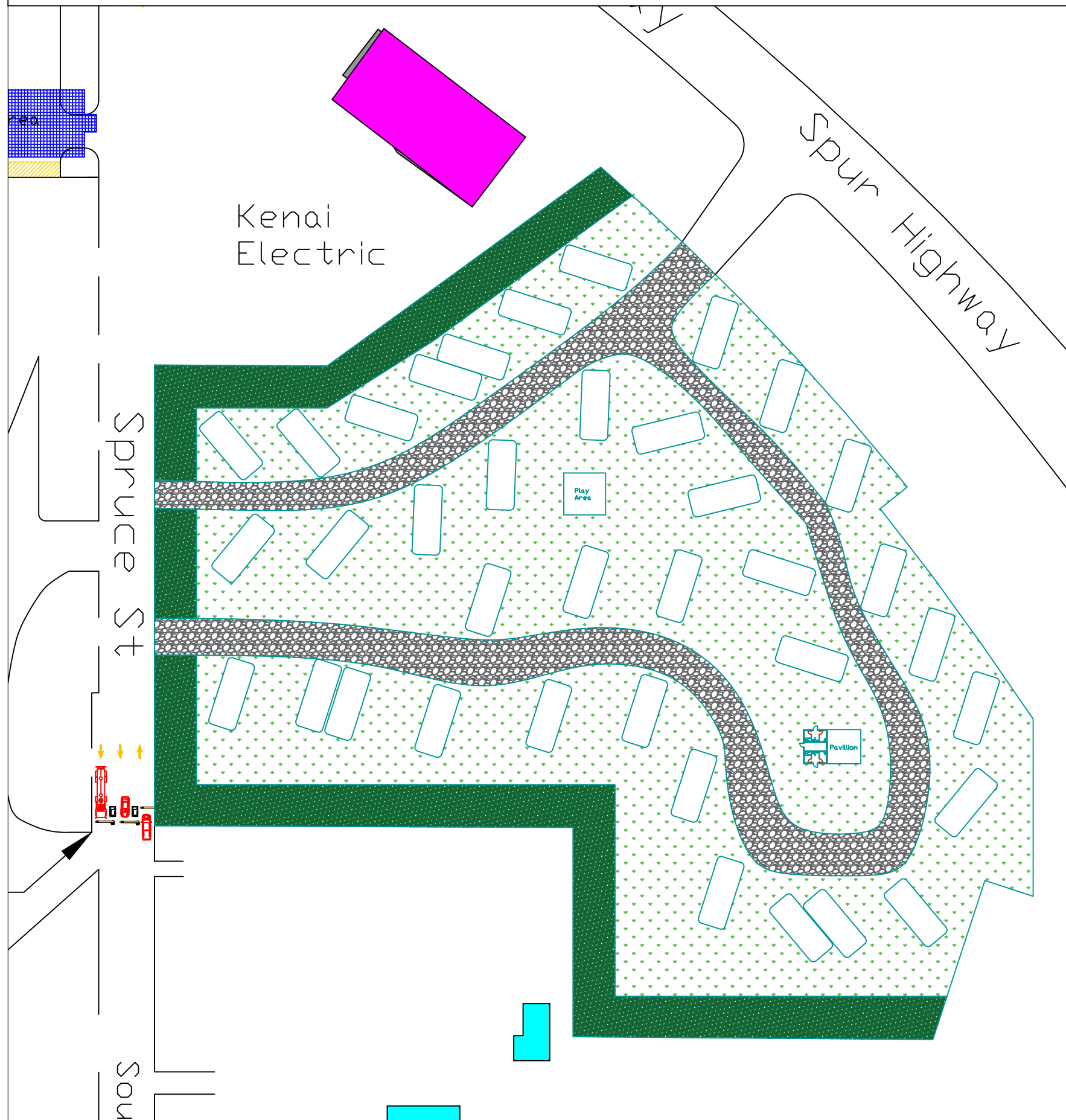
<b>Project Description:</b>	<b>Score</b>
Acquire the previous Anchor Trailer Park land. This 5 acre parcel is already developed, with water and sewer, electricity and natural gas already on the property. This site would accommodate full length RV spaces, along with a small bathroom, pavilion, and play area. Approximately 40 RV spaces would be possible.	
<b>Describe how this project would improve safety to residents or participants: (up to 15 points)</b>	
By providing power at each site, this would prevent people from operating generators around the clock. Generators are a fire hazard and a source of carbon monoxide. By providing full hookups at each site, sanitation would be greatly improved.	
<b>Describe how this project would reduce operating expenses of the fishery: (up to 15 points)</b>	
This would likely increase the operating expenses as the electrical service would have reoccurring costs. This could be offset by higher fees for these sites.	
<b>Describe how this project would increase revenue during the fishery: (up to 15 points)</b>	
Higher fees could be charged for these sites.	
<b>Describe how this project would improve the quality of life for residents: (up to 40 points)</b>	
This would provide a municipal campground for visitors year round. The pavilion would be available to residents year round. The proximity to the ball fields would provide additional opportunities for tournaments.	
<b>Provide an estimated timeline for completion of this project: (up to 15 points)</b>	
After land acquisition, project should take less than 6 months due to the current state of the property.	
<b>Total Score:</b>	<b>0</b>

Form prepared by: Dan Castimore Department: Finance

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# Anchor Campground





Project Name: South Beach Shack Replacement

Project Location: South Beach Estimated Cost: \$35,000

Project Description:	Score
Replace one existing shack on South beach and install gates on the incoming and outgoing lanes. The second shack would no longer be deployed to South beach which would increase the size of the parking area for contractors. The new shack would be larger and would have heating and air conditioning.	
<b>Describe how this project would improve safety to residents or participants: (up to 15 points)</b>	
Current shack has very limited visibility and a wooden door. Providing a gate on the exit lane would prevent vehicle collisions when people bypass the fee shack.	
<b>Describe how this project would reduce operating expenses of the fishery: (up to 15 points)</b>	
By reducing the number of shacks on South Beach, setup will take less time.	
<b>Describe how this project would increase revenue during the fishery: (up to 15 points)</b>	
Installing gates on both incoming and outgoing lanes would prevent people from bypassing the fee shacks.	
<b>Describe how this project would improve the quality of life for residents: (up to 40 points)</b>	
<b>Provide an estimated timeline for completion of this project: (up to 15 points)</b>	
This project could be completed by July 1.	
<b>Total Score:</b>	<b>0</b>

Form prepared by: Dan Castimore Department: Finance

**Reset Form**

# Personal Use Fishery Capital Improvement Request

Project Name: Kenai Avenue Electric

Project Location: Kenai Avenue Estimated Cost: \$50,000 - 100,000

<b>Project Description:</b>	<b>Score</b>
Extend HEA power underground to the end of Kenai Avenue. Provide power meters at each of the two southern crossings over the dunes. Install light pole with camera equipment at each location.	
<b>Describe how this project would improve safety to residents or participants: (up to 15 points)</b>	
Providing lighting and cameras would improve safety to participants year round.	
<b>Describe how this project would reduce operating expenses of the fishery: (up to 15 points)</b>	
This would likely increase the operating expenses as the electrical service would have reoccurring costs.	
<b>Describe how this project would increase revenue during the fishery: (up to 15 points)</b>	
<b>Describe how this project would improve the quality of life for residents: (up to 40 points)</b>	
This project would enable many future options such as operating a restroom trailer, providing lighting, providing power for events.	
<b>Provide an estimated timeline for completion of this project: (up to 15 points)</b>	
This project could be completed by July 1.	
<b>Total Score:</b>	<b>0</b>

Form prepared by: Dan Castimore Department: Finance

**Reset Form**

# Personal Use Fishery Capital Improvement Request

Project Name: South Beach Fence Completion

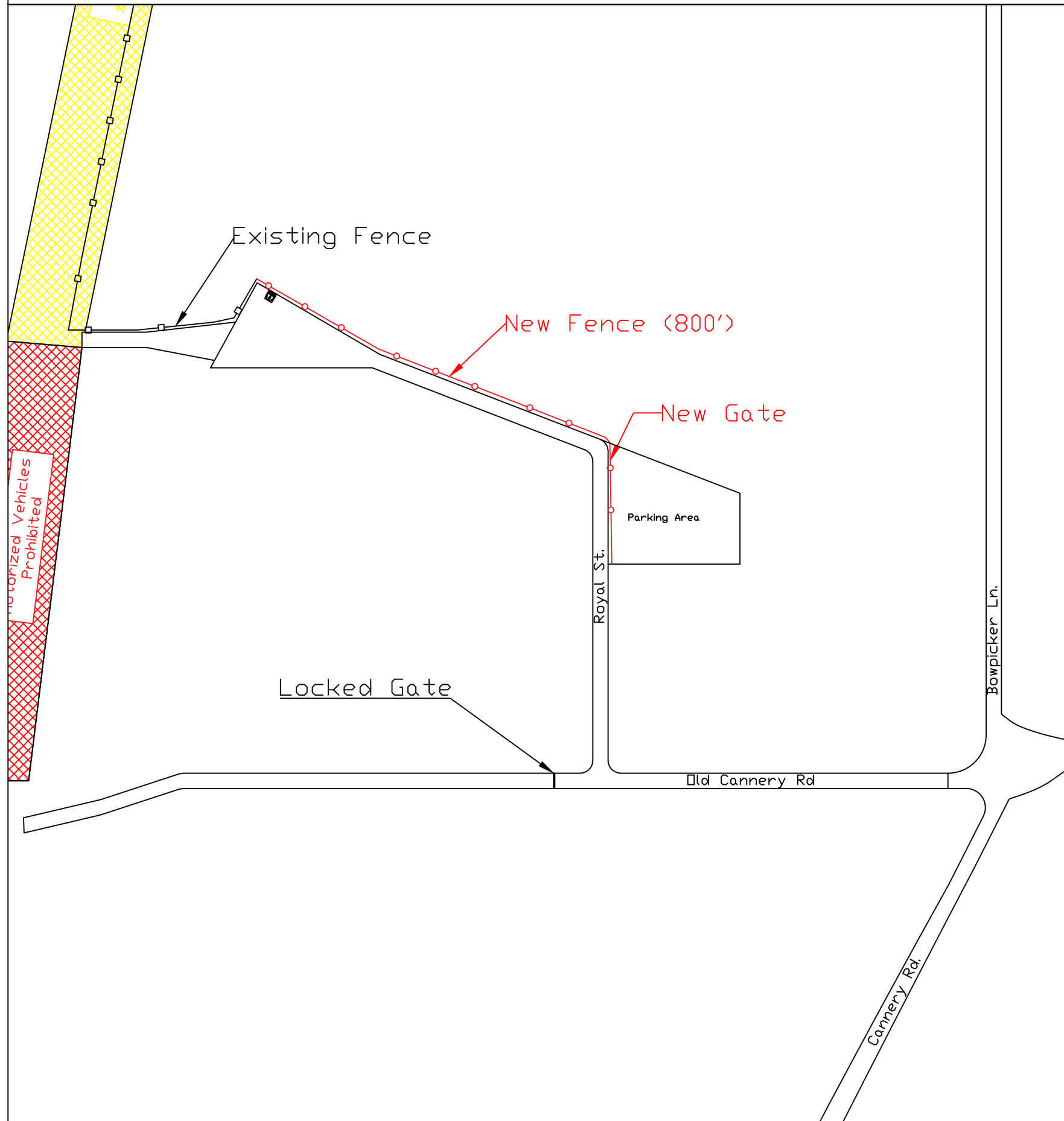
Project Location: South Beach Estimated Cost: \$40,000

<b>Project Description:</b>	<b>Score</b>
Install fencing from the South East edge of the existing fence, to the Hilcorp pad on Royal Ct. This 800' fence would include a permanent gate adjacent to the gravel lot north of the Hilcorp pad.	
<b>Describe how this project would improve safety to residents or participants: (up to 15 points)</b> This area is currently unfenced. Vehicle traffic has damaged vegetation along this area. Currently, 10 jersey barriers are used to block the gravel lot to the north of the Hilcorp pad.	
<b>Describe how this project would reduce operating expenses of the fishery: (up to 15 points)</b> Each year, jersey barriers must be moved in this area. Permanent fencing would reduce the amount of setup time needed each year. In addition, the jersey barriers could be re purposed to another location.	
<b>Describe how this project would increase revenue during the fishery: (up to 15 points)</b>	
<b>Describe how this project would improve the quality of life for residents: (up to 40 points)</b> This would prevent vandalism to the flats by preventing ATV access. The permanent fence is more visually appealing than 10 large concrete barriers.	
<b>Provide an estimated timeline for completion of this project: (up to 15 points)</b> Project could be completed before July 1st.	
<b>Total Score:</b>	<b>0</b>

Form prepared by: Dan Castimore Department: Finance

**Reset Form**

# South Beach Fence Completion



# Personal Use Fishery Capital Improvement Request

Project Name: South Beach Parking Area

Project Location: South Beach Estimated Cost: \$100,000

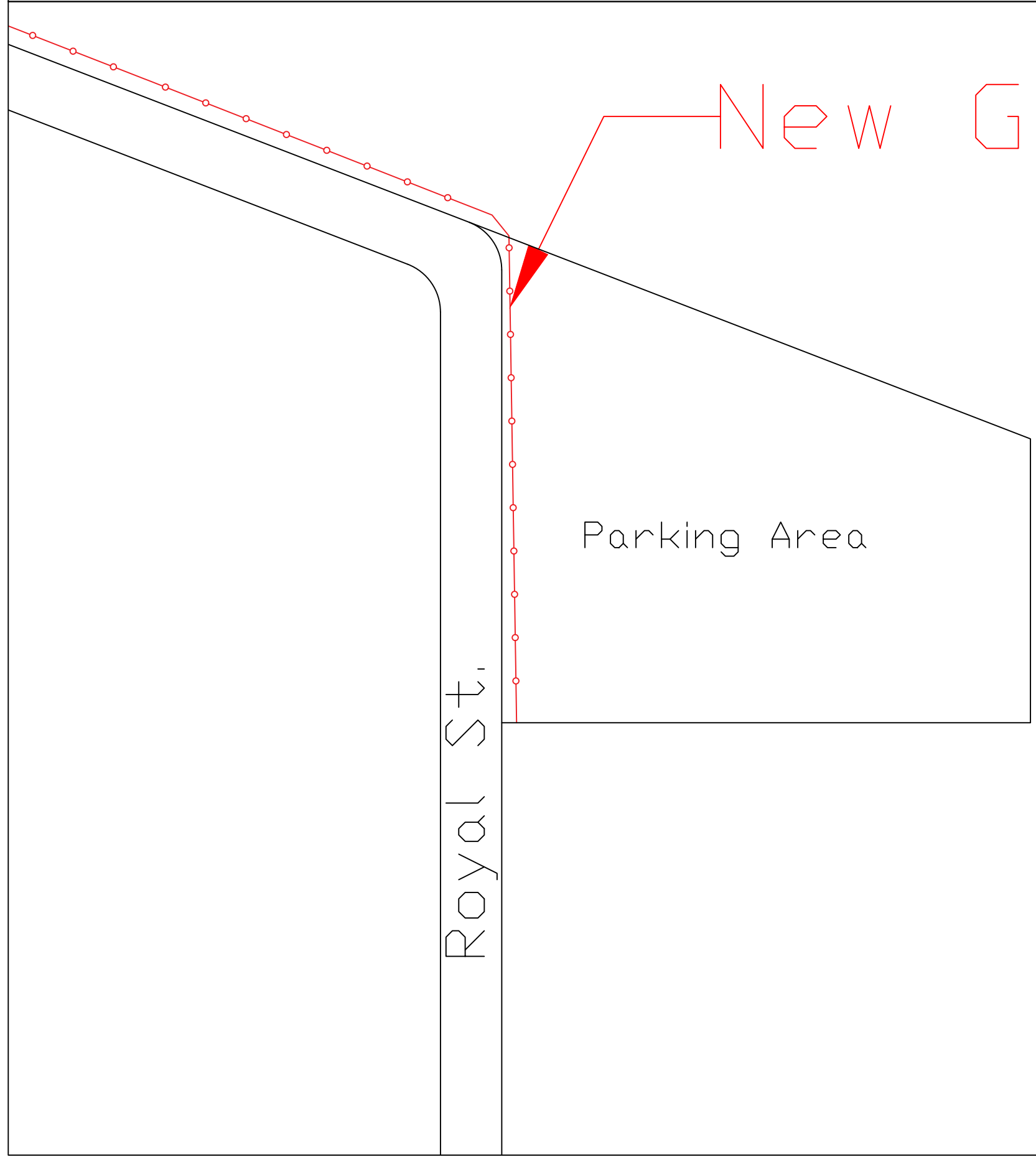
<b>Project Description:</b>	<b>Score</b>
This project would provide a gravel parking lot on Royal Ct. to the north of the Hilcorp pad. This would require the existing pad to be brought up to a level grade.	
<b>Describe how this project would improve safety to residents or participants: (up to 15 points)</b>	
<b>Describe how this project would reduce operating expenses of the fishery: (up to 15 points)</b>	
<b>Describe how this project would increase revenue during the fishery: (up to 15 points)</b>  Each year individuals request an area to park on South Beach. When Dunes Rd was used for access a parking lot was provided for users without 4 wheel drive vehicles. Users would park and unload ATVs for access down to the fishery.	
<b>Describe how this project would improve the quality of life for residents: (up to 40 points)</b>  This project would likely have minimal impact for users outside of the fishery, as adequate parking is available in the current fee collection area.	
<b>Provide an estimated timeline for completion of this project: (up to 15 points)</b>  July 2020	
<b>Total Score:</b>	<b>0</b>

Form prepared by: Dan Castimore Department: Finance

**Reset Form**



# South Beach Parking Area



**KENAI COUNCIL ON AGING MEETING  
OCTOBER 10, 2019 – 4:30 P.M.  
KENAI SENIOR CENTER  
361 SENIOR CT., KENAI, AK 99611  
<http://www.kenai.city>**

**MEETING SUMMARY**

**1. CALL TO ORDER**

The meeting was called to order by Chair Roy Williams at 4:30 p.m.

**a. Pledge of Allegiance**

Chair Williams led those assembled in the Pledge of Allegiance.

**b. Roll was confirmed as follows:**

Members Present: Williams, Geller, Weeks, Nelson, Thornton, Bise,  
Members Absent: Milewski, Modigh and Erwin

A quorum was present.

Staff/Council Liaison

Present: Senior Director Romain, Council Member Glendening  
Also Present: Sue Olson, Guest

**e. Agenda Approval**

**MOTION:**

Member Weeks **MOVED** for approval of the agenda and Member Geller **SECONDED** the motion. There were no objections. **SO ORDERED.**

2. **SCHEDULED PUBLIC COMMENTS** – None.

3. **UNSCHEDULED PUBLIC COMMENT** -- None.

4. **APPROVAL OF MEETING SUMMARY**

**a. September 12, 2019**

Member Thornton **MOVED** to approve the September 12, 2019 meeting summary and Member Nelson **SECONDED** the motion. There were no objections. **SO ORDERED.**

5. **UNFINISHED BUSINESS**

**a. Discussion/Recommendation – Code of Conduct for the Senior Center**

Senior Director Romain reviewed the draft Code of Conduct included in the packet and

explained it was a working document. Discussion followed with comments including:

- Policies from other senior centers.
- Felt the draft policy took care of the needs previously discussed.
- General positive comments.
- Liked the bold topic headings (suggesting they could be in red for better emphasis) and liked the signature page.

Chair Williams suggested a sub-committee be assigned to work through the draft in more detail, hire outside consultation, or set a work session for the Council on Aging to review in more detail.

#### **MOTION:**

Member Geller **MOVED** to set a work session to review the code of conduct in more detail. Member Thornton **SECONDED** the motion. There were no objections. **SO ORDERED.**

A work session was scheduled for October 29 at 4:30 p.m.

6. **NEW BUSINESS** – None.

7. **REPORTS**

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

- A resolution will be before Council at its next meeting to use remaining funds from the flooring capital project to redesign the computer lab doorway and provide cabinets for the game room;
- The Food Bank received Federal Commodities (Seafood) and through it, the Center will be able to receive salmon and halibut from for meals for the next several months;
- A new janitor will be hired for the Senior Center;
- She welcomed guest Sue Olson; and
- Congratulated Council Member Glendening on his re-election.

b. Council on Aging Chair – Williams noted he was thankful for the Center's staff, welcoming new people and appreciated the work of the Council on Aging.

c. City Council Liaison – Council Member Glendening reported the following:

- He reviewed the action agenda of the October 2 council meeting.
- Discussed the LNG plant situation.
- Provided a brief update of the bluff erosion project.

8. **NEXT MEETING ATTENDANCE NOTIFICATION** – November 14, 2019

There were no announcements of absences for the November 14, 2019 meeting.

9. **COUNCIL MEMBERS COMMENTS AND QUESTIONS**

#### **MOTION:**

Member Thornton **MOVED** to request Council Member Glendening be reappointed as the Council on Aging's liaison and Member Nelson **SECONDED** the motion. There were no



objections. **SO ORDERED.**

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

11. **INFORMATION ITEMS** – None.

12. **ADJOURNMENT**

**MOTION:**

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

There being no further business, the Council on Aging meeting adjourned at 5:40 p.m.

Meeting summary prepared and submitted by:

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Jamie Heinz, CMC  
City Clerk

**KENAI AIRPORT COMMISSION  
REGULAR MEETING  
OCTOBER 10, 2019 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
CHAIR GLENDA FEEKEN, PRESIDING**

**MEETING SUMMARY**

**1. CALL TO ORDER**

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

**a. Pledge of Allegiance**

Chair Feeken led those assembled in the Pledge of Allegiance.

**b. Roll was confirmed as follows:**

Commissioners Present: G. Feeken, J. Zirul, J. Bielefeld, K. Dodge, P. Minelga

Commissioners Absent: D. Pitts

Staff/Council Liaison Present: Airport Manager M. Bondurant, Council Liaison H. Knackstedt

A quorum was present.

**c. Agenda Approval**

**MOTION:**

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

**2. SCHEDULED PUBLIC COMMENT – None.**

**3. UNSCHEDULED PUBLIC COMMENT – None.**

**4. APPROVAL OF MEETING SUMMARY**

**a. August 8, 2019**

**MOTION:**

Commissioner Zirul **MOVED** to approve the meeting summary of August 8, 2019 and Commissioner Bielefeld **SECONDED** the motion. There were no objections; **SO ORDERED**.

**b. September 12, 2019**

Commissioner Minelga **MOVED** to approve the meeting summary of September 12, 2019 and

Commissioner Dodge **SECONDED** the motion. There were no objections; **SO ORDERED**.

**5. UNFINISHED BUSINESS – None.**

**6. NEW BUSINESS**

- a. **Discussion/Recommendation** – Memorandum of Agreement with U.S. Fish and Wildlife Service (USFWS) and Alaska State Parks

**MOTION:**

Commissioner Dodge **MOVED** to recommend Council approve the Memorandum of Agreement with USFWS and Alaska State Parks; Commissioner Zirul **SECONDED** the motion. There were no objections; **SO ORDERED**.

- b. **Discussion/Recommendation** – EAN Holdings, LLC Request for On-Airport Car Rental Business

**MOTION:**

Commissioner Dodge **MOVED** to recommend Council approve the on-airport car rental concession with EAN Holdings, LLC and Commissioner Minelga **SECONDED** the motion. There were no objections; **SO ORDERED**.

**7. REPORTS**

- a. Airport Manager - Bondurant reported on the current hiring process, the tri-annual mass casualty drill, an upcoming pre-season meeting for winter operations, an update of the Kenai Municipal Airport project, and a fire-training grant. She also noted she attended the Northwest Chapter American Association of Airport Executives (NWAAAE) Conference in Fairbanks on September 23 – 25.
- b. City Council Liaison – Knackstedt reported on the September and October City Council meetings actions.

**8. NEXT MEETING ATTENDANCE NOTIFICATION – November 14, 2019**

Commissioner Zirul noted he would be out of town and unable to attend the meeting.

**9. COMMISSIONER COMMENTS AND QUESTIONS**

Commissioner Bielefeld noted a public observation area at the south end of the airport was needed.

**10. ADDITIONAL PUBLIC COMMENT**

**11. INFORMATION ITEMS**

- a. August 2019 Mid-month Report  
b. September 2019 Mid-month Report

c. September 2019 Float Plane Basin Activity

**12. ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 6:55 p.m.

Meeting summary prepared and submitted by:

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Jacquelyn LaPlante  
Deputy Clerk

DRAFT

**KENAI PARKS & RECREATION COMMISSION  
OCTOBER 3, 2019 – 6:00 PM  
KENAI CITY COUNCIL CHAMBERS  
VICE-CHAIR GRANT WISNIEWSKI, PRESIDING**

**MEETING SUMMARY**

**1. CALL TO ORDER**

Vice-Chair Wisniewski called the meeting to order at 6:05 p.m.

**a. Pledge of Allegiance**

Vice-Chair Wisniewski led those assembled in the Pledge of Allegiance.

**b. Roll was confirmed as follows:**

Commissioners present: T. Wisniewski, J. Dennis, S. Kisen, T. Winger

Commissioners absent: C. Stephens, J. Joanis

Staff/Council Liaison present: Parks & Rec Director B. Frates, Council Liaison H. Knackstedt

A quorum was present.

**c. Agenda Approval**

**MOTION:**

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

**2. SCHEDULED PUBLIC COMMENTS – None.**

**3. UNSCHEDULED PUBLIC COMMENT – None.**

**4. APPROVAL OF MEETING SUMMARY**

**a. September 5, 2019**

**MOTION:**

Commissioner Kisen **MOVED** to approve the meeting summary of September 5, 2019 and Commissioner Dennis **SECONDED** the motion. There were no objections; **SO ORDERED**.

**5. UNFINISHED BUSINESS – None.**

**6. NEW BUSINESS**

**a. Discussion – Kenai Multi-Purpose Facility Improvements**

The Parks and Recreation Director noted the blue tarps on the Multi-Purpose Facility needed

replacement. He added staff was looking at different banners to hang in the facility to help improve the ambience as well, referring to some examples provided in the packet. The Director noted each banner would be 6 ft. x 10 ft. and placed over the players' bench. It was explained that the blue tarps were originally put up in advance at Kenai Central High School hockey games to help keep in the heat, while they also assisted in the summer in keeping the sun out. He noted that staff was looking at replacing the tarps with five retardant, vinyl tarps, with red being the preferred color.

## 7. REPORTS

- a. **Parks and Recreation Director** – The Parks and Recreation Director reported on the following:
  - Crews put in a pedestrian trail behind the Little League fields. This was a project that the Kenai Latter-Day Saints Church volunteers provided about 20 hours of labor to do;
  - The Department winterized restroom facilities and irrigation areas, as well as cleaning out flowerbeds;
  - As part of a restoration project, 15-20 small spruce trees were transplanted at the Lawton Dr. trail extension near the gate on the Kenai side. In addition, some Department of Transportation Right-of-Way grass seed will be used in that area;
  - The Fourth Annual Fall Pumpkin Festival was scheduled for October 12;
  - The Kenai River Marathon was this past weekend with over 200 registered runners; and
  - Staff removed and donated 148 pounds of kale to the Food Bank.
- b. **Commission Chair** – No report.
- c. **City Council Liaison** – Knackstedt reported on the action items and topics of interest from the September 18 City Council meeting.

## 8. NEXT MEETING ATTENDANCE NOTIFICATION – November 7, 2019

## 9. COMMISSION QUESTIONS & COMMENTS

Commissioner Joanis reported on a meeting held with various stakeholders with interest in promoting baseball in the community. She added that it was especially fascinating how the various organizations could work together creating opportunities and helping each other become successful. She noted that more dialogue was needed to promote softball and baseball on the Peninsula.

## 10. ADDITIONAL PUBLIC COMMENT – None.

## 11. INFORMATION – None.

## 12. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:00 p.m.

Meeting summary prepared and submitted by:

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Jacquelyn LaPlante, Deputy Clerk

**KENAI BEAUTIFICATION COMMITTEE  
REGULAR MEETING  
SEPTEMBER 10, 2019 – 6:00 P.M.  
CITY HALL COUNCIL CHAMBERS  
CHAIR LISA GABRIEL, PRESIDING**

**MEETING SUMMARY**

**1. CALL TO ORDER**

Chair Gabriel called the meeting to order at 6:10 p.m.

**a. Pledge of Allegiance**

Chair Gabriel led those assembled in the Pledge of Allegiance.

**b. Roll was confirmed as follows:**

Committee Members present: Chair L. Gabriel, K. Reed, T. Wilson, M. Rhyner

Committee Members absent: B. Madrid

Staff/Council Liaison present: Parks and Recreation Director B. Frates

A quorum was present.

**c. Agenda Approval**

**MOTION:**

Committee Member Rhyner **MOVED** to approve the agenda as presented; and Committee Member Wilson **SECONDED** the motion. There were no objections; **SO ORDERED.**

**2. SCHEDULED PUBLIC COMMENTS – None.**

**3. UNSCHEDULED PUBLIC COMMENT – None.**

**4. APPROVAL OF MEETING SUMMARY**

**a. May 14, 2019**

**MOTION:**

Committee Member Rhyner **MOVED** to approve the May 14, 2019 meeting summary and Committee Member Reed **SECONDED** the motion. There were no objections; **SO ORDERED.**

**5. UNFINISHED BUSINESS – None.**

**6. NEW BUSINESS**

**a. Discussion – Beautification Tour Follow-Up**

The Parks and Recreation Director thanked those that attended the tour and notified the committee that he would like to present a slideshow of the flower beds toured. He noted the following highlights and recommendations made:

- Airport Triangle – Plant flowers that would stand out better under the jet (i.e. Geraniums and Yellow Marigolds). It was also suggested that a climbing plant be used for the legs of the jet.
- Library – Plant a small number of flowers where the Iris' were removed.
- Fire Department – Eliminate the perimeter bed located at the corner of Willow Street and Main Street Loop.
- Erik Hansen Scout Park – Removal of five Spruce trees was still pending.

b. **Discussion** – Poppy Flower Bed at Leif Hansen Park

A general discussion centered around providing red poppies at the Leif Hansen Memorial Park for Memorial Day services. The Director stated this year he could not locate any poppies that would be in bloom at the end of May but a local nursery could grow them and have ready by Memorial Day, for a cost of \$3.99 per 4-inch pot. The Chair indicated support in this direction.

It was also suggested that a small bed could be seeded with poppy seeds for color later in the season.

## 7. **REPORTS**

- a. **Parks & Recreation Director** – B. Frates reported on two events coming up, the Kenai River Marathon on September 29 and the Fourth Annual Fall Pumpkin Festival on October 12. He noted staff was working hard pulling this event together to include a Farmer's Market and hay maze, in addition to a couple entities that may sponsor the pumpkins this year and some new activities. It was also reported that staff was busy removing beetle kills trees and preparing for the winter season.
- b. **Committee Chair** – L. Gabriel thanked everyone for their time at the meeting.
- c. **City Council Liaison** – None.

## 8. **NEXT MEETING ATTENDANCE NOTIFICATION** – October 8, 2019

## 9. **COMMITTEE MEMBER QUESTIONS AND COMMENTS** – None.

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

## 11. **INFORMATION**

## 12. **ADJOURNMENT**

There being no further business before the Committee, the meeting was adjourned at 7:00 p.m.

Meeting summary prepared and submitted by:

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Jacquelyn LaPlante, Deputy City Clerk



**KENAI BEAUTIFICATION COMMITTEE  
REGULAR MEETING  
OCTOBER 8, 2019 – 6:00 P.M.  
CITY HALL COUNCIL CHAMBERS  
CHAIR LISA GABRIEL, PRESIDING**

**MEETING SUMMARY**

**1. CALL TO ORDER**

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

**a. Pledge of Allegiance**

Chair Gabriel led those assembled in the Pledge of Allegiance.

**b. Roll was confirmed as follows:**

Committee Members present: Chair L. Gabriel, M. Rhyner

Committee Members absent: B. Madrid, T. Wilson, K. Reed

Staff/Council Liaison present: Parks and Recreation Director B. Frates

No quorum was present.

**c. Agenda Approval**

**2. SCHEDULED PUBLIC COMMENTS – None.**

**3. UNSCHEDULED PUBLIC COMMENT**

**4. APPROVAL OF MEETING SUMMARY**

a. September 10, 2019

**5. UNFINISHED BUSINESS – None.**

**6. NEW BUSINESS**

a. **Discussion** – Fall Pumpkin Festival

b. **Discussion** – Utility Box Decorating

**7. REPORTS**

a. **Parks & Recreation Director**

b. **Committee Chair**

c. **City Council Liaison**

**8. NEXT MEETING ATTENDANCE NOTIFICATION – January 14, 2020**

**9. COMMITTEE MEMBER QUESTIONS AND COMMENTS**

**10. ADDITIONAL PUBLIC COMMENT**

**11. INFORMATION**

**12. ADJOURNMENT**

Meeting summary prepared and submitted by:

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Jacquelyn LaPlante  
Deputy City Clerk

**MINI-GRANT STEERING COMMITTEE  
OCTOBER 3, 2019 – 11:00 A.M.  
KENAI CITY HALL  
CLERK'S CONFERENCE ROOM  
PRESIDENT PRO TEMPORE JOHNA BEECH, PRESIDING**

**MEETING SUMMARY**

**1. CALL TO ORDER & ROLL CALL**

Committee Member Beech called the meeting to order at 11:07 p.m.

Roll was confirmed as follows:

Members present: B. Gabriel (phone), B. Randle, J. Beech, M. Bernard, K. Reed

Members absent:

Staff Present: City Manager P. Ostrander, Parks & Rec. Director B. Frates, Parks & Rec. Assistant C. Bannock

A quorum was present.

**2. AGENDA APPROVAL**

It was noted the Mini-Grant Application was regarding pumpkin painting, not face painting.

**MOTION:**

Member Bernard **MOVED** to move Item 6(a) to New Business Item 7(a) and approve the agenda with the revision to "pumpkin" painting; Member Reed **SECONDED** the motion. There were no objections; **SO ORDERED**.

**3. APPROVAL OF MEETING SUMMARY**

- a. April 24, 2019

**MOTION:**

Member Gabriel **MOVED** to approve the meeting summary from April 24, 2019 and Member Bernard **SECONDED** the motion. There were no objections; **SO ORDERED**.

**4. PERSONS SCHEDULED TO BE HEARD – None.**

**5. PERSONS PRESENT NOT SCHEDULED TO BE HEARD – None.**

**6. UNFINISHED BUSINESS – None.**

**7. NEW BUSINESS**

- a. Review of Mini-Grant Application for Award
- Mountain View Elementary, Fall Festival Pumpkin Painting

The Committee reviewed the application and it was clarified that the funds were for the costs associated with having a Pumpkin Painting Booth at the City of Kenai Fall Festival. The Parks and Recreation Director noted additional pumpkins were being donated and the applicant's intent was to charge \$2.00 for the purchase and painting of a pumpkin, and that this was a pilot fundraiser for the First and Fifth Grade field trips. It was further noted Mountain View Elementary would run the entire pumpkin event.

Concern was expressed about the new charge for pumpkins while in the past the event and pumpkins were free to the public, noting this was the fourth year for this event and it had been successful.

All Members agreed to table the decision so the Parks and Recreation Director could obtain more information and clarification.

**MOTION:**

Member Reed **MOVED** to table the discussion and decision until the Parks and Recreation Director had more information; Member Randle **SECONDED** the motion. There were no objections; **SO ORDERED**.

**8. ANNOUNCEMENTS** – None.

**9. ADJOURNMENT**

There being no further business before the Committee, the meeting was adjourned at 11:46 a.m.

*[Clerk's Note: The meeting was continued on Monday, October 7 at 11 a.m.]*

Roll was taken and all members were present.

The Committee reviewed the additional information, clarifying the applicant supported the change in application to just requesting funds for paint supplies; the City would donate the pumpkins for the event again. Members expressed support of the painting project for a small fee to the public in support of the school while offering the pumpkins alone at no cost.

**MOTION:**

Member Bernard **MOVED** to award \$200 Mini-Grant to Mountain View Elementary School for paint supplies and Member Randle **SECONDED** the motion. There were no objections; **SO ORDERED**.

There being no further business before the Committee, the meeting was adjourned.

Meeting summary prepared and submitted by:

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Jacquelyn LaPlante  
Deputy City Clerk



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 www.kenai.city

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Terry Eubank, Finance Director  
**DATE:** October 29, 2019  
**SUBJECT:** **Fiscal Year 2019 Year-end wrap-up.**

The purpose of this memo is to provide a quick synopsis of Fiscal Year 2019's (FY19) financial performance for the operating funds of the City. Audit fieldwork was completed the week of October 7<sup>th</sup> and the City's Comprehensive Annual Financial Report (CAFR) has been drafted and is being reviewed by the City's auditors and will be presented to Council at the December 4<sup>th</sup> City Council meeting.

### General Fund

The City's General Fund, the chief operating fund of the City, had total revenues and transfers in of \$15,320,758, 98.96% of the budgeted amount, and expenditures and transfers out of \$15,141,398, 91.66% of the budgeted amount, resulting in an increase to fund balance of \$179,360. The FY19 Budget projected a 5% lapse in expenditures or \$777,180. Actual expenditure and transfer lapse for FY19 was \$1,379,798, \$602,618 more than budgeted. This larger than expected lapse combined with revenues at budgeted levels resulted in the FY19 increase in fund balance. The FY19 Budget was adopted with a \$230,009 planned use of fund balance after expenditure lapse.

Significant unbudgeted lapse items included appropriations for the grant funded purchase of police radios and the receipt of the Bush Doctor Cabin. The appropriations and their accompanying revenue will be carried forward to FY20. Significant revenue variance included investment earnings which exceeded projections by \$278,064. Year-end market value adjustments to the City's investment portfolio were \$255,022 and were the result of Federal Reserve Cuts to the Federal Funds Rate during the fiscal year. Because the City largely purchases and holds its investments to maturity, the market value adjustment is essentially early recognition of investment earnings.



Overall the financial performance of the City's General Fund was positive and better than projected.

### **Airport Fund**

The Airport Special Revenue Fund accounts for the operation of the airport. Fund balance decreased \$1,563,761 or 30.79%. Total revenues increased of \$118,854 or 6.18%. Fund expenditures increased by \$3,659 or 0.13% and transfers to capital projects increased by \$1,674,982 or 421.74%. Current year transfers included funding for a major terminal rehabilitation project, \$1,570,721, funding for an asphalt repair and preservation project, \$26,000, and \$216,000 for design of a project to renovate the airport owned, Alaska Regional Fire Training Center. Absent these one-time capital expenditures, fund revenues would have exceeded operation costs.

### **Water & Sewer Fund**

The Water & Sewer Special Revenue Fund accounts for the operations of the water and sewer utility of the City. Fund balance increased \$582,296. There was no change in water and sewer rates in FY19. Despite no change in rates, charges for service increased \$25,203 or 0.89% this year. Significant capital improvement projects are anticipated in future year to ensure the utilities continued safe and efficient operation. The adopted FY2020 Budget included \$1,060,000 in water and sewer related capital projects.

### **Senior Citizen Fund**

The Senior Citizen Fund accounts for the operations of the City's senior citizen facility. Major funding sources include state and borough grants, patron meal and ride donations, donations from Kenai Senior Connection, Inc., and Choice Waiver Medicaid billings. Fund revenues and transfers were \$861,368, 93.30% of budgeted amounts with the largest variance, \$64,556 resulting from lower than projected Choice Waiver Medicaid billings. Choice Waiver Medicaid billings totaled \$135,444 but were budgeted at \$200,000. Expenditures were budgeted at \$954,160 after a projected lapse of \$24,354, 3% of budgeted expenditures. Actual expenditure lapse was \$59,417 or 6.07% of budgeted expenditures. The result is a fund deficit of \$26,729 for which the Administration will be preparing an Ordinance to provide supplemental funding to the fund in FY20 to eliminate.

### **Personal Use Fishery Fund**

The Personal Use Fishery Fund accounts for the City's operation of the State of Alaska personal use fishery. FY19 saw significant declines in year over year revenues largely attributed to low fish returns which resulted in the early closure of the fishery. Actual revenues were \$362,212, 66.90% of budgeted revenues. Expenditures and transfers were \$457,312, 81.86% of budgeted expenditures. FY19 include the first ever \$50,000 transfer to the City's General Fund for non-operating costs. The result was a \$95,100 use of fund balance and ending fund balance of \$198,794. Continues use of fund balance at these amounts is not sustainable and adjustments may be needed if revenues do not recover in future years.

This was intended to be a brief summary of the performance of the City's various operating funds. More detail will be available once the City's CAFR is issued. The City's auditor will present the CAFR at the December 4<sup>th</sup> Council Meeting and if there are any specific topics you would like covered please let me know.



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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Terry Eubank, Finance Director  
**DATE:** October 14, 2019  
**SUBJECT:** Quarterly Financial Report

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Attached is a relatively easily produced quarterly financial report for the General Fund, Personal Use Fishery Fund, Airport Fund, Water/Sewer Fund, and Senior Fund as of September 30, 2019.

This report is essentially on a cash basis, so there are accounts that may not look reasonable. In the General Fund for example, sales and property tax revenue only includes payments made to the City by the Borough through August. The third calendar quarter 2019 sales tax filings and tax payments are not in at this point and we will not be received for this quarter until the end of October or early November.

State and Federal is below budget in all funds because of PERS aid. The State doesn't actually give us any money. Instead they make an 'on-behalf' payment to the pension system. Similarly we have not booked expenditures for the PERS the State is covering, so the Non-Departmental department is way under budget. At year-end we will record revenue and expenditures for these items.



**Quarterly General Fund  
Expenditure Report  
For Quarter Ended September 30, 2019**

	FY2019 <u>Actual</u>	Original * FY2020 <u>Budget</u>	Amended <u>Budget</u>	YTD <u>Actual</u>	Variance	%
<b>REVENUES</b>						
Appropriation of Fund Balance	\$ -	\$ 1,222,687	\$ 1,237,185	\$ 280,937	\$ (956,248)	22.71%
Taxes	11,049,181	11,327,867	11,327,867	2,604,386	(8,723,481)	22.99%
Licenses/Permits and Ambulance	535,038	647,500	647,500	178,728	(468,772)	27.60%
State/Federal	943,704	982,382	1,024,800	333,943	(690,857)	32.59%
Dock/Multipurpose/Miscellaneous	144,574	138,500	138,500	23,120	(115,380)	16.69%
Fines and Forfeitures	92,076	93,000	93,000	13,275	(79,725)	14.27%
Interest and Miscellaneous	704,371	515,346	543,479	253,601	(289,878)	46.66%
Transfers/Central Admin Fees	1,851,814	1,770,252	1,770,252	514,250	(1,256,002)	29.05%
<b>Total Revenues</b>	<b><u>15,320,758</u></b>	<b><u>16,697,533</u></b>	<b><u>16,782,582</u></b>	<b><u>4,202,240</u></b>	<b><u>(12,580,342)</u></b>	<b><u>25.04%</u></b>
<b>EXPENDITURES &amp; TRANSFERS</b>						
General Government						
01 City Clerk	\$ 298,831	\$ 301,564	\$ 301,564	\$ 59,948	\$ 241,616	80.12%
11 Legislative	162,769	162,868	162,868	45,035	117,833	72.35%
12 Legal	326,469	348,786	348,786	74,353	274,433	78.68%
13 City Manager	334,928	364,214	364,214	80,199	284,015	77.98%
14 Human Resources	113,691	173,045	173,045	38,684	134,361	77.65%
15 Finance	670,699	739,025	739,025	181,900	557,125	75.39%
16 Land Administration	12,878	21,354	21,354	1,143	20,211	94.65%
18 Non-Departmental	772,823	1,048,345	1,059,532	485,472	574,060	54.18%
19 Planning and Zoning	208,010	235,222	235,222	49,393	185,829	79.00%
20 Safety	4,800	19,150	19,150	-	19,150	100.00%
Total General Government	<u>2,905,898</u>	<u>3,413,573</u>	<u>3,424,760</u>	<u>1,016,127</u>	<u>2,408,633</u>	<u>70.33%</u>
Public Safety						
21 Police	2,996,873	3,298,413	3,298,413	790,899	2,507,514	76.02%
22 Fire	3,038,836	3,234,703	3,262,836	705,056	2,557,780	78.39%
23 Communications	789,112	867,178	867,178	217,372	649,806	74.93%
29 Animal Control	403,015	441,804	441,804	123,687	318,117	72.00%
Total Public Safety	<u>7,227,836</u>	<u>7,842,098</u>	<u>7,870,231</u>	<u>1,837,014</u>	<u>6,033,217</u>	<u>76.66%</u>
Public Works						
31 Public Works Administration	128,129	194,711	194,711	33,451	161,260	82.82%
32 Shop	609,296	644,715	644,715	106,867	537,848	83.42%
33 Streets	1,017,766	1,013,174	1,013,174	132,949	880,225	86.88%
34 Buildings	337,504	373,427	373,427	73,121	300,306	80.42%
35 Street Lighting	174,937	190,602	190,602	23,165	167,437	87.85%
60 Dock	35,018	66,066	66,066	8,250	57,816	87.51%
Total Public Works	<u>2,302,650</u>	<u>2,482,695</u>	<u>2,482,695</u>	<u>377,803</u>	<u>2,104,892</u>	<u>84.78%</u>
Parks and Recreation & Culture						
03 Visitor Center	175,310	173,198	175,818	29,976	145,842	82.95%
40 Library	831,690	903,284	910,284	195,011	715,273	78.58%
45 Parks, Recreation & Beautification	1,075,716	1,101,480	1,136,898	275,563	861,335	75.76%
Total Parks and Recreation & Culture	<u>2,082,716</u>	<u>2,177,962</u>	<u>2,223,000</u>	<u>500,550</u>	<u>1,722,450</u>	<u>77.48%</u>
<b>Total Operating Expenditures</b>	<b><u>14,519,100</u></b>	<b><u>15,916,328</u></b>	<b><u>16,000,686</u></b>	<b><u>3,731,494</u></b>	<b><u>12,269,192</u></b>	<b><u>76.68%</u></b>
Transfer to other funds						
Street Improvement Capital Project Fund	200,000	200,000	200,000	200,000	-	0.00%
Senior Center Impr. Capital Projects	34,500	-	-	-	-	-
Kenai Recreation Center Capital Project Fund	27,500	100,000	100,000	100,000	-	0.00%
Trail Construction Capital Project Fund	-	37,800	37,800	37,800	-	0.00%
Public Safety Building Capital Proj. Fund	35,000	-	-	-	-	-
Library Improvement Capital Proj. Fund	-	50,000	50,000	50,000	-	-
Senior Citizen Special Revenue Fund	182,027	253,308	253,999	59,802	194,197	76.46%
Debt Service	143,271	140,097	140,097	23,144	116,953	83.48%
Total Transfer to other funds	<u>622,298</u>	<u>781,205</u>	<u>781,896</u>	<u>470,746</u>	<u>311,150</u>	<u>39.79%</u>
<b>Total Expenditures &amp; Transfers</b>	<b><u>15,141,398</u></b>	<b><u>16,697,533</u></b>	<b><u>16,782,582</u></b>	<b><u>4,202,240</u></b>	<b><u>12,580,342</u></b>	<b><u>74.96%</u></b>
<b>Net Revenues over(under) Expenditures</b>	<b><u>\$ 179,360</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>-</u></b>

\* Note: The original budget includes outstanding encumbrances at 6/30/2019.



**Quarterly Personal Use Fishery Fund  
Expenditure Report  
For Quarter Ended September 30, 2019**

	FY2019 <u>Actual</u>	Original * FY2020 <u>Budget</u>	Amended <u>Budget</u>	YTD <u>Actual</u>	Variance	%
<b><u>REVENUES</u></b>						
Appropriation of Fund Balance	\$ -	\$ 64,973	\$ 65,515	\$ -	\$ (65,515)	-100.00%
Beach Parking	118,308	146,460	146,460	144,330	(2,130)	-1.45%
Beach Camping	129,939	170,100	170,100	149,788	(20,312)	-11.94%
Dock Launch & Park	91,358	101,600	101,600	105,635	4,035	3.97%
Dock Parking Only	9,547	10,800	10,800	11,736	936	8.67%
Participant Drop-off Fee	5,943	6,715	6,715	4,698	(2,017)	-30.04%
Interest Earnings	7,624	750	750	-	(750)	-100.00%
PERS Grant	2,743	4,637	4,637	-	(4,637)	-100.00%
Credit Card Fees	(3,250)	(3,500)	(3,500)	(4,450)	(950)	27.14%
<b>Total Revenue</b>	<b><u>362,212</u></b>	<b><u>502,535</u></b>	<b><u>503,077</u></b>	<b><u>411,737</u></b>	<b><u>(91,340)</u></b>	<b><u>-18.16%</u></b>
<b><u>EXPENDITURES &amp; TRANSFERS</u></b>						
Public Safety	\$ 92,515	\$ 88,051	\$ 88,146	\$ 74,147	\$ 13,999	15.88%
Streets	42,695	55,235	55,290	26,700	28,590	51.71%
Boating Facility	45,077	64,161	64,279	47,349	16,930	26.34%
Parks, Recreation & Beautification	<u>227,025</u>	<u>245,088</u>	<u>245,362</u>	<u>175,497</u>	<u>69,865</u>	<u>28.47%</u>
<b>Total Operating Expenditures</b>	<b><u>407,312</u></b>	<b><u>452,535</u></b>	<b><u>453,077</u></b>	<b><u>323,693</u></b>	<b><u>129,384</u></b>	<b><u>28.56%</u></b>
Transfers to Other Funds - General Fund	<u>50,000</u>	<u>50,000</u>	<u>50,000</u>	<u>50,000</u>	-	0.00%
<b>Total Expenditures &amp; Transfers</b>	<b><u>457,312</u></b>	<b><u>502,535</u></b>	<b><u>503,077</u></b>	<b><u>373,693</u></b>	<b><u>129,384</u></b>	<b><u>25.72%</u></b>
<b>Net Revenues over Expenditures</b>	<b><u>\$ (95,100)</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ 38,044</u></b>	<b><u>\$ (220,724)</u></b>	

\* Note: The original budget includes outstanding encumbrances at 6/30/2019.

**Quarterly Airport Fund  
Expenditure Report  
For Quarter Ended September 30, 2019**

	FY2019 <u>Actual</u>	Original * FY2020 <u>Budget</u>	Amended <u>Budget</u>	YTD <u>Actual</u>	<u>Variance</u>	<u>%</u>
<b><u>REVENUES</u></b>						
Appropriation of Fund Balance	\$ -	\$ 41,945	\$ 536,139	\$ -	\$ (536,139)	0.00%
State/Federal	36,883	42,663	42,663	-	(42,663)	0.00%
Interest , Leases & Fees	728,771	737,260	737,260	409,291	(327,969)	55.52%
Terminal Revenues	864,804	767,127	767,127	227,540	(539,587)	29.66%
Landing Fees	410,697	505,500	505,500	90,194	(415,306)	17.84%
Transfers In	<u>1,203,690</u>	<u>908,811</u>	<u>908,811</u>	-	<u>(908,811)</u>	<u>0.00%</u>
<b>Total Revenues</b>	<b><u>3,244,845</u></b>	<b><u>3,003,306</u></b>	<b><u>3,497,500</u></b>	<b><u>727,025</u></b>	<b><u>(2,770,475)</u></b>	<b><u>20.79%</u></b>
<b><u>EXPENDITURES &amp; TRANSFERS</u></b>						
Terminal Area	\$ 550,783	\$ 616,753	\$ 617,312	\$ 118,076	\$ 499,236	80.87%
Airfield	1,691,992	1,750,795	1,750,795	355,252	1,395,543	79.71%
Administration	299,964	348,507	341,048	67,114	273,934	80.32%
Other Buildings & Areas	152,640	208,777	215,677	36,206	179,471	83.21%
Training Facility	<u>41,088</u>	<u>38,474</u>	<u>38,474</u>	<u>1,045</u>	<u>37,429</u>	<u>97.28%</u>
Total Expenditures	<u>2,736,467</u>	<u>2,963,306</u>	<u>2,963,306</u>	<u>577,693</u>	<u>2,385,613</u>	<u>80.51%</u>
Transfer to other funds						
Airport Improvement Capital Projects	<u>2,072,139</u>	<u>40,000</u>	<u>534,194</u>	<u>25,459</u>	<u>508,735</u>	<u>0.00%</u>
Total Transfer to other funds	<u>2,072,139</u>	<u>40,000</u>	<u>534,194</u>	<u>25,459</u>	<u>508,735</u>	<u>95.23%</u>
<b>Total Expenditures &amp; Transfers</b>	<b><u>4,808,606</u></b>	<b><u>3,003,306</u></b>	<b><u>3,497,500</u></b>	<b><u>603,152</u></b>	<b><u>2,894,348</u></b>	<b><u>82.75%</u></b>
<b>Net Revenues over Expenditures</b>	<b><u>\$ (1,563,761)</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ 123,873</u></b>	<b><u>\$ 123,873</u></b>	

\* Note: The original budget includes outstanding encumbrances at 6/30/2019.

**Quarterly Water Sewer Fund  
Expenditure Report  
For Quarter Ended June 30, 2019**

	<b>FY2019 Actual</b>	<b>Original * FY2020 Budget</b>	<b>Amended Budget</b>	<b>YTD Actual</b>	<b>Variance</b>	<b>%</b>
<b><u>REVENUES</u></b>						
Appropriation of Fund Balance	\$ -	\$ 1,699,830	\$ 1,699,830	\$ 700,837	\$ (998,993)	41.23%
State/Federal	35,066	42,205	42,205	-	(42,205)	0.00%
Water/Sewer Fees	2,814,989	2,955,342	2,955,342	813,713	(2,141,629)	27.53%
Penalty and Interest	43,415	41,600	41,600	12,410	(29,190)	29.83%
Interest and Miscellaneous	123,138	15,480	15,480	638	(14,842)	4.12%
<b>Total Revenues</b>	<b><u>3,016,608</u></b>	<b><u>4,754,457</u></b>	<b><u>4,754,457</u></b>	<b><u>1,527,598</u></b>	<b><u>(3,226,859)</u></b>	<b><u>32.13%</u></b>
<b><u>EXPENDITURES &amp; TRANSFERS</u></b>						
Water	\$ 787,637	\$ 1,044,087	\$ 1,044,087	\$ 165,917	\$ 878,170	84.11%
Sewer	394,495	594,826	594,826	76,359	518,467	87.16%
Wastewater Treatment Plant	1,141,780	2,055,544	2,055,544	215,322	1,840,222	89.52%
Total Expenditures	<u>2,323,912</u>	<u>3,694,457</u>	<u>3,694,457</u>	<u>457,598</u>	<u>3,236,859</u>	<u>87.61%</u>
Transfer to other funds -						
Water & Sewer Capital Projects	<u>110,400</u>	<u>1,060,000</u>	<u>1,060,000</u>	<u>1,070,000</u>	<u>(10,000)</u>	<u>-</u>
Total Transfer to other funds	<u>110,400</u>	<u>1,060,000</u>	<u>1,060,000</u>	<u>1,070,000</u>	<u>(10,000)</u>	<u>-</u>
<b>Total Expenditures &amp; Transfers</b>	<b><u>2,434,312</u></b>	<b><u>4,754,457</u></b>	<b><u>4,754,457</u></b>	<b><u>1,527,598</u></b>	<b><u>3,226,859</u></b>	<b><u>67.87%</u></b>
<b>Net Revenues over Expenditures</b>	<b><u>\$ 582,296</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ 0</u></b>	<b><u>\$ 0</u></b>	

\* Note: The original budget includes outstanding encumbrances at 6/30/2019.

**Quarterly Senior Fund  
Expenditure Report  
For Quarter Ended June 30, 2019**

	FY2019 <u>Actual</u>	Original * FY2020 <u>Budget</u>	Amended <u>Budget</u>	YTD <u>Actual</u>	<u>Variance</u>	<u>%</u>
<b><u>REVENUES</u></b>						
Appropriation of Fund Balance	\$ -	\$ 23,460	\$ 23,460	\$ -	\$ (23,460)	0.00%
State Grants	204,464	205,831	205,831	47,962	(157,869)	23.30%
USDA Grant	24,938	20,000	20,000	-	(20,000)	0.00%
Choice Waiver	135,444	125,000	125,000	32,589	(92,411)	26.07%
KPB Grant	126,207	126,207	126,207	-	(126,207)	0.00%
United Way	3,631	15,000	15,000	-	(15,000)	0.00%
Rents & Leases	8,174	13,000	13,000	3,488	(9,512)	26.83%
Miscellaneous Donations	4,278	25,000	25,000	7,005	(17,995)	28.02%
Donations - Senior Connection	100,000	50,000	50,000	-	(50,000)	0.00%
Meal Donations	67,997	82,500	82,500	17,783	(64,717)	21.56%
Ride Donations	4,215	7,000	7,000	921	(6,079)	13.16%
Transfer from General Fund - Operations	170,857	239,208	239,899	60,493	(179,406)	25.22%
Transfer from General Fund - Capital	11,170	14,100	14,100	-	(14,100)	0.00%
Other	(7)	300	300	65	(235)	21.67%
<b>Total Revenues</b>	<b><u>861,368</u></b>	<b><u>946,606</u></b>	<b><u>947,297</u></b>	<b><u>170,306</u></b>	<b><u>(776,991)</u></b>	<b><u>17.98%</u></b>
<b><u>EXPENDITURES &amp; TRANSFERS</u></b>						
Senior Citizen Access	\$ 140,539	\$ 191,256	\$ 191,415	\$ 41,933	\$ 149,482	78.09%
Congregate Meals	231,082	261,266	261,432	54,215	207,217	79.26%
Home Meals	202,637	223,664	223,788	44,357	179,431	80.18%
Senior Transportation	80,929	104,527	104,596	24,129	80,467	76.93%
Choice Waiver	232,910	165,893	166,066	31,976	134,090	80.75%
Total Expenditures	<u>888,097</u>	<u>946,606</u>	<u>947,297</u>	<u>196,610</u>	<u>750,687</u>	<u>79.25%</u>
Transfer to other funds -	-	-	-	-	-	-
Total Transfer to other funds	-	-	-	-	-	-
<b>Total Expenditures &amp; Transfers</b>	<b><u>888,097</u></b>	<b><u>946,606</u></b>	<b><u>947,297</u></b>	<b><u>196,610</u></b>	<b><u>750,687</u></b>	<b><u>79.25%</u></b>
<b>Net Revenues over Expenditures</b>	<b><u>\$ (26,729)</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ (26,304)</u></b>	<b><u>\$ (26,304)</u></b>	

\* Note: The original budget includes outstanding encumbrances at 6/30/2019.



*"Village with a Past, City with a Future"*

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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Terry Eubank, Finance Director  
**DATE:** October 16, 2019  
**SUBJECT:** September 2019 Quarterly Investment Report

### City of Kenai Investment Portfolio

On September 30, 2019 the City had investments with a market value of \$22,697,734 that is up from \$21,345,244 on June 30, 2019. The City's portfolio is yielding 2.24% that is up from 2.19% on June 30, 2019.

### City's Investment Portfolio

US Agency Securities	\$ 2,507,660
AML Investment Pool	2,406,915
Wells Fargo Money Market	3,006,280
FDIC Insured Certificates of Deposit	14,387,034
Bank Balance	<u>389,845</u>
Total	<u>\$ 22,697,734</u>

### Permanent Fund Investments

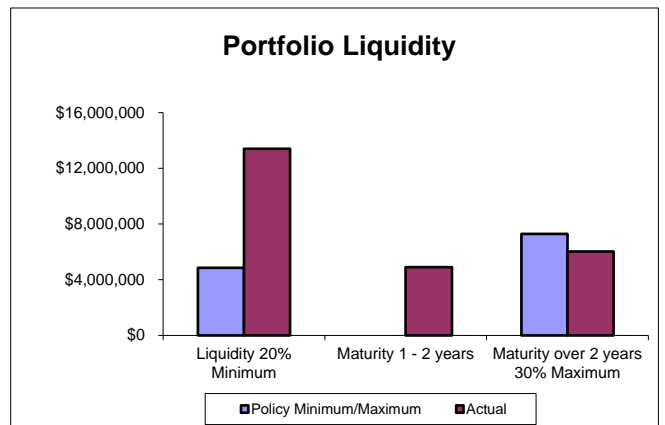
The third quarter 2019 saw significant volatility in the equity markets and no change in the Federal Funds Rate. Analysts predict no Federal Funds Rate movement for the remainder of 2019. Equities propelled the portfolio to a one-year return of 12.24%. Since inception the portfolio has returned 8.01%. As of September 30, 2019 the portfolio value was \$28,491,123, comprised of \$25,046,623 (87.91%) Airport Land Sale Permanent Fund, \$3,290,307 (11.55%) General Land Sale Permanent Fund monies, and \$154,193 (0.54%) Kenai Community Foundation holdings.



**CITY OF KENAI**  
**INVESTMENT PORTFOLIO SUMMARY**  
**September 30, 2019**

	<b>September 30, 2019</b>	<b>Current</b>
	<b>Fair Market</b>	<b>Yield</b>
	<b>Value</b>	<b>Yield</b>
<b>Cash &amp; Cash Equivalents</b>		
Wells Fargo Checking	\$ 389,845	0.40%
Wells Fargo Secured Money Market	3,006,280	2.04%
FDIC Insured Certificates of Deposit	14,387,034	2.42%
Alaska Municipal League Investment Pool	<u>2,406,915</u>	<u>1.79%</u>
Total Cash & Cash Equivalents	20,190,074	2.25%
<b>Government Securities</b>		
Maturities Less than 1 Year	998,690	1.70%
Maturities 1 to 2 Years	1,508,970	2.47%
Maturities Greater than 2 Years	<u>-</u>	0.00%
Total Government Securities	<u>2,507,660</u>	<u>2.16%</u>
Total Portfolio	<u>\$ 22,697,734</u>	<u>2.24%</u>

Investment Portfolio - Purchase Price	\$ 22,584,541
Investment Portfolio - Fair Value 06/30/19	<u>22,594,293</u>
Fair Value Adjustment - 06/30/19	9,752
Fair Value Adjustment thru - 9/30/19	<u>103,441</u>
Cummulative Change in Fair Value	<u>\$ 113,193</u>



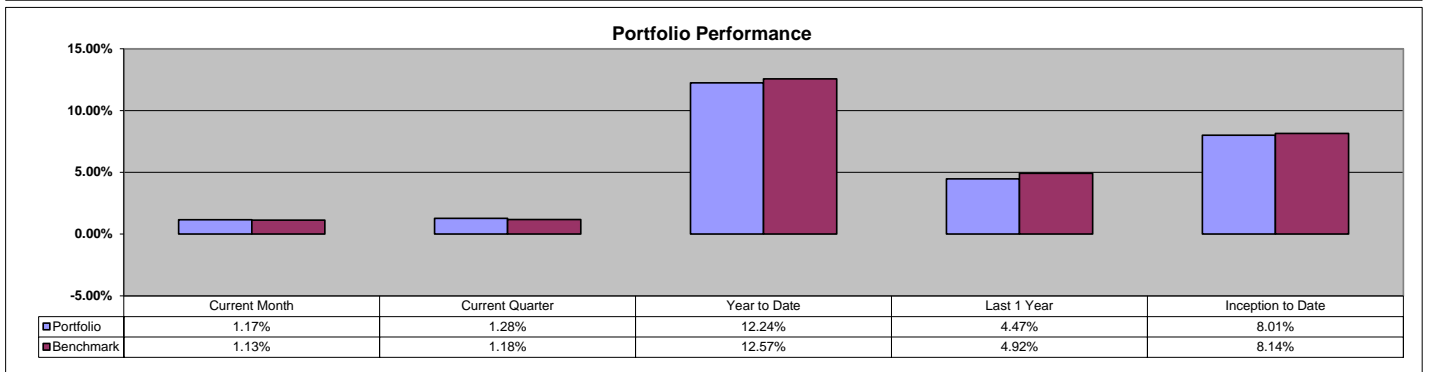
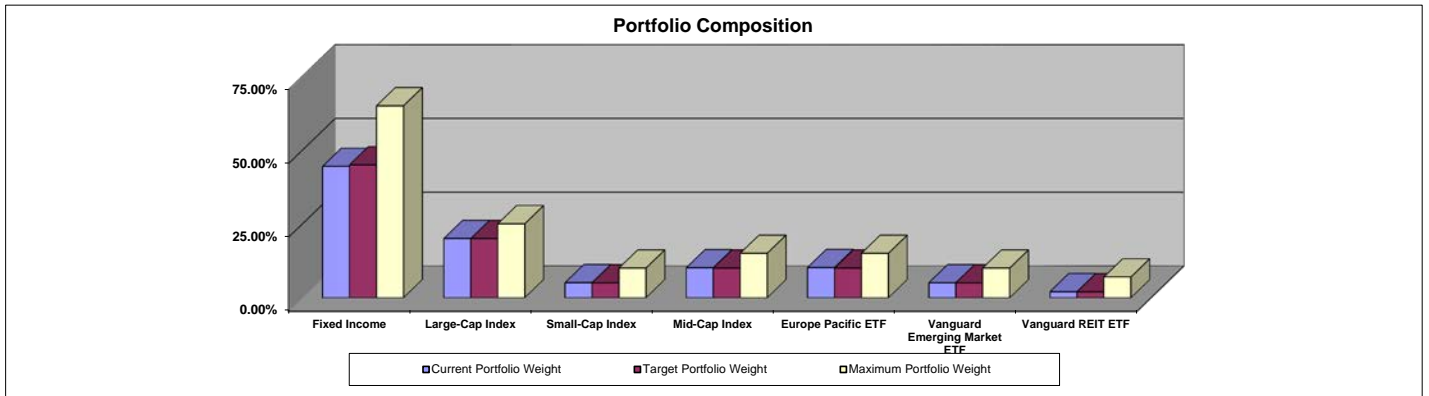
CITY OF KENAI  
Investments 09-30-19 COK

CITY OF KENAI  
INVESTMENTS  
9/30/2019

SECURITY	Expected Call or Maturity	CUSIP	original cost	Current year cost or 06/30/19 Market Value	09/30/19 Market Value	Unrealized Gain or Loss	Accrued Interest	EFFECT. RATE	DATE PURCH.	DATE DUE	
FHLMC 1.70 8/24/20	1 TIME 5/24/18 w/ 5 days	3134GBMD1	1,000,000	997,600.00	998,690.00	1,090.00	1,747.22	1.700	5/24/2017	8/24/2020	
FNMA 1.375 3/30/21	9/30/2016 Quarterly w/10 days. Step 3/17 1.50, 3/18 1.75, 3/19 2.0, 3/20 3.25	3136G3DV4	500,000	498,500.00	498,815.00	315.00	19.10	2.000	3/30/2016	3/30/2021	
FNMA 1.50 5/25/21	11/25/2016 Quarterly w/10 days.	3136G3MW2	502,479	494,930.00	496,080.00	1,150.00	2,625.00	1.500	10/6/2016	5/25/2021	
TVA 3.875 2/15/21	Bullet	880591EL2	555,678	515,870.00	514,075.00	(1,795.00)	2,475.69	3.875	10/12/2016	2/15/2021	
TOTAL			2,558,156.88	2,506,900.00	2,507,660.00	760.00	6,867.01	2.269		2.47	
FDIC Insured CD's	CD - 12/31/10										
2.45 GMATBK 5/3/21		57803	02007GJR5	245,082	246,109.85	247,489.20	1,379.35	2,499.67	2.450	5/7/2019	5/3/2021
3.55 AXP 12/4/23		27471	02589AA28	249,998	254,721.60	261,495.85	6,774.25	2,835.62	3.160	1/2/2019	12/4/2023
2.45 BWW 5/10/22		35141	05580ARK2	245,000	246,325.45	249,000.85	2,675.40	2,368.11	2.450	5/10/2019	5/10/2022
3.10 BANK MIDWEST CD 9/15/23		5170	063615BM9	245,000	250,130.30	256,698.75	6,568.45	291.32	3.100	9/17/2018	9/15/2023
2.60 OZK 11/4/19		110	06417NDZ3	245,000	245,369.95	245,161.70	(208.25)	471.21	2.600	1/4/2019	11/4/2019
2.45 SONHBT 5/23/22		24540	06426KBB3	245,000	246,332.80	249,064.55	2,731.75	131.56	2.450	5/23/2019	5/23/2022
1.60 BPRN 10/28/19		58513	064520AH2	245,000	244,532.05	244,943.65	411.60	42.96	1.600	10/27/2017	10/28/2019
2.30 BACR 10/18/22		57203	06740KLD7	245,000	244,605.55	248,518.20	3,912.65	2,562.77	2.300	10/18/2017	10/18/2022
2.85 BAY ST. SVGS BK 4/6/20		90311	072623AK7	245,000	246,271.55	246,291.15	19.60	2,238.23	2.850	12/6/2018	4/6/2020
1.65 BHLB 10/28/19		23621	084601KU6	245,000	244,563.90	244,951.00	387.10	1,749.90	1.650	10/26/2017	10/28/2019
2.4 COF 4/19/22		33954	140420E9	247,000	247,995.41	250,638.31	2,642.90	2,679.78	2.400	4/19/2017	4/19/2022
2.4 COF 8/30/22		4297	14042RHS3	245,000	245,656.60	249,091.50	3,434.90	467.18	2.400	8/28/2017	8/30/2022
1.65 CATY 10/28/19		18503	149159LK9	245,000	244,573.70	244,953.45	379.75	44.30	1.650	10/27/2017	10/28/2019
2.60 CENBKK 6/18/20		35450	15644ABG5	245,000	245,999.60	246,384.25	384.65	226.88	2.600	9/18/2018	6/18/2020
3.15 CFBANK 9/18/23		28263	15721UCQ0	245,000	250,632.55	257,183.85	6,551.30	274.87	3.150	9/18/2018	9/18/2023
3.30 C 9/7/23		7213	17312QS34	245,000	252,053.55	258,465.20	6,411.65	531.62	3.300	9/7/2018	9/7/2023
1.65 CWBKN 12/30/19		57176	20084TJW4	247,000	246,424.49	246,851.80	427.31	11.17	1.650	12/29/2016	12/30/2019
2.75 DISCOVER BANK 9/21/20		5649	254673TS5	245,000	246,685.60	247,251.55	565.95	221.51	2.750	9/19/2018	9/21/2020
2.55 CMS 1/18/22		57293	29278TAK6	245,000	246,908.55	249,116.00	2,207.45	256.75	2.550	2/16/2018	1/18/2022
2.55 FRMRBT 3/19/20		1291	309162AE5	245,000	245,656.60	245,806.05	149.45	205.40	2.550	9/19/2018	3/19/2020
2.60 FRSTFD 1/10/20		58647	32026UMA1	245,000	245,595.35	245,470.40	(124.95)	4,589.89	2.600	1/11/2019	1/10/2020
2.85 FIBIND 6/30/20		34607	32056GDE7	245,000	246,643.95	246,918.35	274.40	19.13	2.850	12/31/2016	6/30/2020
1.60 FRME 12/30/19		4365	32082BEL9	247,000	246,362.74	246,819.69	456.95	10.83	1.600	12/30/2016	12/30/2019
2.30 FINN 02/21/20		5452	332135HH8	245,000	245,225.40	245,421.40	196.00	154.38	2.300	2/21/2018	2/21/2020
2.70 FRC 7/7/20		59017	33616CBR0	245,000	246,308.30	246,700.30	392.00	434.96	2.700	9/7/2018	7/7/2020
3.10 SRCE 10/21/22		9087	33646CKJ2	245,000	250,808.95	254,349.20	3,540.25	208.08	3.100	9/21/2018	10/21/2022
2.65 First St Bk Bigfork		10991	33651EAD4	245,000	245,622.30	245,406.70	(215.60)	195.66	2.650	11/20/2018	12/20/2019
2.80 FIRST WESTN TR BK		57607	337504AE4	245,000	246,225.00	246,320.55	95.55	187.95	2.800	12/21/2018	4/21/2020
2.35 GS 8/30/22		33124	38148PNS2	245,000	245,281.75	248,743.60	3,461.85	457.45	2.350	8/28/2017	8/30/2022
2.30 HSBC 7/14/22		57890	40434YLE5	245,000	244,982.85	245,259.70	276.85	1,219.63	2.300	7/14/2017	7/14/2022
2.55 H AFC 10/21/19		24170	41049DS6	245,000	245,281.75	245,093.10	(188.65)	171.16	2.550	11/21/2018	10/21/2019
2.60 IBKC 3/23/20		28100	45083AKP6	245,000	245,747.25	245,894.25	147.00	174.52	2.600	9/21/2018	3/23/2020
1.65 ILBK 10/31/19		33708	45906ABU0	245,000	244,568.80	244,948.55	379.75	11.08	1.650	10/31/2017	10/31/2019
2.30 KENNEB 08/24/20		17897	489265AZ1	245,000	245,333.20	246,095.15	761.95	617.53	2.300	2/22/2016	8/24/2020
1.65 KEY 10/25/19		17534	493065ZA7	245,000	244,568.80	244,955.90	387.10	1,760.98	1.650	10/25/2017	10/25/2019
2.60 LSAVBK 1/3/20		253	549104EF0	245,000	245,580.65	245,433.65	(147.00)	4,729.51	2.600	1/4/2019	1/3/2020
2.25 MBFI 2/14/20		3628	55266CYJ9	245,030	245,151.90	245,350.35	198.45	256.75	2.250	2/16/2018	2/14/2020
1.70 MSBGR 10/24/19		5766	56062HAD1	245,000	244,622.70	244,968.15	345.45	79.88	1.700	10/24/2017	10/24/2019
2.65 Metabank Sioux Falls SD		30776	59101LFD4	245,000	245,433.65	245,218.05	(215.60)	5,674.27	2.650	11/16/2018	11/15/2019
2.60 MS 2/15/22		32992	61747MK83	245,000	247,236.85	249,522.70	2,285.85	820.25	2.600	2/15/2018	2/15/2022
2.05 NTLNYC 8/30/22		18734	634116CM7	245,000	243,040.00	246,663.55	3,623.55	13.76	2.050	10/30/2017	8/30/2022
3.40 NCBVSG 12/21/23		32612	635573AL2	247,234	253,219.75	260,138.55	6,918.80	2,327.84	3.220	1/2/2019	12/21/2023
2.75 NEWBUF 1/17/20		31257	643056BG8	245,000	245,835.45	245,629.65	(205.80)	258.42	2.750	12/17/2018	1/17/2020
2.15 NRTHFL 10/25/22		28710	66612ABX5	245,000	243,390.35	247,440.20	4,049.85	2,294.61	2.150	10/30/2017	8/30/2022
2.80 ORIENTAL BANK 9/14/20		31469	68621KCC3	245,000	246,805.65	247,322.60	516.95	357.10	2.800	9/12/2018	9/14/2020
2.80 SALLMA 4/17/24		58177	795450ZH7	245,000	246,771.35	254,510.90	7,739.55	3,138.68	2.950	5/7/2019	4/17/2024
2.10 SMARTB 11/27/19		58463	83172HDR8	245,000	244,958.35	245,073.50	115.15	42.29	2.100	2/28/2018	11/27/2019
1.75 SOWNAT 5/8/20		4801	845182BA1	245,000	244,105.75	244,892.20	786.45	270.17	1.750	8/28/2017	5/8/2020
2.75 SBIIN 02/16/23		33682	856285HT2	245,000	247,572.50	252,394.10	4,821.60	849.11	2.750	2/16/2018	2/16/2023
2.35 SYF 10/20/22		27314	87164WTC2	245,000	244,980.40	248,883.25	3,902.85	2,586.93	2.350	10/20/2017	10/22/2022
2.15 EVER 10/28/22		34775	87270LAV5	245,000	243,360.95	247,452.45	4,091.50	2,222.45	2.150	10/30/2017	10/28/2022
2.05 THFDLSL 10/27/21		30012	884130BT4	245,000	244,039.60	246,237.25	2,197.65	2,160.36	2.050	10/27/2017	10/27/2021
1.60 TWINBNK 10/28/19		18487	89210PBL6	245,000	244,532.05	244,943.65	411.60	42.96	1.600	10/27/2017	10/28/2019
3.00 TOWN 9/27/21		35095	89214PCA5	245,000	249,184.60	250,742.80	1,558.20	100.68	3.000	9/26/2018	9/27/2021
2.80 UBS 9/14/20		57565	90348JDQ0	245,000	246,810.55	247,317.70	507.15	319.51	2.800	9/14/2018	9/14/2020
3.25 VYSTAR CREDIT UNION 12/11/20		68490	92891CCB6	245,000	248,719.10	249,204.20	485.10	21.82	3.250	12/11/2018	12/11/2020
1.70 WEX 10/18/19		34697	92937CGA0	245,000	244,625.15	244,973.05	347.90	1,894.22	1.700	10/18/2017	10/18/2019
2.00 WFC 10/27/22		3511	94986T2N6	245,000	244,843.20	244,968.15	124.95	2,107.67	2.000	10/27/2017	10/27/2022
TOTAL FDIC Insured CD's			14,223,344.43	14,284,926.54	14,387,034.35	102,107.81	62,893.28	2.421			
WELLS MONEY MKT AML POOL - City ACCT	Agreed to Amlip		3,006,280.37	3,006,280.37	3,006,280.37	-	4,837.21	2.040			
	Agreed to GL		22,194,696.56	22,205,021.79	22,307,889.60	102,867.81	76,323.42	1.790			
WF Cash	Agreed to WF		389,845.09	389,845.09	389,845.09	-	-	0.400			
TOTAL			22,584,541.65	22,594,866.88	22,697,734.69	102,867.81	76,323.42				
TOTAL CURRENT YIELD	MONTHS				22,584,541.65			2.2444%			
		Max/Min	Return	Actual	Difference						
Maturity over 2 years 30% Maximum		6,809,320.41	2.5689%	5,775,837	1,033,483.75	OK				6000000	
Liquidity 20% Minimum		4,539,546.94	2.0595%	14,665,492	(10,125,944.89)	OK					
Maturity 1 - 2 years			2.6158%	2,256,406							
			2.2444%	22,697,735							

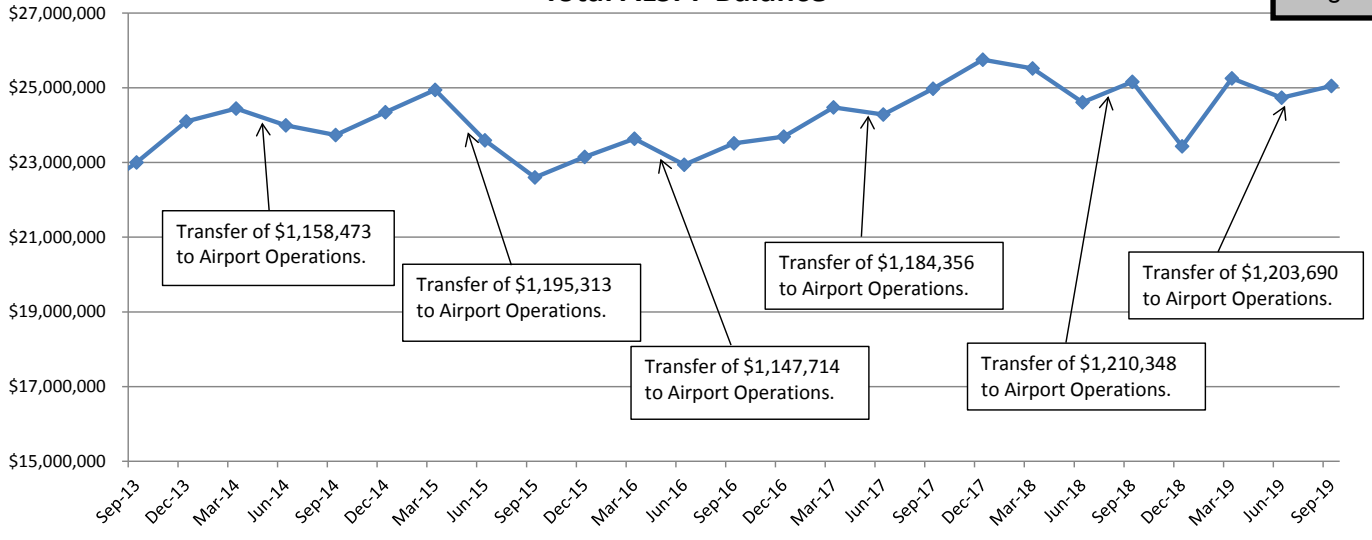
**CITY OF KENAI  
PERMANENT FUND  
INVESTMENT PORTFOLIO SUMMARY  
September 30, 2019**

	Fair Market Value					Current or Average Yield	Current Portfolio Weight	Target Weight	Portfolio Maximum
	30-Sep-18	31-Dec-18	31-Mar-19	30-Jun-19	30-Sep-19				
<b>Fixed Income</b>									
Cash & Cash Equivalents	90,388	1,661,032	1,545,212	1,431,086	1,560,919	1.79%	5.48%		
Total Cash & Cash Equivalents	90,388	1,661,032	1,545,212	1,431,086	1,560,919				
<b>Government &amp; Corporate Securities</b>									
Government Securities	7,514,414	5,874,888	6,821,504	9,265,968	9,099,594	2.02%	31.94%		
Corporate Securities	5,166,325	5,153,955	4,570,777	1,984,868	2,007,674	2.66%	7.05%		
Total Government & Corporate Securities	12,680,739	11,028,843	11,392,281	11,250,836	11,107,268	2.29%	38.99%		
Total Fixed Income	12,771,127	12,689,875	12,937,493	12,681,922	12,668,187	2.27%	44.47%	45.00%	65.00%
<b>Equities</b>									
<b>Domestic Equities</b>									
Large-Cap Index	5,702,415	5,007,131	5,751,108	5,619,537	5,704,808		20.02%	20.00%	25.00%
Small-Cap Index	1,402,625	1,170,059	1,323,301	1,385,556	1,445,878		5.07%	5.00%	10.00%
Mid-Cap Index	2,819,740	2,416,173	2,807,855	2,818,713	2,885,890		10.13%	10.00%	15.00%
Total Domestic Equities	9,924,780	8,593,363	9,882,264	9,823,806	10,036,576		35.22%	35.00%	50.00%
<b>International Equities</b>									
Europe Pacific ETF	2,893,212	2,577,221	2,845,695	2,800,691	2,908,363		10.21%	10.00%	15.00%
Vanguard Emerging Market ETF	1,451,135	1,321,379	1,449,173	1,432,090	1,432,364		5.03%	5.00%	10.00%
Total International Equities	4,344,347	3,898,600	4,294,868	4,232,781	4,340,727		15.24%	15.00%	25.00%
<b>Real Estate</b>									
Vanguard REIT ETF	1,410,465	1,315,599	1,443,620	546,130	585,455		2.05%	2.00%	7.00%
Total Real Estate	1,410,465	1,315,599	1,443,620	546,130	585,455		2.05%	2.00%	7.00%
<b>Infrastructure</b>									
Flexshares Stoxx Global Broad Infrastructure	-	-	-	847,875	860,178		3.02%	3.00%	8.00%
Total Infrastructure	-	-	-	847,875	860,178		3.02%	3.00%	8.00%
Total Equities	15,679,592	13,807,562	15,620,752	15,450,592	15,822,936				
Total Portfolio	28,450,719	26,497,437	28,558,245	28,132,514	28,491,123	12.24%	100.00%	100.00%	155.00%
Total ALSPF Balance	25,156,764	23,429,629	25,251,842	24,731,368	25,046,623				
Total GLSPF Balance	3,146,501	2,930,478	3,158,393	3,248,893	3,290,307				
Total Kenai Community Foundation	147,454	137,330	148,011	152,252	154,193				

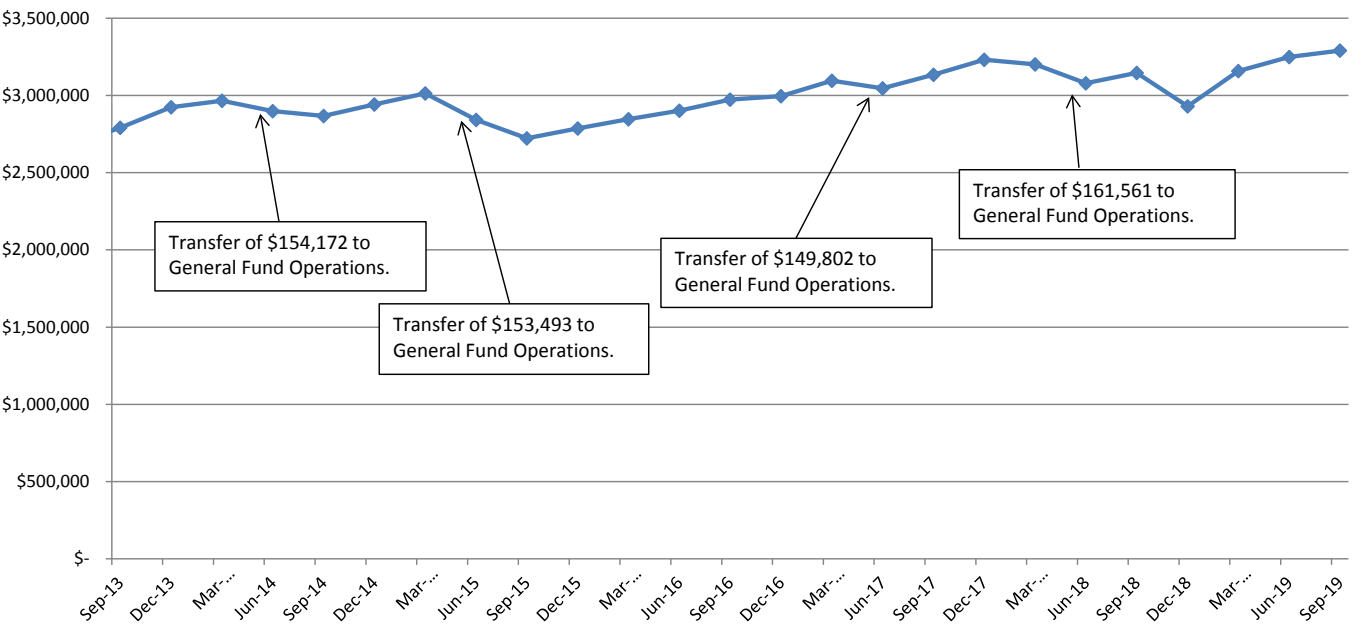




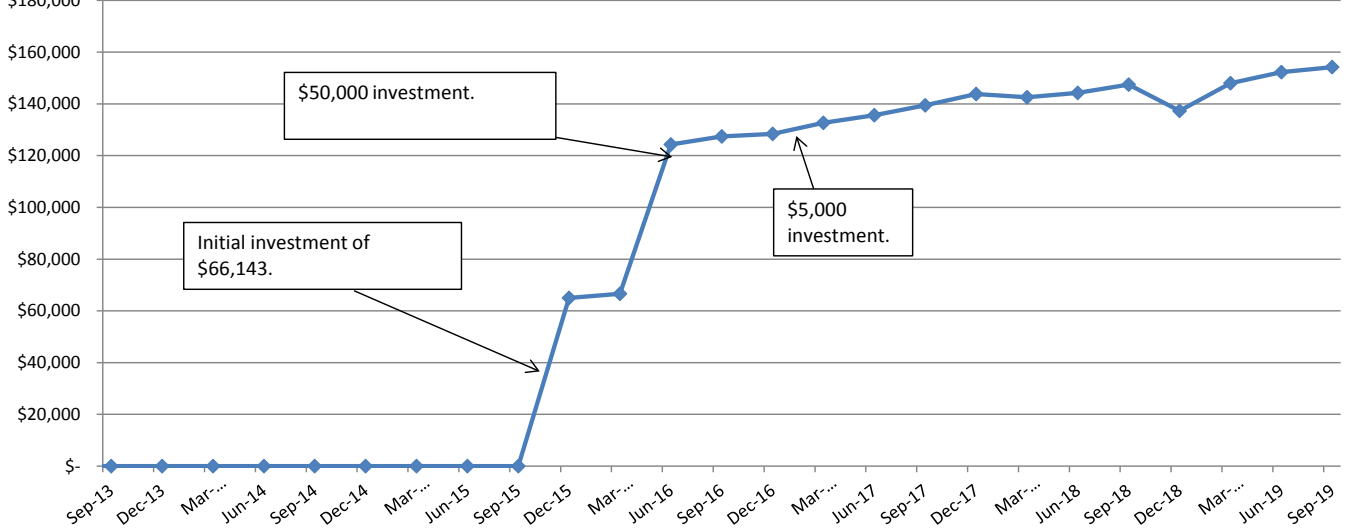
### Total ALSPF Balance



### Total GLSPF Balance



### Total Kenai Community Foundation Balance



# CITY OF KENAI PERMANENT FUNDS

Account Statement - Period Ending September 30, 2019



ALASKA PERMANENT  
CAPITAL MANAGEMENT  
Registered Investment Adviser

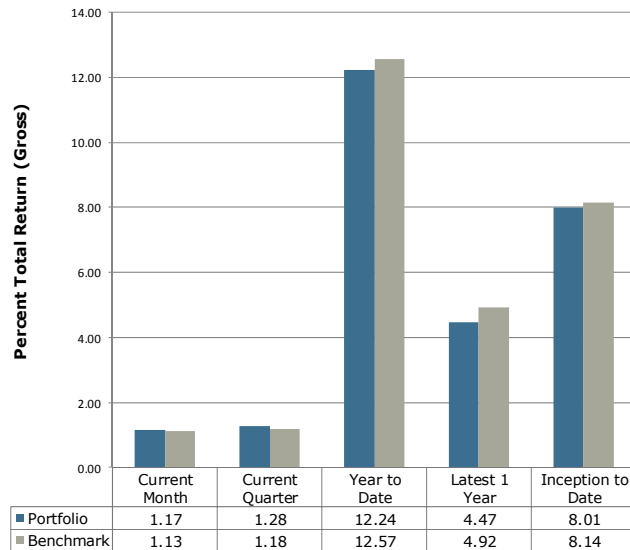
## ACCOUNT ACTIVITY

Portfolio Value on 08-31-19	28,160,373
Contributions	0
Withdrawals	-363
Change in Market Value	247,603
Interest	28,390
Dividends	53,160

Portfolio Value on 09-30-19 28,489,164

## INVESTMENT PERFORMANCE

Current Account Benchmark:  
Equity Blend

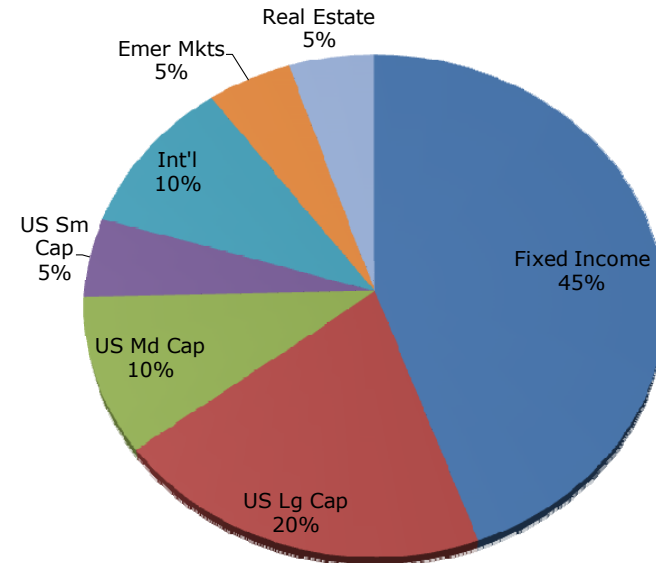


Performance is Annualized for Periods Greater than One Year

## MANAGEMENT TEAM

Client Relationship Manager:	Amber Frizzell, AIF® Amber@apcm.net
Your Portfolio Manager:	Bill Lierman, CFA®
Contact Phone Number:	907/272 -7575

## PORTFOLIO COMPOSITION



Clients are encouraged to compare this report with the official statement from their custodian.

Alaska Permanent Capital Management Co.  
**PORTFOLIO SUMMARY AND TARGET**  
***CITY OF KENAI PERMANENT FUNDS***  
*September 30, 2019*

Asset Class & Target	Market Value	% Assets	Range
<b>FIXED INCOME (45%)</b>			
US Fixed Income (40.0%)	11,107,748	39.0	35% to 65%
Cash (5.0%)	1,578,334	5.5	0% to 10%
<b>Subtotal:</b>	<b>12,686,082</b>	<b>44.5</b>	
<b>EQUITY (50%)</b>			
US Large Cap (20.0%)	5,684,953	20.0	15% to 25%
US Mid Cap (10.0%)	2,885,890	10.1	5% to 15%
US Small Cap (5.0%)	1,445,878	5.1	0% to 10%
Developed International Equity (10.0%)	2,908,363	10.2	5% to 15%
Emerging Markets (5.0%)	1,432,364	5.0	0% to 10%
<b>Subtotal:</b>	<b>14,357,449</b>	<b>50.4</b>	
<b>ALTERNATIVE INVESTMENTS (5%)</b>			
Real Estate (2.0%)	585,455	2.1	0% to 5%
Infrastructure (3.0%)	860,177	3.0	0% to 6%
<b>Subtotal:</b>	<b>1,445,632</b>	<b>5.1</b>	
<b>TOTAL PORTFOLIO</b>	<b>28,489,164</b>	<b>100</b>	

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
*September 30, 2019*

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
<b>FNMA &amp; FHLMC</b>									
18,104	FHLMC POOL G14203 4.000% Due 04-01-26	104.56	18,930	104.30	18,882	0.07	724	60	1.89
140,706	FG POOL C91270 4.500% Due 10-01-29	105.67	148,687	106.66	150,083	0.53	6,332	528	2.23
138,546	FG POOL J30401 3.000% Due 01-01-30	101.30	140,343	103.24	143,038	0.50	4,156	346	1.99
140,379	FG POOL G16255 2.500% Due 07-01-32	99.70	139,962	101.36	142,287	0.50	3,509	292	2.15
139,163	FNCL POOL 995373 4.500% Due 02-01-39	106.72	148,513	108.19	150,562	0.53	6,262	522	2.56
386,963	FN POOL AJ1405 4.000% Due 09-01-41	104.48	404,316	106.80	413,295	1.45	15,479	1,290	2.43
173,375	FN POOL AL3180 3.000% Due 01-01-43	100.20	173,727	103.05	178,662	0.63	5,201	433	2.40
243,568	FG POOL V80057 3.000% Due 05-01-43	100.23	244,139	103.54	252,186	0.89	7,307	609	2.33
175,884	FN POOL AT2324 3.000% Due 05-01-43	100.20	176,241	103.04	181,239	0.64	5,277	440	2.43
313,812	FG POOL G08722 3.500% Due 09-01-46	102.09	320,358	104.06	326,553	1.15	10,983	915	2.48
101,631	FN AS8483 3.000% Due 12-01-46	102.95	104,633	102.43	104,100	0.37	3,049	254	2.56
108,978	FN POOL BD2453 3.000% Due 01-01-47	99.89	108,858	102.86	112,097	0.39	3,269	272	2.50
597,137	FN POOL AS8810 3.500% Due 02-01-47	102.04	609,313	103.68	619,136	2.17	20,900	1,742	2.54
222,531	FN POOL MA2930 4.000% Due 03-01-47	103.56	230,459	104.90	233,442	0.82	8,901	742	2.40
140,338	FG G61893 3.000% Due 07-01-47	101.14	141,939	102.48	143,821	0.50	4,210	351	2.52
198,094	FN MA3305 3.500% Due 03-01-48	103.02	204,068	103.53	205,083	0.72	6,933	578	2.80
92,279	FN POOL MA3638 4.000% Due 04-01-49	103.09	95,134	103.67	95,666	0.34	3,691	308	2.46
	Accrued Interest				9,682	0.03			
			3,409,621		3,479,813	12.21		9,682	
<b>CORPORATE BONDS</b>									
100,000	ABBVIE INC 2.900% Due 11-06-22	101.31	101,307	101.92	101,917	0.36	2,900	1,168	2.26
100,000	GOLDMAN SACHS GROUP INC 3.625% Due 01-22-23	101.98	101,985	104.00	103,998	0.37	3,625	695	2.36
100,000	AVALONBAY COMMUNITIES 2.850% Due 03-15-23	100.82	100,816	102.39	102,393	0.36	2,850	127	2.13

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
*September 30, 2019*

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
100,000	AFLAC INC 3.625% Due 06-15-23	104.97	104,975	105.31	105,312	0.37	3,625	1,067	2.13
200,000	BANK OF NEW YORK MELLON 2.200% Due 08-16-23	97.83	195,666	100.35	200,692	0.70	4,400	550	2.11
200,000	JPMORGAN CHASE & CO 3.875% Due 02-01-24	105.18	210,362	106.55	213,094	0.75	7,750	1,292	2.28
100,000	MORGAN STANLEY IND FINANCIAL SRV 3.875% Due 04-29-24	103.71	103,711	106.38	106,383	0.37	3,875	1,636	2.39
100,000	WELLS FARGO & COMPANY 3.300% Due 09-09-24	99.88	99,882	104.39	104,393	0.37	3,300	202	2.35
150,000	KIMCO REALTY CORP 3.300% Due 02-01-25	94.92	142,377	103.13	154,699	0.54	4,950	825	2.67
150,000	REYNOLDS AMERICAN INC 4.450% Due 06-12-25	108.47	162,700	106.65	159,982	0.56	6,675	2,021	3.16
150,000	CITIGROUP INC 3.700% Due 01-12-26	101.65	152,470	106.19	159,288	0.56	5,550	1,218	2.62
100,000	ENBRIDGE INC 3.700% Due 07-15-27	101.13	101,135	106.11	106,114	0.37	3,700	781	2.82
100,000	AT&T INC 6.375% Due 03-01-41	119.32	119,320	128.74	128,743	0.45	6,375	531	4.31
100,000	HOME DEPOT INC 4.875% Due 02-15-44	115.63	115,627	128.91	128,912	0.45	4,875	623	3.16
100,000	BANK OF AMERICA CORP 4.443% Due 01-20-48	106.31	106,308	118.63	118,635	0.42	4,443	876	3.41
	Accrued Interest				13,612	0.05			
			1,918,642		2,008,168	7.05		13,612	
<b>DOMESTIC LARGE CAP EQUITY FUNDS/ETF</b>									
18,975	FLEXSHARES QUAL DIV ETF	40.79	773,897	45.44	862,224	3.03	NA		
8,800	ISHARES MSCI USA MIN VOLATILITY ETF	61.68	542,784	64.10	564,080	1.98	NA		
14,350	SPDR S&P 500 ETF	142.48	2,044,588	296.77	4,258,649	14.95	NA		
			3,361,269		5,684,953	19.95			
<b>DOMESTIC MID CAP EQUITY FUNDS/ETF</b>									
14,935	ISHARES CORE S&P MIDCAP 400 ETF	76.19	1,137,948	193.23	2,885,890	10.13	NA		
<b>DOMESTIC SMALL CAP EQUITY FUNDS/ETF</b>									
18,575	ISHARES S&P SMALLCAP 600 INDEX ETF	37.21	691,102	77.84	1,445,878	5.08	NA		
<b>INTERNATIONAL EQUITY FUNDS/ETF</b>									
23,785	ISHARES ETF CORE MSCI EAFE	51.86	1,233,510	61.07	1,452,550	5.10	NA		
22,325	ISHARES MSCI EAFE INDEX FUND	61.74	1,378,359	65.21	1,455,813	5.11	NA		
			2,611,868		2,908,363	10.21			

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
*September 30, 2019*

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
<b>EMERGING MARKET FUNDS/ETF</b>									
29,220	ISHARES ETF CORE MSCI EMERGING MKTS	42.36	1,237,704	49.02	1,432,364	5.03	NA		
<b>REAL ESTATE &amp; INFRASTRUCTURE</b>									
16,625	FLEXSHAR STX GLOBAL BROAD INF ETF	49.49	822,771	51.74	860,177	3.02	NA		
6,500	JPMORGAN BETABUILDERS MSCI US REIT ETF	76.55	497,605	90.07	585,455	2.06	NA		
			1,320,376		1,445,632	5.07			
<b>U.S. TREASURY</b>									
300,000	US TREASURY NOTES 2.125% Due 06-30-21	99.34	298,008	100.74	302,226	1.06	6,375	1,611	1.69
25,000	US TREASURY NOTES 1.125% Due 07-31-21	98.59	24,648	99.00	24,751	0.09	281	47	1.68
200,000	US TREASURY NOTES 2.000% Due 08-31-21	100.66	201,312	100.62	201,234	0.71	4,000	341	1.67
170,000	US TREASURY NOTES 2.000% Due 12-31-21	101.31	172,227	100.81	171,382	0.60	3,400	859	1.63
250,000	US TREASURY NOTES 1.875% Due 01-31-22	100.09	250,215	100.55	251,387	0.88	4,687	790	1.63
325,000	US TREASURY NOTES 2.125% Due 06-30-22	97.12	315,644	101.45	329,709	1.16	6,906	1,745	1.58
350,000	US TREASURY NOTES 2.625% Due 02-28-23	99.72	349,016	103.46	362,099	1.27	9,187	782	1.58
150,000	US TREASURY NOTES 1.625% Due 10-31-23	99.41	149,109	100.21	150,322	0.53	2,437	1,020	1.57
250,000	US TREASURY NOTES 2.375% Due 08-15-24	100.23	250,566	103.73	259,317	0.91	5,937	758	1.58
150,000	US TREASURY NOTES 2.750% Due 06-30-25	99.71	149,561	106.28	159,415	0.56	4,125	1,042	1.60
400,000	US TREASURY NOTES 2.500% Due 02-28-26	99.75	399,014	105.36	421,452	1.48	10,000	852	1.62
200,000	US TREASURY NOTES 1.625% Due 05-15-26	95.63	191,269	100.05	200,094	0.70	3,250	1,228	1.62
250,000	US TREASURY NOTES 2.000% Due 11-15-26	95.26	238,145	102.55	256,377	0.90	5,000	1,889	1.62
190,000	US TREASURY NOTES 2.250% Due 11-15-27	95.29	181,049	104.61	198,751	0.70	4,275	1,615	1.64
220,000	US TREASURY NOTES 2.750% Due 02-15-28	98.74	217,225	108.57	238,854	0.84	6,050	773	1.65
300,000	US TREASURY NOTES 3.125% Due 11-15-28	102.38	307,141	112.27	336,798	1.18	9,375	3,541	1.67
495,000	US TREASURY NOTES 2.625% Due 02-15-29	100.69	498,419	108.23	535,743	1.88	12,994	1,660	1.67
170,000	US TREASURY NOTES 4.375% Due 11-15-39	128.88	219,090	140.28	238,471	0.84	7,437	2,809	1.95

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**CITY OF KENAI PERMANENT FUNDS**  
*September 30, 2019*

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
600,000	US TREASURY NOTES 2.875% Due 05-15-49 Accrued Interest	102.98	617,889	116.63	699,774	2.46	17,250	6,516	2.12
			5,029,547		29,877 5,368,038	0.10 18.84		29,877	
<b>AGENCIES</b>									
250,000	FEDERAL HOME LOAN BANK - STEP UP 2.000% Due 11-14-22 Accrued Interest	99.85	249,625	99.94	249,840	0.88	5,000	1,889	2.02
			249,625		1,889 251,729	0.01 0.88		1,889	
<b>CASH AND EQUIVALENTS</b>									
	DIVIDEND ACCRUAL		19,855		19,855	0.07			
	WF ADV GOVT MM FD-INSTL #1751		1,558,480		1,558,480	5.47			
			1,578,334		1,578,334	5.54			
<b>TOTAL PORTFOLIO</b>			<b>22,546,037</b>		<b>28,489,164</b>	<b>100</b>	<b>313,047</b>	<b>55,060</b>	

Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 09-01-19 To 09-30-19*

Trade Date	Settle Date	Security	Quantity	Trade Amount
<b>PURCHASES</b>				
DOMESTIC MID CAP EQUITY FUNDS/ETF				
09-03-19	09-05-19	ISHARES CORE S&P MIDCAP 400 ETF	425.0000	79,009.97
DOMESTIC SMALL CAP EQUITY FUNDS/ETF				
09-03-19	09-05-19	ISHARES S&P SMALLCAP 600 INDEX ETF	875.0000	65,301.25
EMERGING MARKET FUNDS/ETF				
09-03-19	09-05-19	ISHARES ETF CORE MSCI EMERGING MKTS	1,380.0000	66,240.00
INTERNATIONAL EQUITY FUNDS/ETF				
09-03-19	09-05-19	ISHARES ETF CORE MSCI EAFE	1,000.0000	59,059.60
09-03-19	09-05-19	ISHARES MSCI EAFE INDEX FUND	1,000.0000	63,035.00
				122,094.60
U.S. TREASURY				
09-10-19	09-11-19	US TREASURY NOTES 2.000% Due 08-31-21	200,000	201,312.50
				<b>533,958.32</b>
<b>DEPOSITS AND EXPENSES</b>				
MANAGEMENT FEES				
09-30-19	09-30-19	MANAGEMENT FEES		4,040.76
				<b>4,040.76</b>
<b>DIVIDEND</b>				
DOMESTIC LARGE CAP EQUITY FUNDS/ETF				
09-20-19	10-31-19	SPDR S&P 500 ETF		19,854.93
09-26-19	09-26-19	FLEXSHARES QUAL DIV ETF		4,734.43



Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 09-01-19 To 09-30-19*

Trade Date	Settle Date	Security	Quantity	Trade Amount
09-30-19	09-30-19	ISHARES MSCI USA MIN VOLATILITY ETF		2,524.42
				27,113.78
<b>DOMESTIC MID CAP EQUITY FUNDS/ETF</b>				
09-30-19	09-30-19	ISHARES CORE S&P MIDCAP 400 ETF		12,817.96
<b>DOMESTIC SMALL CAP EQUITY FUNDS/ETF</b>				
09-30-19	09-30-19	ISHARES S&P SMALLCAP 600 INDEX ETF		5,301.51
<b>REAL ESTATE &amp; INFRASTRUCTURE</b>				
09-26-19	09-26-19	FLEXSHAR STX GLOBAL BROAD INF ETF		5,112.19
09-27-19	09-27-19	JPMORGAN BETABUILDERS MSCI US REIT ETF		2,814.76
				7,926.95
				<b>53,160.20</b>
<b>INTEREST</b>				
<b>AGENCIES</b>				
09-09-19	09-09-19	FHLB 3.625% Due 03-19-27		3,423.61
<b>CASH AND EQUIVALENTS</b>				
09-03-19	09-03-19	WF ADV GOVT MM FD-INSTL #1751		2,419.52
<b>CORPORATE BONDS</b>				
09-03-19	09-03-19	AT&T INC 6.375% Due 03-01-41		3,187.50
09-09-19	09-09-19	WELLS FARGO & COMPANY 3.300% Due 09-09-24		1,650.00

Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 09-01-19 To 09-30-19*

Trade Date	Settle Date	Security	Quantity	Trade Amount
09-16-19	09-16-19	AVALONBAY COMMUNITIES 2.850% Due 03-15-23		1,425.00
				6,262.50
FNMA & FHLMC				
09-16-19	09-16-19	FHLMC POOL G14203 4.000% Due 04-01-26		62.01
09-16-19	09-16-19	FG POOL G16255 2.500% Due 07-01-32		298.59
09-16-19	09-16-19	FG POOL G08722 3.500% Due 09-01-46		935.38
09-16-19	09-16-19	FG POOL C91270 4.500% Due 10-01-29		533.82
09-16-19	09-16-19	FG POOL J30401 3.000% Due 01-01-30		349.85
09-16-19	09-16-19	FG POOL V80057 3.000% Due 05-01-43		615.03
09-16-19	09-16-19	FG G61893 3.000% Due 07-01-47		354.98
09-25-19	09-25-19	FN POOL AJ1405 4.000% Due 09-01-41		1,319.09
09-25-19	09-25-19	FN POOL AT2324 3.000% Due 05-01-43		446.53
09-25-19	09-25-19	FN AS8483 3.000% Due 12-01-46		256.81
09-25-19	09-25-19	FN POOL AS8810 3.500% Due 02-01-47		1,763.53
09-25-19	09-25-19	FN POOL AL3180 3.000% Due 01-01-43		434.66
09-25-19	09-25-19	FN POOL BD2453 3.000% Due 01-01-47		275.95
09-25-19	09-25-19	FNCL POOL 995373 4.500% Due 02-01-39		529.55
09-25-19	09-25-19	FN POOL MA2930 4.000% Due 03-01-47		764.01

Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 09-01-19 To 09-30-19*

Trade Date	Settle Date	Security	Quantity	Trade Amount
09-25-19	09-25-19	FN MA3305 3.500% Due 03-01-48		586.83
09-25-19	09-25-19	FN POOL MA3638 4.000% Due 04-01-49		318.53
				9,845.15
				<b>21,950.78</b>

**PRINCIPAL PAYDOWNS**

FNMA & FHLMC

09-15-19	09-16-19	FHLMC POOL G14203 4.000% Due 04-01-26	497.70	497.70
09-15-19	09-16-19	FG POOL G16255 2.500% Due 07-01-32	2,943.40	2,943.40
09-15-19	09-16-19	FG POOL G08722 3.500% Due 09-01-46	6,889.62	6,889.62
09-15-19	09-16-19	FG POOL C91270 4.500% Due 10-01-29	1,644.76	1,644.76
09-15-19	09-16-19	FG POOL J30401 3.000% Due 01-01-30	1,393.64	1,393.64
09-15-19	09-16-19	FG POOL V80057 3.000% Due 05-01-43	2,443.01	2,443.01
09-15-19	09-16-19	FG G61893 3.000% Due 07-01-47	1,654.95	1,654.95
09-25-19	09-25-19	FN POOL AJ1405 4.000% Due 09-01-41	8,763.62	8,763.62
09-25-19	09-25-19	FN POOL AT2324 3.000% Due 05-01-43	2,729.96	2,729.96
09-25-19	09-25-19	FN AS8483 3.000% Due 12-01-46	1,092.63	1,092.63
09-25-19	09-25-19	FN POOL AS8810 3.500% Due 02-01-47	7,502.96	7,502.96
09-25-19	09-25-19	FN POOL AL3180 3.000% Due 01-01-43	488.79	488.79
09-25-19	09-25-19	FN POOL BD2453 3.000% Due 01-01-47	1,400.52	1,400.52

Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 09-01-19 To 09-30-19*

Trade Date	Settle Date	Security	Quantity	Trade Amount
09-25-19	09-25-19	FNCL POOL 995373 4.500% Due 02-01-39	2,050.84	2,050.84
09-25-19	09-25-19	FN POOL MA2930 4.000% Due 03-01-47	6,671.27	6,671.27
09-25-19	09-25-19	FN MA3305 3.500% Due 03-01-48	3,105.80	3,105.80
09-25-19	09-25-19	FN POOL MA3638 4.000% Due 04-01-49	3,280.12	3,280.12
				54,553.59
				<b>54,553.59</b>

**PURCHASED ACCRUED INTEREST**

U.S. TREASURY

09-10-19	09-11-19	US TREASURY NOTES 2.000% Due 08-31-21		120.88
				<b>120.88</b>

**SALES, MATURITIES, AND CALLS**

AGENCIES

09-09-19	09-09-19	FHLB 3.625% Due 03-19-27	200,000	200,000.00
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U.S. TREASURY

09-04-19	09-05-19	US TREASURY NOTES 1.125% Due 07-31-21	275,000	273,227.54
				<b>473,227.54</b>

**SOLD ACCRUED INTEREST**

U.S. TREASURY

09-04-19	09-05-19	US TREASURY NOTES 1.125% Due 07-31-21		302.65
				<b>302.65</b>

Alaska Permanent Capital Management Co.  
**TRANSACTION SUMMARY**  
***CITY OF KENAI PERMANENT FUNDS***  
*From 09-01-19 To 09-30-19*

Trade Date	Settle Date	Security	Quantity	Trade Amount
<b>WITHDRAW</b>				
CASH AND EQUIVALENTS				
09-03-19	09-03-19	CASH RECEIVABLE		4,593.75
09-03-19	09-03-19	CASH RECEIVABLE		5,000.00
09-20-19	09-20-19	WF ADV GOVT MM FD-INSTL #1751		362.52
				9,956.27
				<b>9,956.27</b>

Alaska Permanent Capital Management Co.  
**REALIZED GAINS AND LOSSES**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 09-01-19 Through 09-30-19*

<b>Date</b>	<b>Quantity</b>	<b>Security</b>	<b>Avg. Cost Basis</b>	<b>Proceeds</b>	<b>Gain Or Loss</b>
09-04-19	275,000	US TREASURY NOTES 1.125% Due 07-31-21	271,132.81	273,227.54	2,094.73
09-09-19	200,000	FHLB 3.625% Due 03-19-27	199,580.00	200,000.00	420.00
09-15-19	497.70	FHLMC POOL G14203 4.000% Due 04-01-26	520.41	497.70	-22.71
09-15-19	2,943.40	FG POOL G16255 2.500% Due 07-01-32	2,934.66	2,943.40	8.74
09-15-19	6,889.62	FG POOL G08722 3.500% Due 09-01-46	7,033.33	6,889.62	-143.71
09-15-19	1,644.76	FG POOL C91270 4.500% Due 10-01-29	1,738.05	1,644.76	-93.29
09-15-19	1,393.64	FG POOL J30401 3.000% Due 01-01-30	1,411.71	1,393.64	-18.07
09-15-19	2,443.01	FG POOL V80057 3.000% Due 05-01-43	2,448.74	2,443.01	-5.73
09-15-19	1,654.95	FG G61893 3.000% Due 07-01-47	1,673.83	1,654.95	-18.88
09-25-19	8,763.62	FN POOL AJ1405 4.000% Due 09-01-41	9,156.61	8,763.62	-392.99
09-25-19	2,729.96	FN POOL AT2324 3.000% Due 05-01-43	2,735.51	2,729.96	-5.55
09-25-19	1,092.63	FN AS8483 3.000% Due 12-01-46	1,124.90	1,092.63	-32.27
09-25-19	7,502.96	FN POOL AS8810 3.500% Due 02-01-47	7,655.95	7,502.96	-152.99
09-25-19	488.79	FN POOL AL3180 3.000% Due 01-01-43	489.78	488.79	-0.99
09-25-19	1,400.52	FN POOL BD2453 3.000% Due 01-01-47	1,398.99	1,400.52	1.53
09-25-19	2,050.84	FNCL POOL 995373 4.500% Due 02-01-39	2,188.63	2,050.84	-137.79
09-25-19	6,671.27	FN POOL MA2930 4.000% Due 03-01-47	6,908.93	6,671.27	-237.66
09-25-19	3,105.80	FN MA3305 3.500% Due 03-01-48	3,199.46	3,105.80	-93.66

Alaska Permanent Capital Management Co.  
**REALIZED GAINS AND LOSSES**  
***CITY OF KENAI PERMANENT FUNDS***  
*From 09-01-19 Through 09-30-19*

<b>Date</b>	<b>Quantity</b>	<b>Security</b>	<b>Avg. Cost Basis</b>	<b>Proceeds</b>	<b>Gain Or Loss</b>
09-25-19	3,280.12	FN POOL MA3638 4.000% Due 04-01-49	3,381.60	3,280.12	-101.48
TOTAL GAINS					2,525.00
TOTAL LOSSES					-1,457.77
			<b>526,713.90</b>	<b>527,781.13</b>	<b>1,067.23</b>

Alaska Permanent Capital Management Co.  
**CASH LEDGER**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 09-01-19 To 09-30-19*

Trade Date	Settle Date	Tran Code	Activity	Security	Amount
<b>CASH RECEIVABLE</b>					
09-01-19			Beginning Balance		9,593.75
09-03-19	09-03-19	wd	Transfer to	WF ADV GOVT MM FD-INSTL #1751	-4,593.75
09-03-19	09-03-19	wd	Transfer to	WF ADV GOVT MM FD-INSTL #1751	-5,000.00
<b>09-30-19</b>			<b>Ending Balance</b>		<b>0.00</b>
<b>WF ADV GOVT MM FD-INSTL #1751</b>					
09-01-19			Beginning Balance		1,499,987.71
09-03-19	09-05-19	wd	Purchase	ISHARES ETF CORE MSCI EMERGING MKTS	-66,240.00
09-03-19	09-05-19	wd	Purchase	ISHARES ETF CORE MSCI EAFE	-59,059.60
09-03-19	09-05-19	wd	Purchase	ISHARES MSCI EAFE INDEX FUND	-63,035.00
09-03-19	09-05-19	wd	Purchase	ISHARES CORE S&P MIDCAP 400 ETF	-79,009.97
09-03-19	09-05-19	wd	Purchase	ISHARES S&P SMALLCAP 600 INDEX ETF	-65,301.25
09-03-19	09-03-19	dp	Interest	WF ADV GOVT MM FD-INSTL #1751	2,419.52
09-03-19	09-03-19	dp	Interest	AT&T INC 6.375% Due 03-01-41	3,187.50
09-03-19	09-03-19	dp	Transfer from	CASH RECEIVABLE	4,593.75
09-03-19	09-03-19	dp	Transfer from	CASH RECEIVABLE	5,000.00
09-04-19	09-05-19	dp	Sale	US TREASURY NOTES 1.125% Due 07-31-21	273,227.54
09-04-19	09-05-19	dp	Accrued Interest	US TREASURY NOTES 1.125% Due 07-31-21	302.65



Alaska Permanent Capital Management Co.  
**CASH LEDGER**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 09-01-19 To 09-30-19*

<b>Trade Date</b>	<b>Settle Date</b>	<b>Tran Code</b>	<b>Activity</b>	<b>Security</b>	<b>Amount</b>
09-09-19	09-09-19	dp	Sale	FHLB 3.625% Due 03-19-27	200,000.00
09-09-19	09-09-19	dp	Interest	FHLB 3.625% Due 03-19-27	3,423.61
09-09-19	09-09-19	dp	Interest	WELLS FARGO & COMPANY 3.300% Due 09-09-24	1,650.00
09-10-19	09-11-19	wd	Purchase	US TREASURY NOTES 2.000% Due 08-31-21	-201,312.50
09-10-19	09-11-19	wd	Accrued Interest	US TREASURY NOTES 2.000% Due 08-31-21	-120.88
09-15-19	09-16-19	dp	Paydown	FHLMC POOL G14203 4.000% Due 04-01-26	497.70
09-15-19	09-16-19	dp	Paydown	FG POOL G16255 2.500% Due 07-01-32	2,943.40
09-15-19	09-16-19	dp	Paydown	FG POOL G08722 3.500% Due 09-01-46	6,889.62
09-15-19	09-16-19	dp	Paydown	FG POOL C91270 4.500% Due 10-01-29	1,644.76
09-15-19	09-16-19	dp	Paydown	FG POOL J30401 3.000% Due 01-01-30	1,393.64
09-15-19	09-16-19	dp	Paydown	FG POOL V80057 3.000% Due 05-01-43	2,443.01
09-15-19	09-16-19	dp	Paydown	FG G61893 3.000% Due 07-01-47	1,654.95
09-16-19	09-16-19	dp	Interest	AVALONBAY COMMUNITIES 2.850% Due 03-15-23	1,425.00
09-16-19	09-16-19	dp	Interest	FHLMC POOL G14203 4.000% Due 04-01-26	62.01
09-16-19	09-16-19	dp	Interest	FG POOL G16255 2.500% Due 07-01-32	298.59

Alaska Permanent Capital Management Co.  
**CASH LEDGER**  
***CITY OF KENAI PERMANENT FUNDS***  
*From 09-01-19 To 09-30-19*

<b>Trade Date</b>	<b>Settle Date</b>	<b>Tran Code</b>	<b>Activity</b>	<b>Security</b>	<b>Amount</b>
09-16-19	09-16-19	dp	Interest	FG POOL G08722 3.500% Due 09-01-46	935.38
09-16-19	09-16-19	dp	Interest	FG POOL C91270 4.500% Due 10-01-29	533.82
09-16-19	09-16-19	dp	Interest	FG POOL J30401 3.000% Due 01-01-30	349.85
09-16-19	09-16-19	dp	Interest	FG POOL V80057 3.000% Due 05-01-43	615.03
09-16-19	09-16-19	dp	Interest	FG G61893 3.000% Due 07-01-47	354.98
09-20-19	09-20-19	wd	Withdrawal	from Portfolio	-362.52
09-25-19	09-25-19	dp	Interest	FN POOL AJ1405 4.000% Due 09-01-41	1,319.09
09-25-19	09-25-19	dp	Paydown	FN POOL AJ1405 4.000% Due 09-01-41	8,763.62
09-25-19	09-25-19	dp	Paydown	FN POOL AT2324 3.000% Due 05-01-43	2,729.96
09-25-19	09-25-19	dp	Interest	FN POOL AT2324 3.000% Due 05-01-43	446.53
09-25-19	09-25-19	dp	Interest	FN AS8483 3.000% Due 12-01-46	256.81
09-25-19	09-25-19	dp	Paydown	FN AS8483 3.000% Due 12-01-46	1,092.63
09-25-19	09-25-19	dp	Paydown	FN POOL AS8810 3.500% Due 02-01-47	7,502.96
09-25-19	09-25-19	dp	Interest	FN POOL AS8810 3.500% Due 02-01-47	1,763.53
09-25-19	09-25-19	dp	Interest	FN POOL AL3180 3.000% Due 01-01-43	434.66
09-25-19	09-25-19	dp	Paydown	FN POOL AL3180 3.000% Due 01-01-43	488.79

Alaska Permanent Capital Management Co.  
**CASH LEDGER**  
**CITY OF KENAI PERMANENT FUNDS**  
*From 09-01-19 To 09-30-19*

<b>Trade Date</b>	<b>Settle Date</b>	<b>Tran Code</b>	<b>Activity</b>	<b>Security</b>	<b>Amount</b>
09-25-19	09-25-19	dp	Paydown	FN POOL BD2453 3.000% Due 01-01-47	1,400.52
09-25-19	09-25-19	dp	Interest	FN POOL BD2453 3.000% Due 01-01-47	275.95
09-25-19	09-25-19	dp	Interest	FNCL POOL 995373 4.500% Due 02-01-39	529.55
09-25-19	09-25-19	dp	Paydown	FNCL POOL 995373 4.500% Due 02-01-39	2,050.84
09-25-19	09-25-19	dp	Paydown	FN POOL MA2930 4.000% Due 03-01-47	6,671.27
09-25-19	09-25-19	dp	Interest	FN POOL MA2930 4.000% Due 03-01-47	764.01
09-25-19	09-25-19	dp	Interest	FN MA3305 3.500% Due 03-01-48	586.83
09-25-19	09-25-19	dp	Paydown	FN MA3305 3.500% Due 03-01-48	3,105.80
09-25-19	09-25-19	dp	Paydown	FN POOL MA3638 4.000% Due 04-01-49	3,280.12
09-25-19	09-25-19	dp	Interest	FN POOL MA3638 4.000% Due 04-01-49	318.53
09-26-19	09-26-19	dp	Dividend	FLEXSHAR STX GLOBAL BROAD INF ETF	5,112.19
09-26-19	09-26-19	dp	Dividend	FLEXSHARES QUAL DIV ETF	4,734.43
09-27-19	09-27-19	dp	Dividend	JPMORGAN BETABUILDERS MSCI US REIT ETF	2,814.76
09-30-19	09-30-19	dp	Dividend	ISHARES CORE S&P MIDCAP 400 ETF	12,817.96
09-30-19	09-30-19	dp	Dividend	ISHARES S&P SMALLCAP 600 INDEX ETF	5,301.51

Alaska Permanent Capital Management Co.  
**CASH LEDGER**  
***CITY OF KENAI PERMANENT FUNDS***  
*From 09-01-19 To 09-30-19*

Trade Date	Settle Date	Tran Code	Activity	Security	Amount
09-30-19	09-30-19	dp	Dividend	ISHARES MSCI USA MIN VOLATILITY ETF	2,524.42
<b>09-30-19</b>			<b>Ending Balance</b>		<b>1,558,479.57</b>
<b>DIVIDEND ACCRUAL</b>					
09-01-19			Beginning Balance		0.00
09-20-19	10-31-19	dp	Dividend	SPDR S&P 500 ETF	19,854.93
<b>09-30-19</b>			<b>Ending Balance</b>		<b>19,854.93</b>

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL sort by CUSIP**  
**CITY OF KENAI PERMANENT FUNDS**  
September 30, 2019

Cusip9	Original Face	Quantity	Security	Unit Cost	Total Cost	Price	Market Value	Accrued Interest	Annual Income
<b>FNMA &amp; FHLMC</b>									
3128MC3L7	256,397.0000	18,103.9900	FHLMC POOL G14203	104.562501	18,929.98	104.30000	18,882.46	60.35	724.16
3128MFE46	190,000.0000	140,378.9400	FG POOL G16255	99.703123	139,962.19	101.35900	142,286.69	292.46	3,509.47
3128MJYU8	477,000.0000	313,812.2600	FG POOL G08722	102.085937	320,358.19	104.06000	326,553.04	915.29	10,983.43
3128P7MT7	2,000,000.0000	140,706.0000	FG POOL C91270	105.671877	148,686.67	106.66400	150,082.65	527.65	6,331.77
31307LNS3	301,000.0000	138,546.0500	FG POOL J30401	101.296875	140,342.82	103.24200	143,037.71	346.37	4,156.38
3132L5B28	450,000.0000	243,568.4100	FG POOL V80057	100.234376	244,139.28	103.53800	252,185.86	608.92	7,307.05
31335CC69	150,000.0000	140,338.0400	FG G61893	101.140626	141,938.77	102.48200	143,821.23	350.85	4,210.14
3138ASR38	1,500,000.0000	386,962.6600	FN POOL AJ1405	104.484375	404,315.52	106.80500	413,295.47	1,289.88	15,478.51
3138EKRA5	374,582.0000	175,883.6600	FN POOL AT2324	100.203126	176,240.92	103.04500	181,239.32	439.71	5,276.51
3138WJM96	125,000.0000	101,631.4100	FN AS8483	102.953126	104,632.71	102.42900	104,100.04	254.08	3,048.94
3138WJYG7	783,285.0000	597,137.4900	FN POOL AS8810	102.039062	609,313.49	103.68400	619,136.04	1,741.65	20,899.81
3138WPSN5	335,507.0000	173,375.3100	FN POOL AL3180	100.203125	173,727.48	103.04900	178,661.52	433.44	5,201.26
3140F9WP6	139,000.0000	108,977.5700	FN POOL BD2453	99.890625	108,858.38	102.86200	112,096.51	272.44	3,269.33
31416BXA1	4,000,000.0000	139,162.7600	FNCL POOL 995373	106.718781	148,512.80	108.19100	150,561.58	521.86	6,262.32
31418CHG2	148,000.0000	222,531.4800	FN POOL MA2930	103.562500	230,459.16	104.90300	233,442.20	741.77	8,901.26
31418CU77	225,000.0000	198,094.5000	FN MA3305	103.015627	204,068.29	103.52800	205,083.27	577.78	6,933.31
31418DBG6	101,000.0000	92,279.1600	FN POOL MA3638	103.093756	95,134.05	103.67000	95,665.81	307.60	3,691.17
Accrued I							9,682.07		
					3,409,620.71		3,479,813.46	9,682.07	116,184.82
<b>CORPORATE BONDS</b>									
001055AL6	100,000.0000	100,000.0000	AFLAC INC	104.975000	104,975.00	105.31200	105,312.00	1,067.36	3,625.00
00206RDG4	100,000.0000	100,000.0000	AT&T INC	119.320000	119,320.00	128.74300	128,743.00	531.25	6,375.00
00287YAL3	100,000.0000	100,000.0000	ABVIE INC	101.307000	101,307.00	101.91700	101,917.00	1,168.06	2,900.00
05348EAR0	100,000.0000	100,000.0000	AVALONBAY COMMUNITIES	100.816000	100,816.00	102.39300	102,393.00	126.67	2,850.00
06051GGG8	100,000.0000	100,000.0000	BANK OF AMERICA CORP	106.308000	106,308.00	118.63500	118,635.00	876.26	4,443.00
06406FAD5	200,000.0000	200,000.0000	BANK OF NEW YORK MELLON	97.833000	195,666.00	100.34600	200,692.00	550.00	4,400.00
172967KG5	150,000.0000	150,000.0000	CITIGROUP INC	101.647000	152,470.50	106.19200	159,288.00	1,217.92	5,550.00
29250NAR6	100,000.0000	100,000.0000	ENBRIDGE INC	101.135000	101,135.00	106.11400	106,114.00	781.11	3,700.00
38141GRD8	100,000.0000	100,000.0000	GOLDMAN SACHS GROUP INC	101.985000	101,985.00	103.99800	103,998.00	694.79	3,625.00
437076BD3	100,000.0000	100,000.0000	HOME DEPOT INC	115.627000	115,627.00	128.91200	128,912.00	622.92	4,875.00
46625HJT8	200,000.0000	200,000.0000	JPMORGAN CHASE & CO	105.181000	210,362.00	106.54700	213,094.00	1,291.67	7,750.00
49446RAU3	150,000.0000	150,000.0000	KIMCO REALTY CORP	94.918000	142,377.00	103.13300	154,699.50	825.00	4,950.00
61746BDQ6	100,000.0000	100,000.0000	MORGAN STANLEY IND FINANCIAL	106.511000	103,711.00	106.38300	106,383.00	1,636.11	3,875.00
761713BG0	150,000.0000	150,000.0000	REYNOLDS AMERICAN INC	108.467000	162,700.50	106.65500	159,982.50	2,021.04	6,675.00
94974BGA2	100,000.0000	100,000.0000	WELLS FARGO & COMPANY	99.882000	99,882.00	104.39300	104,393.00	201.67	3,300.00
Accrued I							13,611.81		
					1,918,642.00		2,008,167.81	13,611.81	68,893.00
<b>DOMESTIC LARGE CAP EQUITY FUNDS/ETF</b>									
33939L860	18,975.0000	18,975.0000	FLEXSHARES QUAL DIV ETF	40.785097	773,897.21	45.44000	862,224.00		0.00
46429B697	8,800.0000	8,800.0000	ISHARES MSCI USA MIN VOLATIL	61.680000	542,784.00	64.10000	564,080.00		0.00
78462F103	14,350.0000	14,350.0000	SPDR S&P 500 ETF	142.479989	2,044,587.84	296.77000	4,258,649.50		0.00
					3,361,269.05		5,684,953.50		0.00

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL** sort by CUSIP  
**CITY OF KENAI PERMANENT FUNDS**  
September 30, 2019

Cusip9	Original Face	Quantity	Security	Unit Cost	Total Cost	Price	Market Value	Accrued Interest	Annual Income
<b>DOMESTIC MID CAP EQUITY FUNDS/ETF</b>									
464287507	14,935.0000	14,935.0000	ISHARES CORE S&P MIDCAP 400 E76	1.93349	1,137,947.66	193.23000	2,885,890.05		0.00
<b>DOMESTIC SMALL CAP EQUITY FUNDS/ETF</b>									
464287804	18,575.0000	18,575.0000	ISHARES S&P SMALLCAP 600 INDEX206038		691,102.16	77.84000	1,445,878.00		0.00
<b>INTERNATIONAL EQUITY FUNDS/ETF</b>									
464287465	22,325.0000	22,325.0000	ISHARES MSCI EAFE INDEX FUND61.740599		1,378,358.87	65.21000	1,455,813.25		0.00
46432F842	23,785.0000	23,785.0000	ISHARES ETF CORE MSCI EAFE 51.860820		1,233,509.61	61.07000	1,452,549.95		0.00
					2,611,868.48		2,908,363.20		0.00
<b>EMERGING MARKET FUNDS/ETF</b>									
46434G103	29,220.0000	29,220.0000	ISHARES ETF CORE MSCI EMERGING403	1.58113	1,237,704.05	49.02000	1,432,364.40		0.00
<b>REAL ESTATE &amp; INFRASTRUCTURE</b>									
33939L795	16,625.0000	16,625.0000	FLEXSHAR STX GLOBAL BROAD 199	1.90000	822,771.25	51.74000	860,177.50		0.00
46641Q738	6,500.0000	6,500.0000	JPMORGAN BETABUILDERS MSCI1765	1.54600	497,604.90	90.07000	585,455.00		0.00
					1,320,376.15		1,445,632.50		0.00
<b>U.S. TREASURY</b>									
912810QD3	170,000.0000	170,000.0000	US TREASURY NOTES	128.876376	219,089.84	140.27700	238,470.90	2,809.27	7,437.50
912810SH2	600,000.0000	600,000.0000	US TREASURY NOTES	102.981445	617,888.67	116.62900	699,774.00	6,515.62	17,250.00
9128283F5	190,000.0000	190,000.0000	US TREASURY NOTES	95.289063	181,049.22	104.60600	198,751.40	1,614.74	4,275.00
9128283W8	220,000.0000	220,000.0000	US TREASURY NOTES	98.738636	217,225.00	108.57000	238,854.00	772.69	6,050.00
9128284A5	350,000.0000	350,000.0000	US TREASURY NOTES	99.718751	349,015.63	103.45700	362,099.50	782.45	9,187.50
9128285M8	300,000.0000	300,000.0000	US TREASURY NOTES	102.380210	307,140.63	112.26600	336,798.00	3,541.10	9,375.00
9128286B1	495,000.0000	495,000.0000	US TREASURY NOTES	100.690737	498,419.15	108.23100	535,743.45	1,659.53	12,993.75
9128286F2	400,000.0000	400,000.0000	US TREASURY NOTES	99.753551	399,014.20	105.36300	421,452.00	851.65	10,000.00
912828D56	250,000.0000	250,000.0000	US TREASURY NOTES	100.226562	250,566.40	103.72700	259,317.50	758.32	5,937.50
912828D72	200,000.0000	200,000.0000	US TREASURY NOTES	100.656250	201,312.50	100.61700	201,234.00	340.66	4,000.00
912828R36	200,000.0000	200,000.0000	US TREASURY NOTES	95.634709	191,269.42	100.04700	200,094.00	1,227.58	3,250.00
912828S76	25,000.0000	25,000.0000	US TREASURY NOTES	98.593750	24,648.44	99.00400	24,751.00	47.38	281.25
912828T91	150,000.0000	150,000.0000	US TREASURY NOTES	99.406253	149,109.38	100.21500	150,322.50	1,020.04	2,437.50
912828U24	250,000.0000	250,000.0000	US TREASURY NOTES	95.257812	238,144.53	102.55100	256,377.50	1,888.59	5,000.00
912828U81	170,000.0000	170,000.0000	US TREASURY NOTES	101.310269	172,227.46	100.81300	171,382.10	859.24	3,400.00
912828V72	250,000.0000	250,000.0000	US TREASURY NOTES	100.085940	250,214.85	100.55500	251,387.50	789.74	4,687.50
912828WR7	300,000.0000	300,000.0000	US TREASURY NOTES	99.335939	298,007.82	100.74200	302,226.00	1,611.07	6,375.00
912828XG0	325,000.0000	325,000.0000	US TREASURY NOTES	97.121094	315,643.56	101.44900	329,709.25	1,745.33	6,906.25
912828XZ8	150,000.0000	150,000.0000	US TREASURY NOTES	99.707033	149,560.55	106.27700	159,415.50	1,042.46	4,125.00
Accrued I							29,877.48		
					5,029,547.24		5,368,037.58	29,877.48	122,968.75
<b>AGENCIES</b>									
3130ACNX8	250,000.0000	250,000.0000	FEDERAL HOME LOAN BANK - ST29	1.850000	249,625.00	99.93600	249,840.00	1,888.89	5,000.00
Accrued I							1,888.89		
					249,625.00		251,728.89	1,888.89	5,000.00

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL** sort by CUSIP  
***CITY OF KENAI PERMANENT FUNDS***  
*September 30, 2019*

<u>Cusip9</u>	<u>Original Face</u>	<u>Quantity</u>	<u>Security</u>	<u>Unit Cost</u>	<u>Total Cost</u>	<u>Price</u>	<u>Market Value</u>	<u>Accrued Interest</u>	<u>Annual Income</u>
<b>CASH AND EQUIVALENTS</b>									
			DIVIDEND ACCRUAL		19,854.93		19,854.93		0.00
VP4560000			WF ADV GOVT MM FD-INSTL #1751		<u>1,558,479.57</u>		<u>1,558,479.57</u>		<u>0.00</u>
					1,578,334.50		1,578,334.50		0.00
<b>TOTAL PORTFOLIO</b>					<b>22,546,037.01</b>		<b>28,489,163.88</b>	<b>55,060.25</b>	<b>313,046.57</b>



*"Village with a Past, City with a Future"*

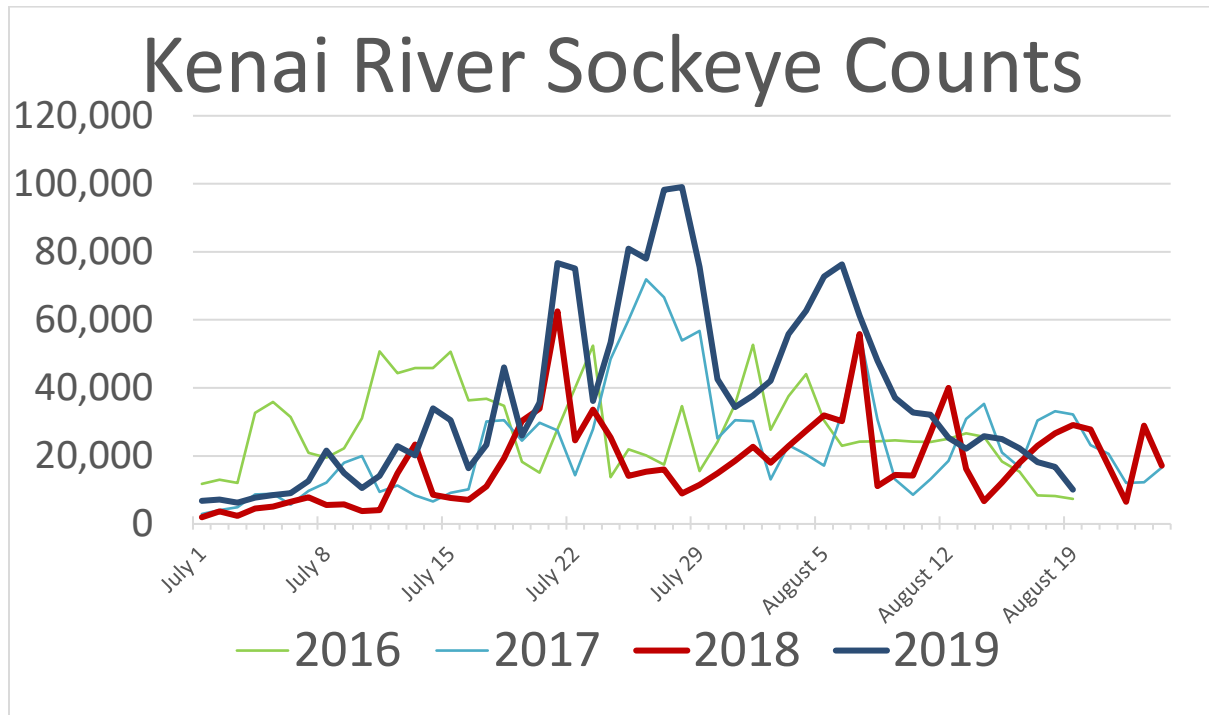
210 Fidalgo Ave, Kenai, Alaska 99611-7794  
Telephone: (907) 283-7535 | Fax: (907) 283-3014  
www.kenai.city

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**FROM:** Paul Ostrander, City Manager  
**DATE:** October 14, 2019  
**SUBJECT:** 2019 Personal Use Fishery (Dip Net) Report

The Personal Use Fishery took place July 10, 2019 through July 31, 2019. Sockeye escapement to the Kenai River in 2019 was the largest since 2006, and participation in the Fishery increased significantly compared to the previous two years.

The following table depicts the run strength in 2019 relative to the previous three years:





The timing of the 2019 Personal Use Fishery sockeye run trended similarly with historical run timing -- a change from recent years when the peak of the Fishery appeared later than what has been experienced historically. Due to favorable escapement numbers, Fishery participants reported consistently good fishing.

### **Operations in 2019**

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 2019**

There were no significant operational changes that occurred in 2019 although one small change is worth noting:

- The entrance to North Beach was improved, widening the access point to allow for safer and easier access for participants and installing permanent power and communications.

### **Construction of a New Access to the Beach South of the Mouth of the Kenai River**

As a component of eliminating conflicts with private property owners and providing enhanced access for the Personal Use Fishery and other recreational users, the City approached the Legislature late in the 2013 session and requested \$2.3 million to fund construction of a new access road and associated infrastructure. The Legislature appropriated \$1.9 million for the project. This access would be constructed to the north of private properties in the area and eliminate alleged trespass issues across private property by Fishery participants and others attempting to access the south shore at the mouth of the Kenai River.

The City purchased property and constructed phase I (gravel surfacing) of the new Royal Street access road in early 2016. The City completed the sale of the surplus properties in 2018 for \$825,000. Initially, the proceeds from that sale could be utilized for additional infrastructure improvements to support the Personal Use Fishery on South Beach only. However, during the 2019 State Legislative Session, the grant language was modified to allow infrastructure improvements on both the North and South Beach. Administration is working on a prioritized list of projects and will be forwarding those projects to Council this winter for consideration.

### **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 help improve the experience and safety for anyone that downloaded the App.

The City provided an opportunity for businesses to advertise on the App, an inexpensive way for them to gain exposure to the thousands of Fishery participants. The use of the App was down this year, likely due to lower participation numbers in the Fishery.

Over the last two years, the App has been downloaded over 12,500 times. The City intends to continually improve the App in future years.

### **2019 Financial Summary**

The Council-adopted budget for the P.U. Fishery included revenues of \$437,562, expenditures of \$499,035, and a lapse of \$18,722, netting to revenues under expenditures of (\$42,751). Revenues are projected at \$416,656, and projected expenses are \$369,750, netting to revenues under expenditures of (\$3,094). For the second 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 FY2019 with a fund balance of \$198,794. Given the above, the ending fund balance for FY2020 is projected to be \$195,700.

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 for FY2014 through FY2019 was \$29,063, \$67,662, \$139,936, \$209,896, 293,894, and \$198,794 respectively. The ending Fund balance for FY 2020 is projected to be \$195,700.

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 a balance of \$786,210. During the 2019 legislative session, a grant language change was made that allows the utilization of these funds for improvements on the North Beach as well.

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 3, 2019  
**SUBJECT:** 2019 Dipnet Summary

### Dipnet Smartphone App

2019 marked the third year of the Dipnet Kenai smartphone app. Use of the app was down 14% this year, which is confusing given the 15% increase in total transactions. This was also the first year without any advertisers on the app.

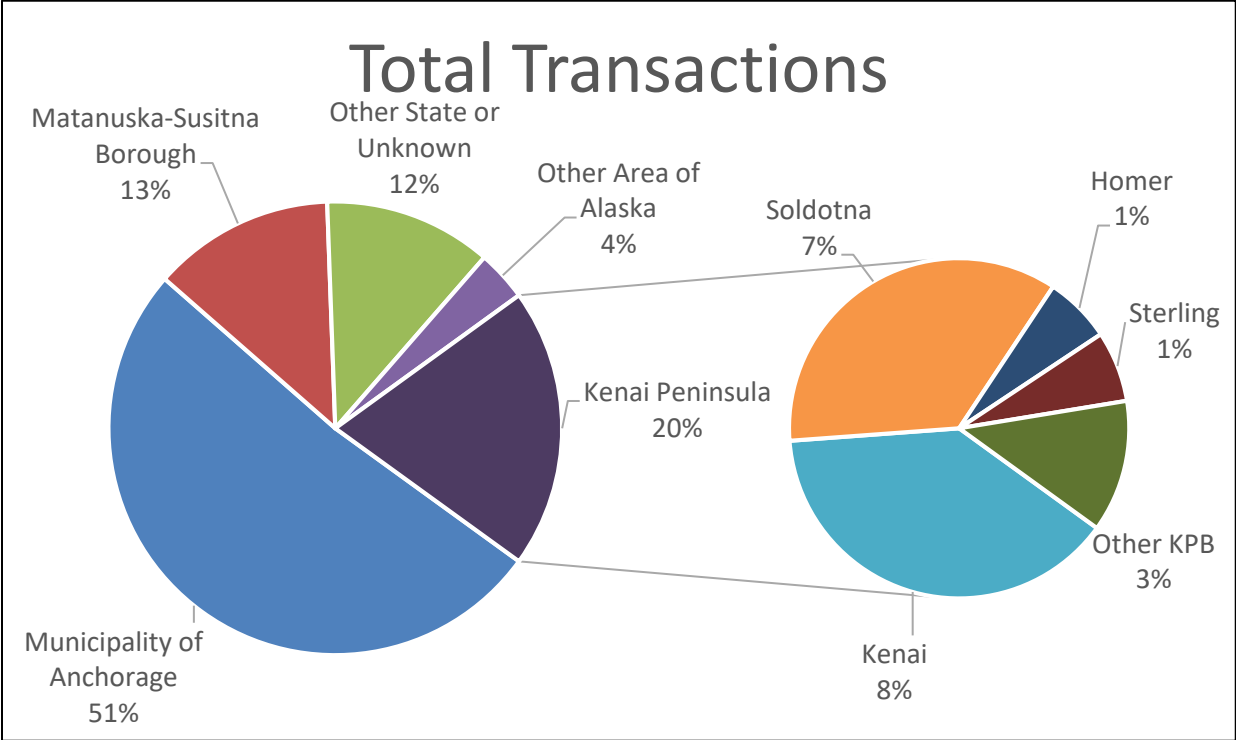
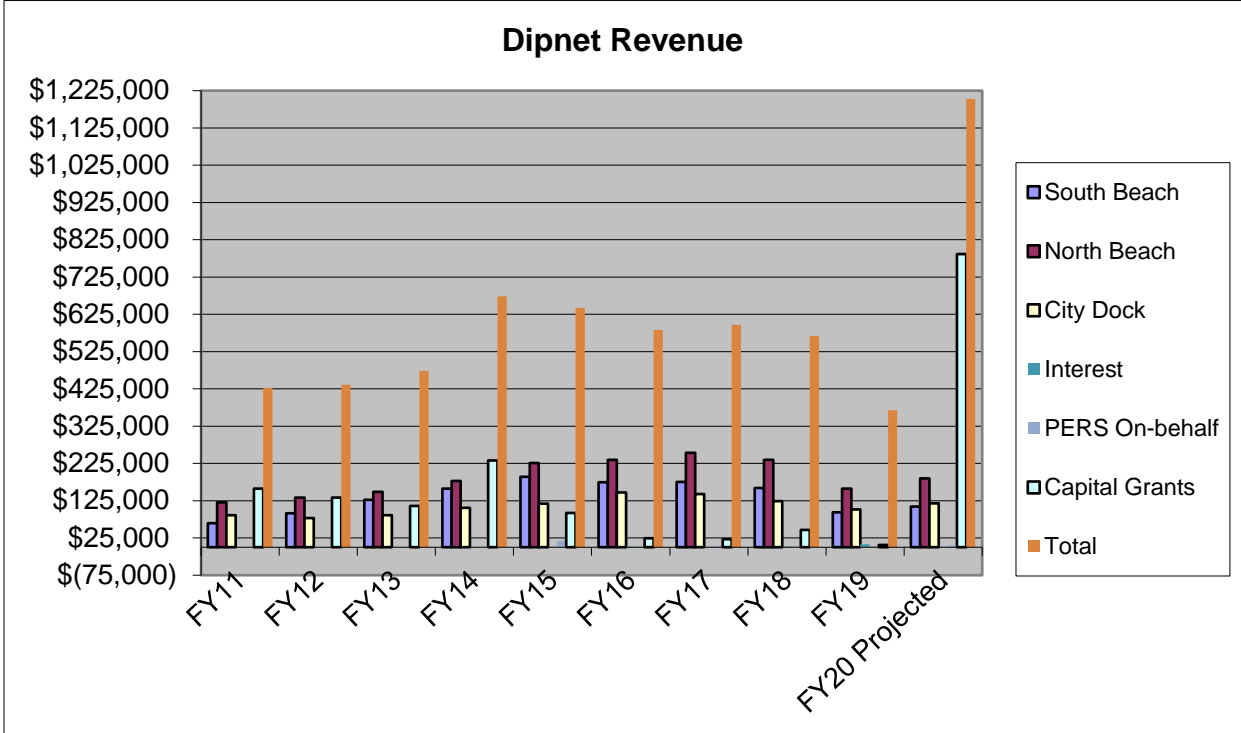
### Improvements

During FY19 underground utilities were installed on Spruce St. This project was fairly simple, and has improved the reliability of shack operations and reduced the time for setup and removal of fee stations.

### FY20 Revenues

The FY20 fee structure remained the same as that of FY19. FY20 fishery revenues, not including capital grant revenues and net of sales tax and transaction fees, are projected to be \$411,737, \$20,438 less than budgeted and \$59,893 more than FY19 fishery revenues. Capital grant revenue is projected to be \$786,210. A comparison of FY20 fishery revenue to prior years is shown below, the breakdown by site and service for FY14 thru FY20 is based upon actual transactions. Prior year transactions by site and service were estimated. The cashiering system implemented in FY14 provides this level of detail and will enhance future revenue and fee change projections.

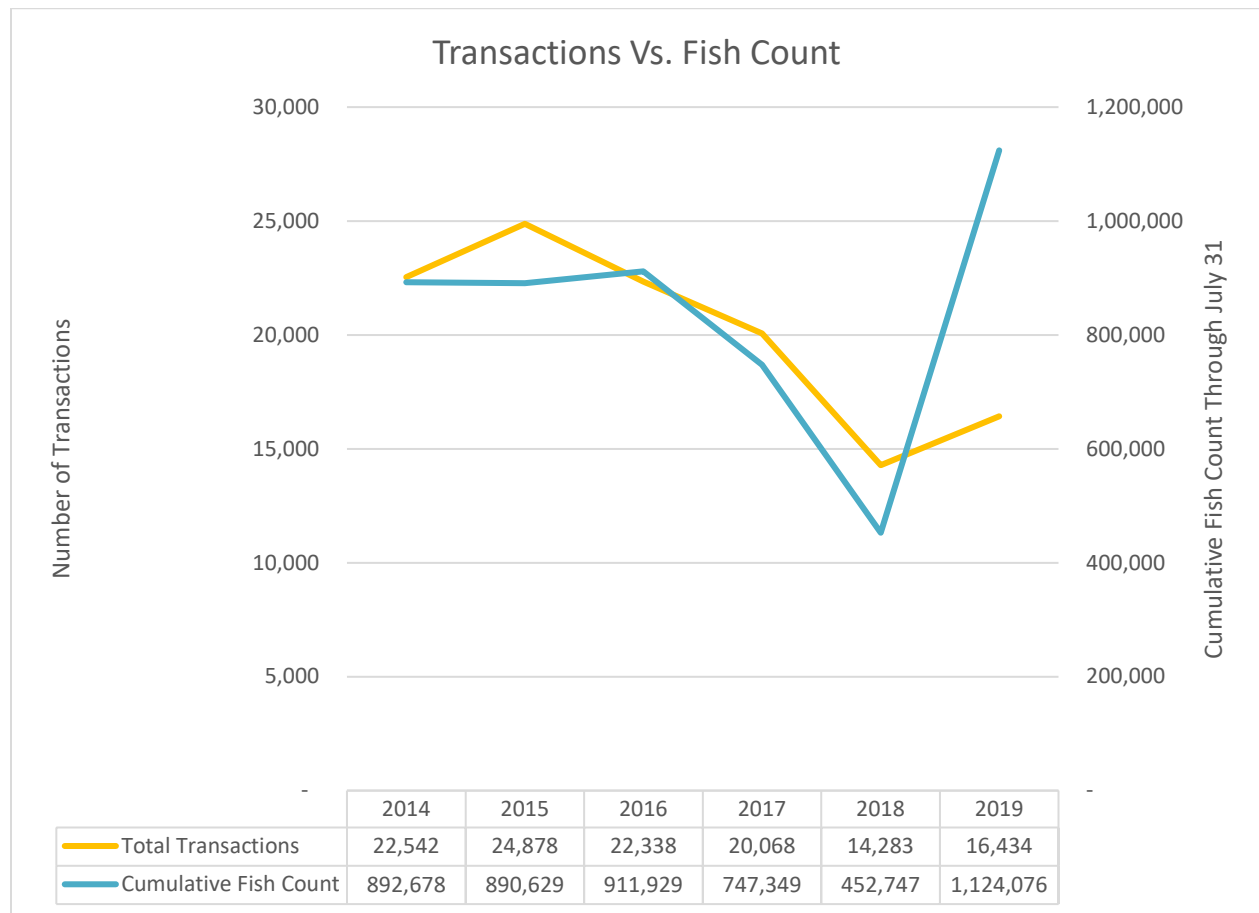
	<u>FY13</u>	<u>FY14</u>	<u>FY15</u>	<u>FY16</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>FY20 Projected</u>
South Beach	\$127,265	\$157,074	\$189,226	\$174,260	\$175,439	\$158,665	\$93,448	\$109,081
North Beach	148,481	177,599	226,221	234,140	253,218	234,298	157,293	185,125
City Dock	86,342	105,899	117,064	146,599	142,901	123,612	101,104	117,531
Interest	-	-	680	1,580	671	1,522	7,624	750
PERS On-behalf	-	-	17,437	2,167	2,688	1,546	2,743	4,169
Capital Grants	<u>111,073</u>	<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>786,210</u>
Total	<u>\$473,161</u>	<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>\$1,202,866</u>



Total transactions this year were up 15% from 2018. Transactions are still down 16% from the 5-year average. Transaction levels at the individual locations didn't change significantly, with north beach generating about 50% of all transactions, and the dock and south beach each generating 25% each. Participant numbers were up 28% over the previous year. The percentages of participants from different regions didn't vary significantly from previous years.

Two operational changes were implemented in 2019, both successfully. On south beach, the second fee shack was not staffed. This didn't create significant congestion, and as such it is recommended that in future years only one shack be deployed. The second change was a modification to the software. In past years the busiest time was always between 12:00pm and 1:00pm. This is because anyone who wanted to renew their permit had to wait until after 12:00pm to do so. For 2019 the software was changed to allow users to renew their permits at any time. As a result, the busiest time is now between 5:00am and 6:00am. This is due to day use permits only being available after 5:00am.

Payment of fees by cash was once again the dominant method at 58%, a 1% decrease from last year. Credit card use increased by 1% to 42%, and checks were insignificant. It is expected that credit card payment percentage will continue to grow in future years. Fees paid for credit card acceptance totaled \$4,450 or 2.40%.

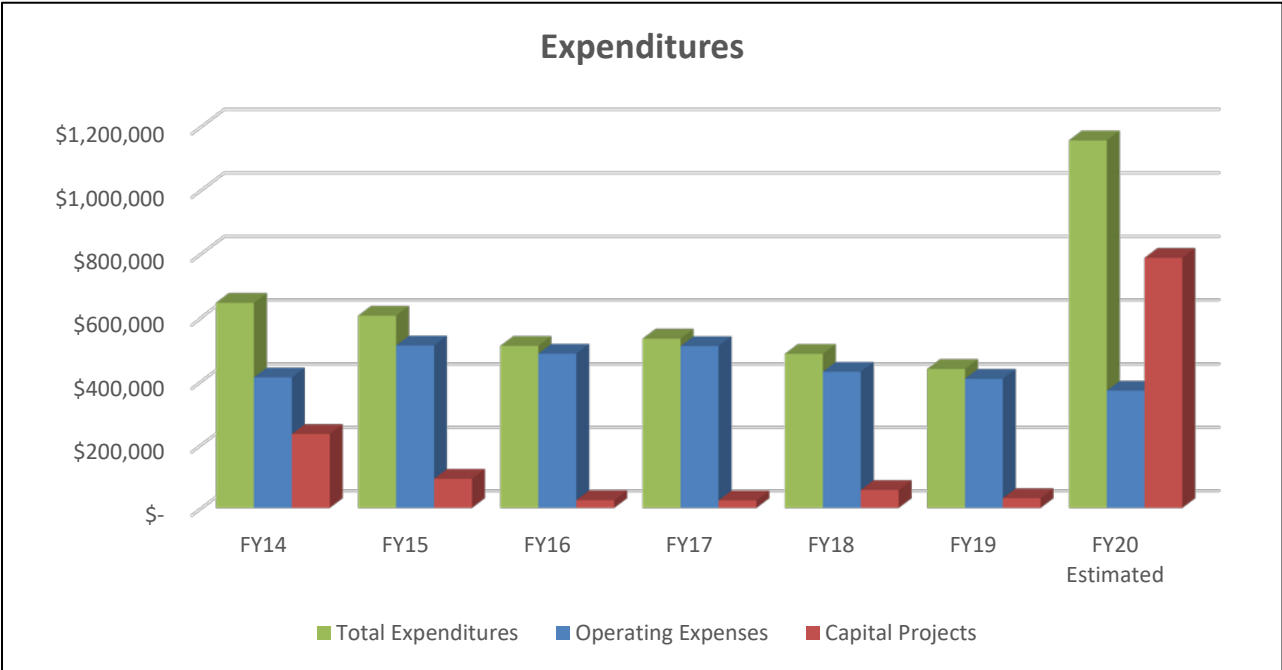


In 2018 a comparison of transactions to the cumulative fish count on July 31<sup>st</sup> seemed to indicate a correlation between number of fish and number of transactions. However, in 2019 the cumulative fish count was up 36% from the 5-year average and transaction numbers were down 16% from the 5-year average. For a year with the most fish in two decades, our transaction numbers were the second lowest ever recorded. The most recent year with a higher cumulative fish count as of July 31<sup>st</sup> was in 1992 with a cumulative count of 1,211,907.

**FY20 Projected Expenditures**

	Council * Adopted FY 2020	Amended Budget	YTD Actual	FY2019 Projected	Projected Variance	% Available
<b>Revenues</b>						
Beach Parking	\$ 146,460	\$ 146,460	\$ 144,330	\$ 144,330	\$ (2,130)	-1.45%
Beach Camping	170,100	170,100	149,788	149,788	(20,312)	-11.94%
Dock Launch & Park	101,600	101,600	105,635	105,635	4,035	3.97%
Dock Parking Only	10,800	10,800	11,736	11,736	936	8.67%
Participant Drop-off Fee	6,715	6,715	4,698	4,698	(2,017)	-30.04%
Interest Earnings	750	750	-	750	-	0.00%
PERS Grant	4,637	4,637	-	4,169	(468)	-10.09%
Other	-	-	-	-	-	0.00%
Credit Card Transaction Fees	(3,500)	(3,500)	(4,450)	(4,450)	(950)	0.00%
<b>Total Revenue</b>	<b>437,562</b>	<b>437,562</b>	<b>411,737</b>	<b>416,656</b>	<b>(20,906)</b>	<b>-4.78%</b>
<b>Expenditures</b>						
Public Safety	\$ 88,051	\$ 88,051	\$ 74,148	\$ 80,160	\$ 7,891	100.00%
Streets	55,235	55,235	26,698	30,512	24,723	100.00%
Boating Facility	64,161	64,161	47,350	52,611	11,550	100.00%
Parks, Recreation & Beautification	245,088	245,088	175,497	206,467	38,621	100.00%
<b>Total Expenditures</b>	<b>452,535</b>	<b>452,535</b>	<b>323,693</b>	<b>369,750</b>	<b>82,785</b>	<b>18.29%</b>
Transfers - Transfer to General Fund	50,000	50,000	50,000	50,000	-	0.00%
<b>Total Expenditures &amp; Transfers</b>	<b>502,535</b>	<b>502,535</b>	<b>373,693</b>	<b>419,750</b>	<b>82,785</b>	<b>16.47%</b>
Contribution To/(From) Fund Balance:	(64,973)	(64,973)	38,044	(3,094)	61,879	
Projected Lapse	(18,722)	(18,722)	-	-	(18,722)	
Adjusted (Deficit)/Surplus	(46,251)	(46,251)	38,044	(3,094)	43,157	
Beginning Fund Balance	169,622	198,794	198,794	198,794		
Ending Fund Balance	\$ 123,371	\$ 152,543	\$ 236,838	\$ 195,700		

\$786,210 remains in a State of Alaska Department of Commerce Community and Economic Development grant. The City successfully, with the assistance of Representative Knopp, secured a change in scope making improvements on either the City's north or south beach eligible. It is anticipated these grant funds will be expended in FY2020 and the administration is currently formulating and ranking projects for Council's consideration and final approval.







*"Village with a Past, City with a Future"*

210 Fidalgo Ave, Kenai, Alaska 99611-7794  
 Telephone: (907) 283-7535 | Fax: (907) 283-3014  
[www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Robert J. Frates, Parks & Recreation

**DATE:** October 2, 2019

**SUBJECT:** **2019 Dipnet Report**

The 2019 Kenai Personal Use Fishery opened July 10 and closed as scheduled on July 31 at 11:59 p.m. The fishery was liberalized by the Alaska Department of Fish & Game (ADF&G) on the week of July 22 to twenty-four hours per day.

There were a few operational changes this year for the department: 1) The City's IT System Manager, Dan Castimore, supervised shack personnel and adjustments were made to the staffing schedule that maximized time and resources; 2) We eliminated one of two temporary beach aid positions. Coverage on the north and south beach was provided on a rotational basis with location sometimes dictated by need. 3) We also reduced the frequency the beaches were raked based on observations from previous years; and, 4) Modifications were made to the dumpster and portable toilet bid to reflect more accurately actual expenses.

The following summarizes the department's most notable contributions and highlights:

- Reinstalled approximately 800 LF of wooden post and chain.
- Assisted ADF&G for placement of informational booth on the north beach.
- Collaborated with IT System Manager Castimore for fee shack staffing assignments; delivering materials and supplies throughout the fishery.
- Installation and removal of temporary signs and fencing.
- Striped the Kenai Little League parking lot.
- Assisted with the placement of portable restrooms and dumpsters.
- Conducted beach raking activities on the north and south beach.
- Collaborated with the KCHS ski team for twice per week clean-up of the north beach.



- Provided restroom cleaning and waste management services to the north and south beaches, including the dock facility.
- Communicated with vendors assigned to handling portable toilets and waste management.
- A total of 44 hours were spent raking the beaches, 241 hours patrolling the north and south beaches, 86 hours performing waste management and restroom cleaning, 85.50 hours installing and removing various signs and 85 hours performing beach cleanup on August 1, 2019.

### **SPECIFIC OBSERVATIONS**

- 1) It was suggested that an educational sign be made and installed on the north beach highlighting why the bluff is important and explaining the damage caused by climbing the bluff.
- 2) This is the second season parking permits were mailed to residents off South Forest Drive and “No Parking” signs installed along the roadways. It was noted that the department did not field any complaints regarding parking in this neighborhood.
- 3) The Dipnet App continues to be a valuable resource, both for the public and staff. In many instances callers can be referred to the app, thus, saving time. The camera feature continues to be a big hit with many positive comments noted.

### **ESTIMATED REMAINING FY20 FUNDING**

- 1) Wages/Benefits  
Sufficient funding remains in FY20 to cover personal use fishery expenses related to personnel costs.
- 2) Operating Supplies  
Sufficient funding remains in FY20 for anticipated expenses. These expenses would be related to replacing some of the old plastic fencing, acquiring more T-Posts, and the purchase of more sign sleeves and rivets.
- 3) Printing & Binding  
Sufficient funding remains in the FY20 printing/binding account. It is anticipated that \$2,500 will be needed for labels, ribbon and door hangers.



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 www.kenai.city

## MEMORANDUM

**TO:** Paul Ostrander, City Manager  
**FROM:** Dave Ross, Police Chief  
**DATE:** 9-12-2019  
**SUBJECT:** 2019 Personal Use Fishery (Dipnet) Report - Police

The 2019 Dipnet fishery opened on July 10 and ended as scheduled on July 31. In 2019, the City employed five Temporary Enforcement Officers (TEOs) dedicated to Police Dipnet operations, however one was unable to complete the season due to an injury. Significant 2019 Police Dipnet information includes:

- Police handled 71 Dipnet-related calls for service during the month of July. Those calls included a wide variety of issues: 17 (9-1-1) misdials, 1 parking problems, 4 traffic congestion, 1 motor vehicle crash, 1 theft, 8 lost & found property, 2 welfare checks, 2 traffic offenses, 5 disorderly complaints, 1 boat collision, 4 lost children, 4 animal problems, 4 campfire / burn ban issues, and 17 other miscellaneous calls for service.
- TEOs wrote 62 dipnet related citations (primarily for paid parking and other parking related violations).
- Salmon Frenzy volunteers were here in large numbers again and provided invaluable assistance in regards to traffic control during the busy weekend hours, on both Kenai Ave. and at the City Dock.
- An increased presence of Alaska Wildlife Troopers enforcing fishing regulations was noticed this year.
- Signage and fencing placed on the South beach by PRL proved valuable in keeping fishery participants out of the dunes.

Police resources this year were focused away from the fishery on a double homicide unrelated to the Fishery, and most police related issues in the fishery were well handled by TEOs.





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[www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Paul Ostrander, City Manager  
**FROM:** Jeff Tucker, Fire Chief  
**DATE:** September 6, 2019  
**SUBJECT:** 2019 Personal Use Fishery (Dipnet) Activity Report

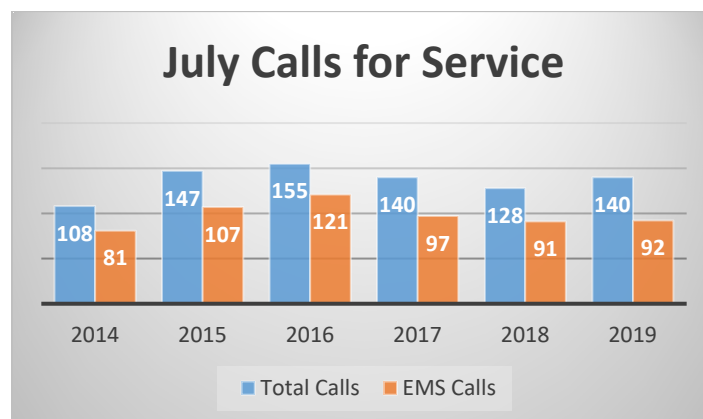
For the 2019 dip-net season the department again conducted No Wake Zone patrols in conjunction with the Kenai Police Department. Our activities on the water were received positively by the public. Total overtime staff hours for the patrols was 12.00 hours.

Calls for service directly related to the area of the fishery was down from 2018. In 2018 we responded to 2 calls for service and in 2019 we responded to 1 call for service

The call for service directly related to the dip-net fishery this year included the following:

- Syncopal Episode – North Beach

The Departments overall calls for service in July saw an uptick from the previous year and this can be largely accounted for by the department's assistance at the Swan Lake Fire.



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

COUNCIL MEETING OF: NOVEMBER 6, 2019

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VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
ALASKA LIBRARY NETWORK	ANNUAL COST OF LIBRARY CATALOG	LIBRARY	REPAIR & MAINT.	3,740.00
CDW GOVERNMENT	CAMERA EQUIP & LICENSING	PUBLIC SAFETY CAP PROJ	CONSTRUCTION	6,970.81
ALASKA SURE SEAL	SNOWPLOWING/SANDING	CONG HOUSING	PROFESSIONAL SERVICES	3,187.50
KENAI PENINSULA BOROUGH	2019 ELECTION COSTS	CLERK	VARIOUS	2,941.88
KENAI WATERSHED FORUM	KENAI RIVER BACTERIA MONITORING	RECREATION	PROFESSIONAL SERVICES	10,777.00
DOORS & WINDOWS	CITY HALL ENTRY DOOR REPAIR	BUILDINGS	REPAIR & MAINT.	5,635.00
DOORS & WINDOWS	SENIOR CENTER DOOR REPAIR	BUILDINGS	REPAIR & MAINT.	4,575.00
KENAI CHAMBER OF COMMERCE	FIREWORKS SPONSORSHIP	LEGISLATIVE	GRANTS TO AGENCIES	3,500.00
PENINSULA PAVING	TWILIGHT WAY PAVEMENT REPAIR	WATER	REPAIR & MAINT.	3,200.00
HANSON'S ROOFING	REC CENTER ROOF REPAIR	REC CENTER CAP PROF	CONSTRUCTION	9,315.00
NORRIS & SONS CONTRACTORS	GRAVEL	RECREATION	OPERATING SUPPLIES	3,960.00

OCTOBER 14, 2019

TO: MAYOR/COUNCIL MEMBERS  
CITY OF KENAI

DEAR SIRs:

AS A TAXPAYER/VOTING RESIDENT OF THE CITY OF KENAI I ASK OF YOU CITY SUPERVISORS THIS QUESTION,,,, WHY YOU DON'T REQUIRE THOSE UTILITIES THAT OPERATE WITHIN THE CITY TO HAVE A BILL PAYING STATION WITHIN THE CITY??????

THOSE UTILITIES THAT OPERATE WITHIN THE CITY SHOULD BE REQUIRED TO AT LEAST HAVE A COLLECTION POINT WITHIN,,, RATHER THAN ALL OVER IN THAT OTHER CITY!!!!

AT LEAST THE ELECTRIC PROVIDER HAS A LOCAL OFFICE WHICH COLLECTS BILLING\*\*\* YOU SHOULD REQUIRE ALL UTILITIES THAT OPERATE WITHIN THE CITY TO AT LEAST HAVE A COLLECTION SITE.....

THANK YOU FOR YOUR CONSIDERATION

*F.C. Rogers*  
FLOYD C. ROGERS  
1117 LARCH AVE.  
KENAI, AK 996117523





October 25, 2019

**Members**

*Tourism  
Group*

*Alaska Native  
Group*

*Environmental  
Group*

*Recreation  
Group*

*Aquaculture  
Associations*

*Commercial  
Fishing  
Group*

*City of Kodiak*

*City of Kenai*

*City of Seldovia*

*City of Homer*

*Kodiak Island  
Borough*

*Kenai Peninsula  
Borough*

*Municipality  
of Anchorage*

**STATE INITIATIVE PUTS ALASKA'S COASTAL COMMUNITIES,  
CONSUMERS AT RISK**

**By Michael Munger, Executive Director, Cook Inlet Regional Citizens Advisory Council**

Thirty years ago, the 1989 *Exxon Valdez* oil spill forever changed our relationship with Alaska's oil production and transportation industries. Devastated by the enormity of the spill, the resulting suffering and long term consequences—many of which we still feel today—Alaskans recognized that we had to work together in order to protect ourselves and our communities. Acting as stewards, citizens worked with regulatory agencies, industry, and resource trustee agencies in good faith to develop regulations that recognized and sought to minimize the inherent risks of transporting oil across state waters.

Working together, we wrote and passed Alaska's spill prevention and response regulations which are, today, widely considered the best in the country, if not the world.

That well-deserved reputation is now under threat. An effort is underway that could strip away Alaska's oil spill safeguards, which have proven so successful for so many years. The State of Alaska has opened for review about 40 sections of regulations, and their governing statutes, that cover numerous aspects of spill prevention and response planning for crude oil terminals, tankers, oil and gas exploration and production facilities, and pipelines. In announcing the review, the commissioner of the Alaska Department of Environmental Conservation stated: "I've heard from many Alaskans that contingency plans are unnecessarily burdensome while lacking corresponding environmental benefits."

The goal of the State's review is simple: to make our regulations less burdensome to industry. The message the State is sending to Alaskans is clear: the long-term health of Alaska's coastal communities is secondary to the oil industry's bottom line. This course of action should alarm us all.

Weakening or eliminating oil spill prevention and response requirements to ease a perceived "burden" on industry effectively transfers the risks of transporting oil onto the backs of communities, fishermen, subsistence users and citizens who depend on clean coastal waters. A great many people worked hard to establish a level of protection from oil spills which was nonexistent before March 24, 1989. Clearly, we have to marshal our



forces again. To say now, after 30 years, the regulations are suddenly too burdensome is frustrating and warrants a strong response.

Halting this initiative requires a concerted effort from all of us. Please join CIRCAC in sending a forceful message that Alaskans are not interested in weakening the well-crafted oil spill protections put in place since the *Exxon Valdez*. Alaskans are proud of our reputation as world leaders in oil spill prevention and response. We refuse to revert to the complacency of the past. Call your legislators, talk to your community's mayors, assembly and council members, your friends and neighbors, and ask them to oppose changes to Alaska's oil spill oversight laws and regulations.

The deadline to comment is January 15, 2020. To submit comments to the Alaska Department of Environmental Conservation, click on <http://alaskadec.commentinput.com/?id=fdLgJY2gM>

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About the Cook Inlet Regional Citizens Advisory Council:

After the *Exxon Valdez* oil spill, Congress enacted the Oil Pollution Act of 1990 that included, among other things, citizen councils for both Cook Inlet and Prince William Sound. Congress found that complacency on the part of industry and regulators played a role in the spill and one way to combat this complacency was to involve the public, those with the most to lose in the event of a large spill, in decisions that impact the safe transportation of oil. The Cook Inlet Regional Citizens Advisory Council has been carrying out the vision of Congress for nearly 30 years in representing citizens to promote environmentally safe crude oil transportation and production in Cook Inlet.