



Kenai City Council - Regular Meeting

April 17, 2024 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Agenda

A. CALL TO ORDER

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

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

B. SCHEDULED ADMINISTRATIVE REPORTS

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

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

E. PUBLIC HEARINGS

1. **Ordinance No. 3407-2024** - Accepting and Appropriating a Volunteer Fire Assistance Grant from the United States Department of Agriculture Forest Service Passed through the State of Alaska Division of Forestry for the Purchase of Forestry Firefighting Equipment. (Administration)
2. **Ordinance No. 3408-2024** - Accepting and Appropriating a State of Alaska Code Blue Fiscal Year 2025 Grant Passed through the Southern Region EMS Council, Inc. to Purchase Two Video Laryngoscopes. (Administration)
3. **Resolution No. 2024-14** - Authorizing a Contract Award and Corresponding Purchase Order for Professional Architectural and Engineering Services for the Water Treatment Plant Pumphouse Project. (Administration)
4. **Resolution No. 2024-15** - Approving Amendments to the Agreement for Contract Services for Vintage Pointe Manor Congregate Housing. (Administration)

F. MINUTES

1. *Regular Meeting of April 3, 2024. (City Clerk)

G. UNFINISHED BUSINESS

H. NEW BUSINESS

- [1.](#) ***Action/Approval** - Bills to be Ratified. (Administration)
- [2.](#) ***Action/Approval** - Purchase Orders and Purchase Order Amendments Requiring Council Approval in Accordance with KMC 7.15.020. (Administration)
- [3.](#) ***Action/Approval** - Special Use Permit to Jeremy Mastre, DBA: River Rock Outdoors, LLC for Commercial Operations at the Kenai Municipal Airport Float Plane Basin. (Administration)
- [4.](#) ***Ordinance No. 3409-2024** - Increasing Estimated Revenues and Appropriations in the General Fund - Police Department and Accepting Grants from the United States Department of Justice and Alaska Municipal League Joint Insurance Association for the Purchase of a Ballistic Vest. (Administration)
- [5.](#) ***Ordinance No. 3410-2024** - Accepting and Appropriating a Grant Received through Maddie's Fund to the Kenai Animal Shelter for the Care of Animals. (Administration)
- [6.](#) ***Ordinance No. 3411-2024** - Amending Kenai Municipal Code 13.10.015 - Minor Offense Fine Schedule, to Increase the Paid Parking Fine and Make Housekeeping Changes. (Administration)
- [7.](#) **Action/Approval** - Authorizing a Letter of Support for House Bill 173 to Raise the Threshold for Municipal Contracts Qualifying for Little Davis Bacon Act. (Administration)

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging
2. Airport Commission
3. Harbor Commission
4. Parks and Recreation Commission
5. Planning and Zoning Commission
6. Beautification Committee

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

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

L. ADDITIONAL PUBLIC COMMENTS

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

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

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

Registration is required to join the meeting remotely through Zoom. Please use the link below to register:

<https://us02web.zoom.us/meeting/register/tZAvf-mpqzgjGdbMjqL6xB4XQ2AMw4RQWnJ7>



**CITY OF KENAI
ORDINANCE NO. 3407-2024**

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

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

WHEREAS, grant funding will be used to purchase equipment, to be placed on Forestry Apparatus and used while responding to Forest Fire Incidents; and,

WHEREAS, this equipment will be purchased to improve response capabilities and assist Division of Forestry on incidents as a cooperator; and,

WHEREAS, the State of Alaska Division of Forestry has provided a grant in the amount of \$5,588,73 to assist the City of Kenai Fire Department in purchasing forestry firefighting equipment; and,

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

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

Section 1. That the City Manager is authorized to accept a grant from the United States Department of Agriculture Forest Service passed through the State of Alaska Division of Forestry in the amount of \$5,588.73 for the purchase of forestry firefighting equipment and is authorized to execute a grant agreement and to expend the grant funds to fulfill the purpose and intent of this Ordinance.

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

General Fund:

Increase Estimated Revenues –	
Federal Grant - Fire	<u>\$5,588.73</u>

Increase Appropriations –	
Fire – Small Tools/Minor Equipment	<u>\$5,588.73</u>

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 17TH DAY OF APRIL, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



Introduced: April 3, 2024
Enacted: April 17, 2024
Effective: April 17, 2024



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Tony Prior, Fire Chief
DATE: March 15, 2024
SUBJECT: **Ordinance 3407-2024 - Volunteer Fire Assistance Grant**

The Kenai Fire Department has been awarded a Volunteer Fire Assistance grant in the amount of \$5,588.73 for the purchase of forestry firefighting equipment from the United States Department of Agriculture Forest Service through State of Alaska Division of Forestry. The grant will fund the purchase of forestry firefighting equipment to place on our designated forestry response apparatus. This equipment (hose, valves and nozzles) will enable us to respond appropriately with tools needed on forestry incidents.

Your consideration is appreciated.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources

Division of Forestry & Fire Protection

[PROGRAM]

3700 Airport Way
Fairbanks, AK 99709-4699
Main: 907.451.2600

March 15th, 2024

To State of Alaska Fire Departments:

Thank you for applying for the 2024 Volunteer Fire Capacity (VFC) grants, formerly known as VFA. Forty-one (41) fire departments applied for a VFC grant requesting a total of \$266,198 in assistance. Forty (40) Alaska Fire Departments will receive up to \$7,000 per fire department. A total of **\$259,198** will be awarded. This is the letter of official notification.

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

- Checks will be distributed electronically by association with the VFD's SOA vendor number and the SOA electronic payment agreement. Electronic disbursements are expected by no later than May 2024.
- To be eligible for a 2025 VFC grant, compliance documentation, such as copies of receipts for 2024 grant expenditures, must be submitted to your nearest Forestry office before submitting a 2024 application.
- Volunteer Fire Capacity is an award of Federal Financial Assistance with funding from the USDA Forest Service. Prime and sub-recipients to this award are subject to OMB guidance in sub-parts A through F of 2 CFR Part 200 as adapted and supplemented by the USDA in 2 CFR Part 400. Adoption by USDA of the OMB guidance in 2 CFR 400 gives regulatory effect to OMB guidance in 2 CFR 200 where full text may be found.
- The brochure, *Complying with Civil Rights, FS-850*, can be found at www.fs.usda.gov/internet/fs_e_documents/fs_eprd526908.pdf
- The OMB Circulars are available on the internet at www.ecfr.gov

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

Sincerely,

Sarah Saarloos, Fire Staff Officer

State of Alaska, DNR

Division of Forestry & Fire Protection

2024 VFA Grant Awards

Fire Department	Amount Requested	Amount Awarded	Division of Forestry Office
Delta Junction VFD	\$6,246.00	\$6,246.00	Delta Area Office
Rural Deltana VFD	\$7,000.00	\$7,000.00	Delta Area Office
Ester VFD	\$6,998.48	\$6,998.48	Fairbanks Area Office
McKinley VFD	\$6,993.00	\$6,993.00	Fairbanks Area Office
Nenana Fire/EMS Dept.	\$6,252.34	\$6,252.34	Fairbanks Area Office
North Pole FD	\$6,489.00	\$6,489.00	Fairbanks Area Office
North Star VFD	\$6,281.10	\$6,281.10	Fairbanks Area Office
Steese Area VFD	\$7,000.00	\$7,000.00	Fairbanks Area Office
Tri-Valley VFD	\$4,495.50	\$4,495.50	Fairbanks Area Office
Bayside Volunteer Fire Department	\$6,975.00	\$6,975.00	Kenai Kodiak Area Office
Bear Creek Fire/EMS Department	\$6,299.96	\$6,299.96	Kenai Kodiak Area Office
Central Emergency Services	\$6,520.50	\$6,520.50	Kenai Kodiak Area Office
City of Whittier Fire Department	\$6,231.50	\$6,231.50	Kenai Kodiak Area Office
Cooper Landing VFD	\$5,075.70	\$5,075.70	Kenai Kodiak Area Office
Homer VFD	\$6,098.77	\$6,098.77	Kenai Kodiak Area Office
Kachemak Emerg. Services	\$6,999.10	\$6,999.10	Kenai Kodiak Area Office
Kenai FD	\$5,588.73	\$5,588.73	Kenai Kodiak Area Office
Lowell Point VFD	\$7,000.00	\$7,000.00	Kenai Kodiak Area Office
Nikiski FD	\$5,808.60	\$5,808.60	Kenai Kodiak Area Office
Seward FD	\$6,303.67	\$6,303.67	Kenai Kodiak Area Office
Western Emergency Services Area	\$6,782.66	\$6,782.66	Kenai Kodiak Area Office
Womens Bay VFD	\$6,067.39	\$6,067.39	Kenai Kodiak Area Office
Caswell Lakes FSA #135	\$6,912.27	\$6,912.27	Mat Su Area
Chickaloon Fire Service, Inc.	\$6,104.70	\$6,104.70	Mat Su Area
Chugiak Vol. Fire and Rescue Co. Inc.	\$7,000.00	\$0.00	Mat Su Area
Houston FD	\$6,840.00	\$6,840.00	Mat Su Area
Palmer Fire and Rescue	\$7,000.00	\$7,000.00	Mat Su Area
Talkeetna VFD	\$7,000.00	\$7,000.00	Mat Su Area
Willow VFD	\$6,261.91	\$6,261.91	Mat Su Area
Haines VFD	\$6,000.00	\$6,000.00	Southeast Alaska
Hyder VFD	\$6,696.00	\$6,696.00	Southeast Alaska
Sitka FD	\$6,233.40	\$6,233.40	Southeast Alaska
Native Village of Eagle	\$6,999.63	\$6,999.63	State of Alaska Protection
Dot Lake VFD	\$6,750.00	\$6,750.00	Tok Area Office
Tok VFD	\$6,354.55	\$6,354.55	Tok Area Office
Gakona VFD	\$6,948.00	\$6,948.00	Valdez-Copper River Area Office
Glenn-Rich Fire Rescue	\$6,999.65	\$6,999.65	Valdez-Copper River Area Office
Kennicott/McCarthy VFD	\$6,291.00	\$6,291.00	Valdez-Copper River Area Office
Kenny Lake VFD	\$7,000.00	\$7,000.00	Valdez-Copper River Area Office
Valdez FD	\$6,300.00	\$6,300.00	Valdez-Copper River Area Office
GRAND TOTAL	\$266,198.11	\$259,198.11	



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3408-2024**

AN ORDINANCE ACCEPTING AND APPROPRIATING A STATE OF ALASKA CODE BLUE FISCAL YEAR 2025 GRANT PASSED THROUGH THE SOUTHERN REGION EMS COUNCIL, INC. TO PURCHASE TWO VIDEO LARYNGOSCOPES.

WHEREAS, the Fire Department has been awarded a Code Blue FY25 Grant from Sothern Region EMS Council Inc. to purchase two video laryngoscopes; and,

WHEREAS, the cost to purchase these lifesaving advanced airway devices is \$7,398, for which the Fire Department will provide a local match of \$739.80; and,

WHEREAS, the Fire Department will use funds currently appropriated to meet the required match; and,

WHEREAS, appropriation of this grant for advanced medical care is in the best interest of the City to accept grant funding to purchase this equipment.

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

Section 1. That the City Manager is authorized to accept a grant in the amount of \$6,658.20 from the State of Alaska, passed through the Southern Region EMS Council, Inc. for two video laryngoscopes.

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

General Fund:

Increase Estimated Revenues – State Grants – Fire	<u>\$6,658.20</u>
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Increase Appropriations – Fire – Small Tools/Minor Equipment	<u>\$6,658.20</u>
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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 17TH DAY OF APRIL, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:  _____

Introduced: April 3, 2024
Enacted: April 17, 2024
Effective: April 17, 2024



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Tony Prior, Fire Chief
DATE: April 11, 2023
SUBJECT: Ordinance 3408-2024 Code Blue FY25 Grant

The Department received notification that its submittal for 2 video laryngoscopes, totaling \$7,398.00 to the Code Blue FY25 grant program was approved. This grant is part of the Governor’s Capital Equipment Bill, passed through the State of Alaska, Southern Region EMS Council to us. This equipment will give us the ability to perform life saving intubations in a safer manner and to continue to provide top quality emergency medical treatment to our patients.

There is a matching requirement of this grant in the amount of \$739.80, with the State Grant providing \$6,658.20 of the total cost for the equipment. Sufficient funds have been budgeted to meet the matching grant requirement and it is in the best interest of the City to accept this equipment from Southern Region EMS Council.

Your consideration is appreciated.



March 5, 2024

John Harris
City of Kenai Fire Department
105 S. Willow St.
Kenai, AK 99611

RE: Code Blue FY25

Dear John,

The Code Blue FY25 equipment request submitted by your agency for consideration has gone through a rigorous review process. There have been multiple review steps along the way, which include Southern Region staff, Board of Directors Equipment Review Committee, the Southern Region Board of Directors, and finally the Statewide Code Blue Steering Committee. During these steps, items have been considered based on many established criteria, including whether they are essential EMS equipment as defined in the statewide Code Blue manual (e.g., items for patient care/transport, EMS education, etc.), whether they meet minimum criteria, reasonableness of the request, application to the community setting, documentation of need, costs, how they fit into regional and statewide priorities, medical direction, and a host of others. In addition, there are always more requests than can ultimately be funded, so some simply do not make the list or their funding is capped.

The portion of funding we receive from the State via the Governor's Capital Equipment bill is currently pending in the legislative process. Once we have been notified, we will be contacting you to see if you still need the items and if you still have the community match available.

If your item is listed below as **Approved**, your project(s) are on the State Code Blue Equipment list and pending grant processes. If it is **Changed**, it was altered within the review process and an explanation will be detailed below. If it is listed as **Not Funded**, it will not be considered in this Code Blue phase and an explanation will be detailed below.

Item	Status	Local Match*	STATE	Unmet*	Total
Video Laryngoscope X2	<i>Approved</i>	\$739.80	\$6,658.20	\$0	\$7,398.00

*Your service is responsible for both the local match and any unmet funds.

** The Statewide Code Blue Steering Committee moved all requests for **Narcotic Safe** into the "Other" funding category which is lower on the funding scale. The Funding categories in order or priority are: 1 – Patient Care, 2 – Training Equipment, 3 – Transportation, 4 – Communications, 5 – Other per the Code Blue Program Manual. All available funding was allocated in categories 1 – 3 which means no State funding was available for projects in the "Other" category.

Thank you for all you do for EMS in Alaska. At Southern Region, we are working hard to support you in every way that we can.

Sincerely,

Michael M. Forcier, CEO



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2024-14**

A RESOLUTION AUTHORIZING A CONTRACT AWARD AND CORRESPONDING PURCHASE ORDER FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES FOR THE WATER TREATMENT PLANT PUMPHOUSE PROJECT.

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

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

WHEREAS, this Resolution will award professional architectural and engineering services work for the Water Treatment Plant Pumphouse project as identified within the FY2024 Capital Improvement Plan; and,

WHEREAS, the Water Treatment Plant Pumphouse Project will construct a new pumphouse including new water distribution system pumps and appurtenances at the 420 Shotgun Dr. location to replace outdated equipment and improve overall system resiliency as detailed within the City’s FY2024 Capital Improvement Plan; and,

WHEREAS, the State of Alaska, Department of Environmental Conservation has offered funding through the Alaska Drinking Water Fund, as a \$1,200,000, 100% forgivable loan through the State’s Revolving Fund as detailed and approved by Council through passage of Resolution 2023-56 at the September 20, 2023 meeting; and,

WHEREAS, design services will extend into the summer with the intent of releasing the project for construction bids late summer.

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

Section 1. That the City Manager is authorized to execute a contract award and corresponding purchase order to HDL Engineering Consultants in the amount of \$187,461.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 17TH DAY OF APRIL, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Scott Curtin, Public Works Director
DATE: April 7, 2024
SUBJECT: **Resolution 2024-14**

This Resolution will award professional architectural and engineering services to develop bid ready construction documents for the Water Treatment Plant Pumphouse project. This project will provide a new structure and water distribution pumps and associated controls, and will function as the primary water distribution system for the City.

This project was partially designed during the water filtration plant project roughly twelve years ago, and did not move forward at that time due to funding limitations. This project now will replace aging equipment and address system limitations experienced during power outages.

The Public Works Department was successful in applying for and receiving funds through the State of Alaska's DEC with a 100% forgivable loan through the Alaska Drinking Water Fund in the amount of \$1,200,000 which will cover all of the design costs and a majority of the construction costs associated with the project.

Design work will continue into the summer, with a construction bid release anticipated for late summer early fall. Construction may not start until spring 2025 depending on the availability of construction materials, primarily the steel building components.

Council's approval is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2024-15**

A RESOLUTION APPROVING AMENDMENTS TO THE AGREEMENT FOR CONTRACT SERVICES FOR VINTAGE POINTE MANOR CONGREGATE HOUSING.

WHEREAS, the City entered into an agreement with William Sadler to provide on-site facility management services for Vintage Pointe Manor Congregate Housing for two years and nine months with an expiration date of June 30, 2024; and,

WHEREAS, the agreement allows for two one-year extensions of the agreement by mutual consent of the parties; and,

WHEREAS, Mr. Sadler and Administration have negotiated an increase of approximately five percent to continue providing on-site services at Vintage Pointe Manor due to escalating supply costs which are provided at the contractors expense; and,

WHEREAS, Mr. Sadler has performed well under the contract and it is in the best interest of the City to approve the extension and cost related amendment and authorize the City Manager to approve the future one-year extension at the City Manager’s discretion.

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

Section 1. That the First Amendment to Agreement for Services attached hereto, extending the Agreement to provide on-site facility management services for Vintage Pointe Manor Congregate Housing and increase the contract by approximately five percent is approved for execution by the City Manager, and the City Manager is authorized to execute the remaining one-year extension at the City Manager’s discretion.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 17TH DAY OF APRIL, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: DS



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Kathy Romain, Senior Center Director
DATE: April 8, 2024
SUBJECT: **Resolution No. 2024-15**

The current contract for Vintage Pointe Manor entails a two-year and nine-month agreement with Sadler Property Management, set to expire on June 30, 2024. This contract allows for two possible one-year extensions by mutual consent.

Mr. Sadler has proposed an approximate five percent increase in the monthly contract amount, citing escalating supply costs. Notably, he was the sole bidder in the 2021 Request for Proposal (RFP) for Vintage Pointe Maintenance. Throughout his tenure, Mr. Sadler has fostered a positive working relationship with the City and consistently receives a 100% approval rating from annual resident surveys.

I respectfully request the approval of Resolution 2024-15, which would authorize the first of two potential one-year extensions of the agreement for Contract Services for the Vintage Pointe Manor Congregate Housing Facility and authorize the City Manager to execute the final one-year extension at his discretion.

Thank you for your consideration.

FIRST AMENDMENT TO AGREEMENT FOR SERVICES

This First Amendment to Agreement for Services is between the City of Kenai (Owner), whose address is 210 Fidalgo, Kenai, AK 99611 and William Sadler (Contractor), whose address is 381 Senior Ct., Apt. 106, Alaska 99611.

WITNESSETH:

WHEREAS, Owner and Contractor entered into an Agreement for Services for Contractor effective October 1, 2021, to provide on-site facility management services for the Vintage Pointe Manor Congregate Housing Facility, owned by the City of Kenai; and,

WHEREAS, the Agreement for Services expires on June 30, 2024, subject to mutual agreement to extend the contract for up to two, one-year extensions; and,

WHEREAS, Owner and Contractor both desire to extend the Agreement for one year as permitted in the Agreement for Services.

WHEREAS, Section 19 of the Agreement allow for mutual modifications in writing.

NOW THEREFORE, the parties agree as follows:

1. Paragraph 1 of the Agreement for Services is amended to extend the term of the agreement for one (1) year from July 1, 2024, to June 30, 2025, unless terminated earlier as provided in the Agreement. Due to the escalating cost of supplies provided by the contractor pursuant to the Agreement. The Contractor will be compensated with an annual amount of \$72,664.20 and up to \$7,200 for additional and/or Emergency Services.

2. All other terms and conditions of the Agreement for Services remain in full force and effect except as expressly modified or stated herein.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Agreement for Services the day and year set forth below.

CITY OF KENAI

By: _____
Terry Eubank
Its: City Manager

CONTRACTOR

By: _____
William Sadler

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this ___ day of _____, 2024, by Terry Eubank, City Manager of the City of Kenai, an Alaska municipal corporation, on behalf of the City.

NOTARY PUBLIC for State of Alaska
My Commission Expires: _____

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by William Sadler.

NOTARY PUBLIC for State of Alaska
My Commission Expires: _____

Approved as to form:

Scott M. Bloom
City Attorney

**KENAI CITY COUNCIL – REGULAR MEETING
APRIL 3, 2024 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
VICE MAYOR HENRY KNACKSTEDT, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on April 3, 2024, in City Hall Council Chambers, Kenai, AK. Vice Mayor Knackstedt called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

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

2. Roll Call

There were present:

Henry Knackstedt, Vice Mayor	Brian Gabriel, Mayor (<i>remote participation</i>)
Phil Daniel	Deborah Sounart
Alex Douthit	Victoria Askin
James Baisden	

A quorum was present.

Also in attendance were:

- **Xinlan Tanner, Student Representative
- Terry Eubank, City Manager
- Scott Bloom, City Attorney
- David Swarner, Finance Director
- Linda Mitchell, Planning Director
- Stephanie Randall, Human Resource Director
- Katja Wolf, Library Director
- Tyler Best, Parks and Recreation Director
- Scott Curtin, Public Works Director
- Kathy Romain, Senior Services Director
- Derek Ables, Airport Manager
- Dave Ross, Police Chief
- Shellie Saner, City Clerk

3. Agenda Approval

Vice Mayor Knackstedt noted the following additions to the Packet:

- Add to item E. 3. **Public Hearing - Ordinance No. 3406-2024**
 - Amendment Memo
- Add to item H. 5. **Action/Approval - Community Purpose Exemption to Donate Sand**
 - Public Comment

MOTION:

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

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

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

UNANIMOUS CONSENT was requested.

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

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

B. SCHEDULED ADMINISTRATIVE REPORTS

1. Classification and Compensation Report, Malayna Halvorson Maes, Senior Consultant for McGrath Human Resources Group and Stephanie Randall, Human Resource Director.

Malayna Halvorson Maes, Senior Consultant for McGrath Human Resource Group provided an overview of her firm and presented the classification and compensation report for the City of Kenai, outlined the importance of classification and compensation in workforce management; challenges faced today with recruitment and retention; highlighting the City's demographics and turnover rates and the need for retention efforts; the importance of aligning the City's compensation with the local market; reviewed the current compensation structure; and presented recommended changes to the compensation structure to address market shifts.

Stephanie Randall, Human Resource Director provided an overview of the City's compensation package on healthcare, retirement benefits, leave policies and other fringe benefits; identified the goal is to ensure competitiveness in attracting and retaining talent while managing the budget effectively; recommendations include: maintaining current employer-employee cost sharing ratios for healthcare, continuing the life insurance coverage, and adjusting pay structures to ensure fairness and competitiveness; and summarized that the goal is to create a workplace where employees feel valued, supported and empowered for success.

There was discussion regarding the longevity cap being set at 15-years instead of 20-years; the financial impact to the budget with the recommended changes; and changing the probationary period from 6-months to 12-months.

C. SCHEDULED PUBLIC COMMENTS

1. Alaska Christian College Update, Dr. Keith Hamilton, President of Alaska Christian College.

Dr. Keith Hamilton, President of Alaska Christian College provided an overview of the history, mission, growth and offerings of the college; highlighted the college focus of empowering Alaska Natives; outlined the new facilities, future construction plans and the commitment to the community.

D. UNSCHEDULED PUBLIC COMMENTS

Marion Nelson, Kenai Fine Art Center Board President provided an update to Council on the 33rd Annual KPBSD Juried Student Art Show.

E. PUBLIC HEARINGS

1. **Ordinance No. 3404-2024** - Increasing Estimated Revenues and Appropriations in the Airport Fund to Provide Supplemental Funding for 100 Low Lead Float Plane Basin Fuel. (Administration)

MOTION:

Council Member Baisden **MOVED** to enact Ordinance No. 3404-2024. Council Member Askin **SECONDED** the motion.

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

VOTE:

YEA: Sounart, Knackstedt, Daniel, Gabriel, Askin, Douthit, Baisden
NAY: None

**Student Representative Tanner: Yea

MOTION PASSED.

- 2. Ordinance No. 3405-2024** - Increasing Estimated Revenues and Appropriations in the Congregate Housing Fund for Costs Above Budgeted Amounts. (Administration)

MOTION:

Council Member Baisden **MOVED** to enact Ordinance No. 3405-2024. Council Member Sounart **SECONDED** the motion.

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

It was reported that the increase was needed due to ongoing issues with keeping the boiler working and a sewer leak.

VOTE:

YEA: Knackstedt, Daniel, Gabriel, Askin, Douthit, Baisden, Sounart
NAY: None

**Student Representative Tanner: Yea

MOTION PASSED.

- 3. Ordinance No. 3406-2024** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvement Capital Project Funds and Authorizing a Final Adjusting Contract Amendment to the Professional Services Agreement with HDL Engineering for Construction Administration Services for the 2020 Kenai Municipal Airport Sand Storage Facility Project. (Administration)

MOTION:

Council Member Baisden **MOVED** to enact Ordinance No. 3406-2024. Council Member Askin **SECONDED** the motion.

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

MOTION TO AMEND:

Council Member Baisden **MOVED** to amend Ordinance No. 3406-2024 as follows:

Title to read, "An Ordinance Increasing Estimated Revenues and Appropriations in the [AIRPORT SPECIAL REVENUE AND] Airport Improvement Capital Project Fund[S] and Authorizing a Final Adjusting Contract Amendment to the Professional Services Agreement with HDL Engineering for Construction Administration Services for the 2020 Kenai Municipal Airport Sand Storage Facility Project. (Administration)"

Council Member Askin **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend.

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

VOTE ON MAIN MOTION AS AMENDED:

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

NAY: None

**Student Representative Tanner: Yea

MAIN MOTION AS AMENDED PASSED.

4. **Resolution No. 2024-13** - Authorizing a Contract Award and Corresponding Purchase Order for Library Materials. (Administration)

MOTION:

Council Member Baisden **MOVED** to adopt Resolution No. 2024-13. Council Member Sounart **SECONDED** the motion.

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

It was reported that the primary goal is to budgeted funds wisely; the purpose of the proposal was reviewing things like cost, added value through discounts, shipping, and collection management.

UNANIMOUS CONSENT was requested.

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

F. MINUTES

1. *Regular Meeting of March 20, 2024. (City Clerk)

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

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

Approved by the consent agenda.

2. ***Action/Approval** - Consent to Assignment and Assignment and Assumption of Lease Agreement, of Lot 1, Block 5, General Aviation Apron No. 1 Amended. (Administration)

Approved by the consent agenda.

3. ***Ordinance No. 3407-2023** - Accepting and Appropriating a Volunteer Fire Assistance Grant from the United States Department of Agriculture Forest Service Passed through the State of Alaska Division of Forestry for the Purchase of Forestry Firefighting Equipment. (Administration)

Introduced by the consent agenda and Public Hearing set for April 17, 2024.

4. ***Ordinance No. 3408-2023** - Accepting and Appropriating a State of Alaska Code Blue Fiscal Year 2025 Grant Passed through the Southern Region EMS Council, Inc. to Purchase Two Video Laryngoscopes. (Administration)

Introduced by the consent agenda and Public Hearing set for April 17, 2024.

5. **Action/Approval** - Authorizing the City Manager to Request a Community Purpose Exemption to Donate Sand for the Construction of the Triumvirate Theatre. (Administration)

MOTION:

Council Member Douthit **MOVED** to authorize the City Manager to Request a Community Purpose Exemption to Donate Sand. Council Member Askin **SECONDED** the motion.

Vice Mayor Knackstedt opened the floor for public comment.

Jenny Neyman, President of the Board of Directors for Triumvirate Theatre thanked the City Council for their generosity with the previous land donation; stated the request for the sand donation was due to the unexpected cost related to the high water table; the value of the sand donation would be the equivalent to three years of utility costs or a summer camp for 25 kids; the goal is to limit construction cost to minimize the need for loans and ensuring sustainability and the ability to serve the community.

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

Clarification was provided that the City had not previously requested a community purpose exemption from the FAA; the sand was already excavated; the sand was dusty and not as useful for City purposes as other sand; and if it were used by the City, the City would need to purchase it.

UNANIMOUS CONSENT was requested on the motion.

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

6. Discussion - Scheduling a Budget Work Session. (Administration)

A Budget Work Session was scheduled for May 4, 2024 at 9:00 a.m.

[Clerk's Note: Mayor Gabriel left the meeting at 7:37 p.m.]

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

No report, next meeting April 11, 2024.

2. Airport Commission

No report, next meeting April 11, 2024.

3. Harbor Commission

No report, the April 8, 2024 meeting was cancelled.

4. Parks and Recreation Commission

No report, next meeting April 4, 2024.

5. Planning and Zoning Commission

No report, the April 10 2024 meeting, next meeting cancelled.

6. Beautification Committee

No report, next meeting April 9, 2024.

J. REPORT OF THE MAYOR - None.

K. ADMINISTRATION REPORTS

1. City Manager - City Manager Eubank reported on the following:

- Provided an update on the Leachate Agreement with the Kenai Peninsula Borough, and seeing no noticeable difference at the plant when accepting 5,000 gallons a day, the plant was now accepting 10,000 gallons a day.
- Minimal damage to City facilities during the windstorm, Parks & Recreation and Streets cleared trees, and due to power surges, some equipment at the sewer plant needed repairs.
- Public Works Director Curtin attended a Bluff Stabilization Project meeting; due to the rock testing process more than likely rock placement would not begin this year; the Army Corps of

Engineers is still committed to two-years for completion; and various quarries were being reviewed.

- Kenai Police Sergeant Coleman recently graduated from the FBI Academy.
- The City received a refund of \$72,000 due to the change in 2023 in insurance programs which included shared savings if it existed.
- Attending an upcoming Infrastructure Symposium in Anchorage.
- Fire Chief Prior resigned, his last day will be April 30, 2024.

2. City Attorney - No report.

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

- Implementation of a text messaging software for the purpose of confirming Commission meeting quorums.

L. ADDITIONAL PUBLIC COMMENTS

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

Council Member Douthit noted he would be attending the Senior Connections March for Meals Fundraiser and Art Show; and reported the Kenai Chamber of Commerce and Visitor Center had hired a curator.

Student Representative Tanner provided detailed schedule of upcoming events and activities with Connections Home School, Kenai Alternative High School and Kenai Central High School.

Council Member Sounart stated she was looking forward to the Senior Connections March for Meals Fundraiser.

Council Member Askin stated she was looking forward to the Senior Connections March for Meals fundraiser; and the Historical Society would be meeting this Sunday.

Council Member Baisden reported that Emma Beck signed with UAA Volleyball; stated his appreciation for the City clearing the snow from the soccer fields; and noted it was a good work session.

Vice Mayor Knackstedt stated he was looking forward to the Senior Connections March for Meals Fundraiser.

M. EXECUTIVE SESSION - None.

N. PENDING ITEMS - None.

O. ADJOURNMENT

P. INFORMATIONAL ITEMS - None.

There being no further business before the Council, the meeting was adjourned at 8:04 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of April 3, 2024.

Michelle M. Saner, MMC
City Clerk

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

DRAFT

PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: APRIL 17, 2024

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	107,957.99
PREMERA	APRIL PREMIUM	VARIOUS	HEALTH INSURANCE	205,007.03

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
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**PURCHASE ORDERS OVER \$35,000.00 WHICH NEED COUNCIL APPROVAL
 COUNCIL MEETING OF: APRIL 17, 2024**

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
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INCREASE OF EXISTING PURCHASE ORDER

VENDOR	DESCRIPTION	P.O. # - DEPT.	REASON	AMOUNT	TOTAL PO AMT
NALCO COMPANY	WATER TREATMENT CHEMICALS	127527 - WATER	SUPPLY FOR REMAINING FISCAL YEAR	36,000.00	78,000.00



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Scott Curtin, Public Works Director
DATE: April 7, 2024
SUBJECT: **Purchase Order Increase – Nalco Company LLC**

This Memo is to request an increase to Nalco Company LLC’s annual Purchase Order for the supply of proprietary chemicals for the Water Treatment Plant. Purchase Order 127527 will be increasing from \$42,000 to \$78,000, an increase of \$36,000. Sufficient budget for this purchase resides in the Water Operating Repair & Maintenance Supply account.

Account information below:

010-465-2022 Water Operating Repair & Maintenance Supply - \$36,000

Nalco Company LLC Purchase Order 127527 revised to \$78,000

This is the filtering chemical that was discussed at the April 3rd Council meeting. Staff in coordination with our Engineering team, attempted to transition over to an alternative clarifier chemical supplied by PolyDyne. During operations the chemical failed to provide comparable results to the Nalco product.

We are transitioning back to the Nalco product for the remainder of the calendar year and hope to conduct additional testing in the fall as we continue to search for other comparable and competitive products to ensure the utility receives fair pricing in the future.

Council’s approval is respectfully requested.



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Derek Ables, Airport Manager

DATE: April 6, 2024

SUBJECT: **Action/Approval - Special Use Permit to Jeremy Mastre, DBA: River Rock Outdoors, LLC for Commercial Operations at the Kenai Municipal Airport Float Plane Basin**

Jeremy Mastre, owner of River Rock Outdoors is requesting a Special Use Permit for commercial operations at the Airport. He operated successfully last year and wants to continue to do so.

He is proposing to pay the \$300 fee established in the Airport rates and fees schedule.

Your support for a Special Use Permit to River Rock Outdoors, LLC is respectfully requested.

Attachments- agreement, exhibit A

SPECIAL USE PERMIT

The CITY OF KENAI (City) grants to River Rock Outdoors (Permittee), whose address is PO Box 3289, Soldotna, AK 99669, a Special Use Permit to conduct aeronautical and/or aviation-related activities at the Kenai Municipal Airport subject to the requirements and the conditions set forth below.

1. **Premises.** Permittee shall have the non-exclusive right to use float plane base parking spot 9 as described in the attached Exhibit A for the uses identified in this Permit.
2. **Term.** The term of this Permit shall be for six months commencing on May 1, 2024 and ending on October 31, 2024, or the closing date deemed necessary by Airport Management for weather conditions. Regardless of the date of signature, this Permit shall be effective as of May 1, 2024.
3. **Permit Fees.** Permittee shall pay the following fees for the privileges extended to Permittee under this Permit:
 - A. **Permit:** Permittee shall pay a seasonal fee plus applicable sales tax as follows:

May – October 2024	\$300.00
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 - B. **Proximity Card for Gate Access:** In addition to the general permit fee, Permittee shall pay a deposit of one hundred dollars (\$100.00) for the use of each proximity card issued to Permittee by City to allow for gate access to the Airport to conduct the uses permitted hereunder. City shall refund this deposit to Permittee when the card is returned to City. City may exercise a right of offset to apply the deposit to any outstanding balance due to City from Permittee at the termination of this Permit.
 - C. **Other Fees:** City may assess additional fees for aviation or aviation support activities and uses not defined in this Permit. If a fee has not been established for those activities or services, a fee will be established by the Airport Manager.

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. All permit fees are payable in advance of each month unless otherwise provided. 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):

Aircraft Parking. NOTE: This permit does not guarantee the exclusive use of the area identified in Exhibit A. City reserves the right to re-assign Permittee, upon reasonable notice, to other areas as airport needs may require.

Permittee shall have the right of ingress and egress to the Airport using only designated gate access locations (which may require a proximity card) for the use of the Premises. 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 municipal regulations governing the Kenai Municipal Airport 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.

No person may repair an aircraft, aircraft engine, propeller, or apparatus in an area of the Airport other than that specifically designated for that purpose by the Airport Manager or designated representative. The Airport Manager or designated representative reserves the right to designate reasonable areas where aircraft owners may perform services on their own aircraft.

5. Airport Operations. Permittee shall ensure that the Permittee, its employees, and guests, and anyone else acting by, on behalf of, or under the authority of Permittee on the Airport, that perform any repairs or activities authorized under this Permit act in a manner that ensures the safety of people and the Airport, the protection of public health and the environment, and the safety and integrity of the Airport and any premises on the Airport. Permittee shall employ qualified personnel and maintain equipment sufficient for the purposes of this provision. The Permittee shall immediately notify City of any condition, problem, malfunction, or other occurrence that threatens the safety of the Airport, the safety of persons using the Airport, the public health or the environment, or the safety or integrity of any premises on the Airport.

6. Inspection. The Federal Aviation Administration (FAA) and/or City shall have the right and authority to inspect, at any time for any purpose whatsoever, the Premises as well as any and all equipment used by the Permittee under this Permit.

7. Coordination with Airport Management. Permittee shall coordinate all activities on the Airport with Airport Management, or a designated representative, and shall abide by all reasonable decisions and directives of the Airport Management regarding general use of the Airport by Permittee.

8. Radio Transmitting Equipment. Permittee shall discontinue the use of any machine or device which interferes with any government-operated transmitter, receiver, or navigation aid until the cause of the interference is eliminated.

9. 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 include an endorsement under which the insurer extends coverage to Permittee's fuel handling activities. The policy must name the City as an additional insured.

B. Worker's compensation insurance with coverage for all employees engaged in work under this Permit or at the Premises as required by AS 23.30.045. Permittee is further responsible to provide worker's compensation insurance for any subcontractor who directly or indirectly provides services to Permittee under this Permit.

C. Commercial Automobile Coverage with not less than \$1,000,000 combined single limit per occurrence. This insurance must cover all owned, hired, and non-owned motor vehicles the Permittee uses 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 May 1, 2024. The effective date of the insurance shall be no later than May 1, 2024.

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.

10. 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 Airport. Permittee shall provide all proper safeguards and shall assume all risks incurred in its activities on and access to the Kenai Municipal Airport and its exercise of the privileges granted in this Permit.

11. 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, Permittee's access to the Kenai Municipal Airport, and/or Permittee's exercise of the privileges granted in this Permit. This shall be a continuing obligation and shall remain in effect after termination of this Permit.

12. Fuel Spill Prevention and Response Plan. Areas of the Apron have been seal coated

to protect asphalt from adverse effects of petroleum product spills. The City requires that Permittee provide adequate absorbent materials and tools available on the Premises and at the airport in order to maintain a fuel spill and response capability. Permittee shall be liable for any damage caused by and costs associated with any spill, the cleanup of any spill, or the discharge of petroleum products or hazardous materials due to Permittee's use of the Apron and/or use of the Airport.

Permittee shall provide to City an acceptable fuel spill prevention and response plan and will maintain fuel spill and response capability. Permittee further agrees to have a copy of the fuel spill prevention and response plan located in the Permittee's fuel dispensing equipment at all times. Permittee must comply with the Airport's Storm Water Pollution Prevention Plan as appropriate to Permittee's activities.

Permittee shall not store any personal property, solid waste, petroleum products, Hazardous Material as defined by 14 CFR § 171.8, hazardous waste (ignitable, corrosive, reactive, or toxic) or any hazardous substance on any portion of the Airport. Permittee is aware that there are significant penalties for improperly disposing of the Hazardous Materials and other waste and for submitting false information regarding Hazardous Materials, including the possibility of fine and imprisonment for knowing violations.

Permittee shall immediately remove the material in the event of spillage or dripping of gasoline, oil, grease, or any other material which may be unsightly or detrimental to the pavement or surface in or on any area of the Airport.

Permittee may not construct or install any above-ground or underground fuel storage tanks or dispensing systems at the Airport.

No person shall smoke on an aircraft-parking ramp, inside an aircraft hangar, or within fifty feet (50') of any aircraft fuel facility or fuel truck.

Permittee is subject to FAA Advisory Circular 150/5230-4 Aircraft Fuel Storage, Handling, and Dispensing on Airports, the National Fire Protection Associations' "Standard for Aircraft Fueling Servicing" in NFPA 407 (1996 version), and the current version of the International Fire Codes. All inspections of fuel facilities, by City or other regulating entities to which Permittee is subject, shall be conducted to assure compliance with the fire safety practices listed in these referenced documents.

13. Hazardous Substances and Materials. Permittee shall conform and be subject to the requirements of 14 CFR § 139.321 regarding the handling and storage of hazardous substances and materials.

14. 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.

15. 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.

16. 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. Further, Permittee shall comply with all applicable requirements imposed on the Airport by federal law to ensure that the Airport's eligibility for federal money or for participation in federal aviation programs is not jeopardized. This Permit is subordinate to the City's grant assurances and federal obligations.

17. No Exclusivity. The privileges granted under this Permit are not exclusive to Permittee. City has the right to grant to others any right or privilege on the Airport.

18. Assignment. The privileges granted under this Permit are personal to Permittee and may not be assigned by Permittee.

19. 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 or elsewhere at the Kenai Municipal Airport.

20. 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.

21. Personality. 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 personality of Permittee or of its customers.

22. 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.

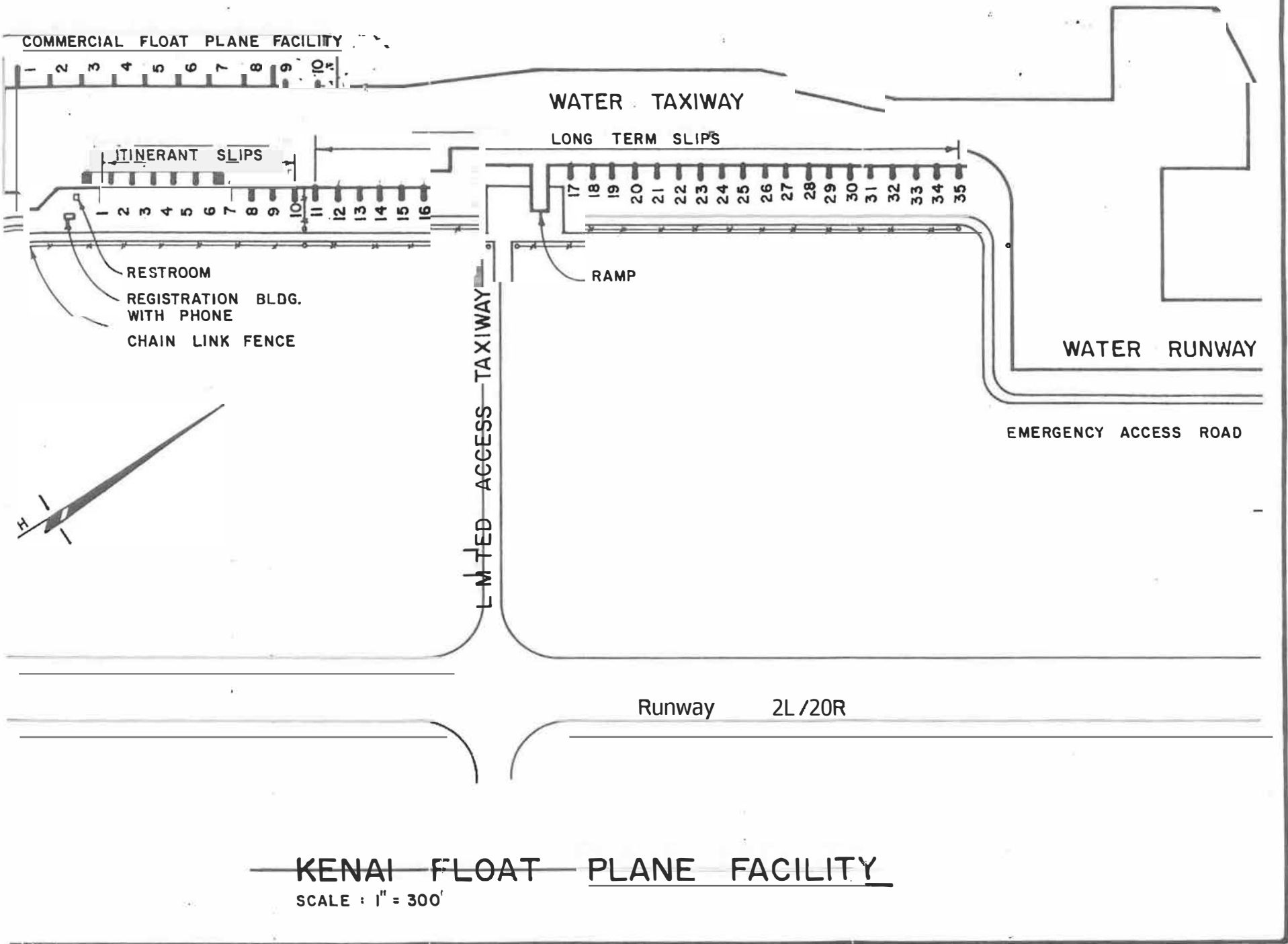
23. Landing Fees; Fee Schedule. Timely payment of landing fees and other required Airport fees is a condition of this Permit and, as such, failure to timely pay landing and other airport fees is grounds for termination. Without limiting the foregoing, Permittee shall pay landing fees for aircraft landings as set out in the City's comprehensive schedule of rates, charges and fees. Permittee shall make payment within thirty (30) days following the end of each month and without demand or invoicing from City. Permittee shall also provide Airport Administration with monthly certified gross take-off weight reports within ten (10) days following the end of each month for landings for the preceding month. Airport landing fees shall be paid at the Airport Administration Building, 305 North Willow Street, Suite 200, Kenai, AK 99611.

24. Impoundment. At the discretion of the Airport Manager, City may impound any aircraft parked on the Premises after termination of this Permit. Impoundment may be accomplished by affixing a seal to the door of the aircraft or the moving of the aircraft for impoundment purposes. Inconvenience or damage that may result from such movement will be at the risk of Permittee. An impoundment fee plus a towage fee shall be charged on each aircraft impounded. In addition, a daily storage fee shall be charged for each day the aircraft remains impounded. Any impounded aircraft that is not redeemed within ninety (90) days after impoundment shall be considered abandoned and shall be subject to sale at public auction. Notice of any auction shall be published. Publication shall be in a newspaper of general circulation in that area for at least once during each of three (3) consecutive weeks not more than thirty (30) days nor less than seven (7) days before the time of the auction.

25. Definitions. As used in this Permit, "Permittee" means Kenai Aviation and where the context reasonably indicates, its officers, agents, and employees. "Airport" means the Kenai Municipal Airport.

CITY OF KENAI

KENAI AVIATION



KENAI FLOAT PLANE FACILITY

SCALE : 1" = 300'

Exhibit A



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3409-2024**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND – POLICE DEPARTMENT AND ACCEPTING GRANTS FROM THE UNITED STATES DEPARTMENT OF JUSTICE AND ALASKA MUNICIPAL LEAGUE JOINT INSURANCE ASSOCIATION FOR THE PURCHASE OF A BALLISTIC VEST.

WHEREAS, the Kenai Police Department participates in a Ballistic Vest Partnership grant program through the Department of Justice, which covers 50% of the cost of ballistic vests purchased for officers; and,

WHEREAS, the City’s current insurance company, Alaska Municipal League Joint Insurance (AMLJIA), also has a ballistic vest reimbursement program, which covers 50% of the cost of ballistic vests purchased for officers; and,

WHEREAS, one ballistic vest was recently purchased for \$1,304 and the two programs together will cover 100% of the cost of that ballistic vest.

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 United States Department of Justice and AMLJIA grant funds in the amount of \$1,304 for the purchase of a ballistic vest.

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

General Fund:

Increase Estimated Revenues -	
Federal Grants – Police	\$ 652
Miscellaneous Grants	<u>652</u>
	<u>\$1,304</u>
 Increase Expenditures –	
Police – Small Tools	<u>\$1,304</u>

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 1st DAY OF MAY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:  _____

Introduced: April 17, 2023
Enacted: May 1, 2023
Effective: May 1, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: David Ross, Police Chief

DATE: April 2, 2024

SUBJECT: **Ordinance Accepting Grant Funds for Ballistic Vests**

The Police Department participates in the United States Department of Justice' Ballistic Vest Partnership (BVP), which provides grant funds for half the cost of officer ballistic vests. The City's insurance carrier, AMLJIA, also has a grant program by which they cover half the cost of ballistic vests purchased for officers.

The Police Department recently purchased one ballistic vest for an officer, at a cost of \$1,304 and anticipates that cost to be covered 100% by the two programs.

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. 3410-2024**

AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT RECEIVED THROUGH MADDIE’S FUND TO THE KENAI ANIMAL SHELTER FOR THE CARE OF ANIMALS.

WHEREAS, the Kenai Animal Shelter applied for a grant through Maddie’s Fund and received an award of \$5,000; and,

WHEREAS, Maddie’s Fund is a family foundation that provides grants to animal shelter organizations for ‘increased community collaborations and live outcomes’; and,

WHEREAS, the animal control chief has identified the need for security system upgrades at the shelter in addition to other equipment needs to be purchased with these grant funds; and,

WHEREAS, the acceptance of these grant funds to further the mission of the Animal Shelter is in the best interest of the City and its residents.

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

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

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

General Fund:

Increase Estimated Revenues –	
Other Grants	<u>\$5,000</u>

Increase Appropriations –	
Animal Control – Small Tools	<u>\$5,000</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 immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 1ST DAY OF MAY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:  _____

Introduced:	April 17, 2024
Enacted:	May 1, 2024
Effective:	May 1, 2024



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubanks, City Manager

FROM: David Ross – Police Chief

DATE: April 5, 2024

SUBJECT: **Maddie’s Fund Grant to the Kenai Animal Shelter**

The Kenai Animal Shelter received an operating support grant from [Maddie's Fund®](#). The shelter received \$5,000.00 made possible by a grant from Maddie’s Fund #ThanksToMaddie, a national family foundation established by Dave and Cheryl Duffield to revolutionize the status and well-being of companion animals.

Thanks to Maddie’s Fund, this grant will be used to update the existing security system to ensure it operates in an efficient manner to safeguard the animals in our care. The grant funds will also be used to purchase a new dishwasher and other items needed for the operations of the Kenai Animal Shelter as identified by the Animal Control Chief.

I am respectfully requesting consideration of the ordinance accepting and designating those funds to the Kenai Animal Shelter as they were intended.

About Maddie’s Fund:

[Maddie's Fund®](#) is a family foundation established in 1994 by Dave and Cheryl Duffield and is the fulfillment of a [promise](#) to an inspirational dog, Maddie. She provided them much joy for over ten years and continues to inspire them today.

The Foundation has awarded over \$275.7 million in grants toward increased community lifesaving, pioneering shelter medicine education and establishing foster care as a standard across the U.S.

Maddie’s Fund proudly offers the industry a national voice, important funding opportunities for bold ideas, learning resources and access to collaborate and share innovative solutions. The Foundation invests its resources in a commitment to keeping pets and people together, creating a safety net of care for animals in need and operating within a culture of inclusiveness and humility. #ThanksToMaddie.



**Maddie’s
Fund**

#ThanksToMaddie



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3411-2024**

AN ORDINANCE AMENDING KENAI MUNICIPAL CODE 13.10.015 – MINOR OFFENSE FINE SCHEDULE, TO INCREASE THE PAID PARKING FINE AND MAKE HOUSEKEEPING CHANGES.

WHEREAS, Kenai Municipal Code 13.10.015 provides a fine schedule for certain violations of City Code; and,

WHEREAS, the fine for paid parking violations, off the airport, is provided for in Section 50 of the fine schedule and is currently set at \$50.00; and,

WHEREAS, the only City parking requiring payment off the airport is currently for the dipnet fishery; and,

WHEREAS, the fees for using the Personal Use Fishery parking areas in 2023 were \$22.05 for day use parking and ranged from \$49.61 to 60.64 for overnight parking; and,

WHEREAS, having a fine amount potentially less than a parking permit makes it more economical for users of the Personal Use Fishery parking area to not purchase a parking permit and chance receiving a paid parking fine; and,

WHEREAS, raising the paid parking fine from \$50 to \$100 is intended to encourage parking permit compliance.

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

Section 1. Amendment of Section 13.10.015 of Kenai Municipal Code: That Kenai Municipal Code, Section 13.10.015 – Minor Offence Schedule, subsections for Parking, Abandoned/Junk Vehicles/Littering, and Offenses Against Property is hereby amended as follows:

13.10.015 Minor [~~O~~]Offense [~~F~~]Fine [~~S~~]Schedule.

In accordance with AS [29.25.070\(a\)](#), citations for the following offenses may be disposed of as provided in AS [12.25.195](#) through [12.25.230](#), without a court appearance, upon payment of the fine amounts listed below or on the State of Alaska Uniform Minor Offense Tables for AS [28](#) and AAC Title [13](#) offenses plus the state surcharge required by AS [12.55.039](#) and [29.25.074](#). Fines must be paid to the City of Kenai. The Rules of Minor Offense Procedure in the Alaska Rules of Court apply to all offenses listed below. Citations charging these offenses must meet the requirements of Minor Offense Rule 3. If a person charged with one (1) of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense. If an offense is not listed on this fine schedule or another fine schedule the defendant must appear in court to answer to the charges.

The fine amounts are doubled for motor vehicle or traffic offenses committed in a highway work zone, as those terms are defined in AS [28.90.990](#) and [13 AAC 40.010\(b\)](#).

An offense may not be disposed of without a court appearance if the offense is in connection with a motor vehicle accident that results in a death of a person.

Minor Offense Fine Schedule

	CITE	RULE/OFFENSE	FINE	
		PARKING		
48	KMC 13.10.060	Camping on private property.	50.00	
49	KMC 13.30.030	Street parking prohibitions.	50.00	
50	KMC 13.30.035	Paid parking.	[50.00] <u>100.00</u>	
[51]				
[52] <u>51</u>	KMC 18.35.010	Overnight camping.	50.00	
[53] <u>52</u>	AR 6.05.010 – 6.05.030	Parking at airport. (1st offense)	25.00	
[54] <u>53</u>	AR 6.05.010 – 6.05.030	Parking at airport. (2nd offense)	50.00	
		ABANDONED/JUNK VEHICLES/LITTERING		
[55] <u>54</u>	KMC 12.20.010	Deposit of refuse (littering).	500.00	
[56] <u>55</u>	KMC 12.20.010	No fish, fish carcasses, fish parts or offal may be deposited in dumpsters or receptacles unless marked specifically to allow for fish or fish parts.	150.00	
[57] <u>56</u>	KMC 12.25.020	Abandonment of vehicle.	100.00	
[58] <u>57</u>	KMC 12.25.030	Junk vehicle.	100.00	
		OFFENSES AGAINST PROPERTY		
[59] <u>58</u>	KMC 13.20.030	Protection of North and South Shore—No physical damage.	150.00	

	CITE	RULE/OFFENSE	FINE	
[60] <u>59</u>	KMC 13.20.030	Protection of North and South Shore— Physical damage.	500.00	
[61] <u>60</u>	KMC 13.20.035	Burning of pallets and other wood materials containing metal fasteners.	50.00	

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 1ST DAY OF MAY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced: April 17, 2024
Enacted: May 1, 2024
Effective: May 31, 2024



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Dave Ross, Police Chief
DATE: April 2, 2024
SUBJECT: **Fine Increase for Paid Parking Violations**

This memo supports an increase to the fine for violations of paid parking requirements (excluding airport parking). Kenai Municipal Code 13.30.035 authorizes the City to charge for parking. Violations of paid parking are provided in the Minor Offense table codified in KMC 13.10.015. The current fine is \$50 for violating City Paid Parking requirements. Airport parking fines are listed separately in Code, and the only other parking requiring payment by the City is associated with the Dipnet Fishery.

In 2023 the “Day Use Parking” fee was \$22.05 and the Overnight Parking fees ranged from \$49.61 to \$60.64.

This Ordinance would increase in the fine from \$50 to \$100. Dipnet parking fees have risen over the years. The penalty for not paying the parking fee should also rise in a manner that the fine for violating the parking rules is greater than the fee for complying with the paid parking rules.

Thank you for your consideration.



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MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Terry Eubank, City Manager

DATE: April 11, 2024

SUBJECT: **Action/Approval – Authorizing a letter of support for House Bill 173 to raise the threshold for municipal contracts qualifying for Little Davis Bacon Act (LDBA) prevailing wages from \$25,000 to \$150,000.**

The Little Davis Bacon Act (LDBA) is a set of state laws in Alaska Statutes Title 36, which establishes prevailing wages and associated requirements for labor on public construction contracts awarded for the State of Alaska, or a political subdivision of the state that exceed \$25,000.00. The threshold of \$25,000 has not been adjusted since 2011.

HB173 proposes to increase the threshold to \$150,000. The threshold of \$25,000 is triggered on nearly every construction project of the City. Application of the LDBA increases the cost of projects and limits competition. Not all vendors are willing to administer and comply with the LDBA and its requirements.

An increase to the LDBA threshold will decrease the City's cost on small projects and will reduce the administrative burden for vendors on small municipal contracts promoting greater competition and a larger vendor pool.

A copy of HB173 and its sponsor statement are attached for your review. If you are in support of the attached letter of support the following motions should be made:

Motion

To approve the City Manager issuance of the Letter in support of HB173, to increase the threshold for application of the Little Davis Bacon Act from \$25,000 to \$150,000 to the House State Affairs Committee and providing copies to Senator Jesse Bjorkman and Representatives Justin Ruffridge and Kevin McCabe.



KENAI

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April 17, 2024

via email

House State Affairs Committee

RE: Support for HB173 - An Act Relating to Public Construction Contracts

Dear Members of the House State Affairs Committee,

On behalf of the City of Kenai, I am writing to express the City of Kenai's support for House Bill 173 (HB173) and its provision to raise the threshold for municipal contracts qualifying for Little Davis Bacon Act (LDBA) prevailing wages from \$25,000 to \$150,000. The proposed increase reflects a realistic understanding of the current economic conditions and construction costs, ensuring that small to medium-sized businesses will be able to compete more equitably for municipal contracts.

The City of Kenai is committed to fostering a business-friendly environment and supports the proposed change, which is anticipated to decrease the cost to the City for smaller projects, reduce the administrative burden for contractors, and promote greater opportunities for more local contractors to participate in public construction projects.

We respectfully urge your support of HB173.

Thank you for your consideration.

Sincerely,

Terry Eubank
City Manager

cc:
Senator Jesse Bjorkman
Representative Justin Ruffridge

HOUSE BILL NO. 173

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MCCABE

Introduced: 4/24/23

Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to public construction contracts; and providing for an effective date."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 36.05.005 is amended to read:

4 **Sec. 36.05.005. Applicability.** This chapter applies only to a public
5 construction contract that exceeds **\$150,000** [\$25,000].

6 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).

REPRESENTATIVE KEVIN J. MCCABE

ALASKA STATE LEGISLATURE HOUSE DISTRICT 30

SESSION
Alaska State Capitol
Juneau, AK 99801
Phone: (907) 465-2679
Toll Free: (800) 505-2678



DISTRICT
600 E. Railroad Ave., Suite 1
Wasilla, AK 99654
Phone: (907) 376-2679
Toll Free: (800) 505-2678

HB173\Ver.A **Sponsor Statement**

“An Act relating to public construction contracts; and providing for an effective date.”

House Bill 173 seeks to modernize an outdated statute to better address the specific challenges of construction in Alaska. Specifically, it updates the Little Davis Bacon Act (LDBA) public construction contract thresholds in our state. The current threshold of \$25,000 is deemed inefficient due to various Alaska-specific factors and inflationary pressures over the past 11 years. Many states have either eliminated thresholds altogether or raised them to \$1 million.

This bill proposes raising the threshold to \$150,000 to better reflect inflation and current industry costs. This adjustment would streamline processes, reduce administrative burdens, and enhance efficiency in public construction projects statewide. Moreover, it would encourage smaller contractors to bid on contracts and help address the labor shortage in the construction industry in Alaska.

Furthermore, the increased threshold would address unique challenges faced in Alaska, such as high transportation costs in rural areas. Currently, even minor projects, like repairing 20 potholes, may necessitate compliance with LDBA regulations due to exceeding the threshold.

Support for House Bill 173 is crucial for adapting regulations, ensuring equitable participation for local contractors, and fostering economic development in the face of inflation and workforce shortages. Let's modernize our approach to public construction contracts and propel Alaska forward.

Thank you for your attention to this important matter.

Staff Contact: Julie Morris (907) 465-2679



MEMORANDUM

TO: Airport Commission
FROM: Derek Ables, Airport Manager
DATE: April 2, 2024
SUBJECT: **Airport Mid-month Report March 2024**

Alaska Regional Fire Training Facility – Airport Management gave a tour to Cook Inlet Regional Citizens Advisory Council, CIRCAC. They rented out the conference space and wanted to learn more about the facility.

In-house Activities

- The float plane basin gate was closed to begin filling the water runway. The airport will plan to open it in the middle of May.
- Luke Barto, the wildlife biologist, visited to conduct training, ensuring compliance with FAA Part 139 regulations. His expertise in wildlife management is crucial for maintaining safe airport operations. The training covered techniques to mitigate wildlife hazards, such as bird strikes, which can pose serious risks to aircraft. These proactive measures help ensure the safety of both passengers and wildlife in and around the airport environment.
- The job posting for Airport Operations Supervisor was posted. The Airport Operations supervisor role is a crucial position for the airport. They are responsible for overseeing and coordinating various aspects of airport operations to ensure efficiency and compliance with safety regulations. Key responsibilities include supervising and coordinating the activities of airport personnel, snow removal activities, managing airport facilities and equipment, ensuring compliance with airport security measures, and resolving operational issues as they arise.
- Grant Aviation recently moved their counter spaces within the Airport Terminal. This not only improves current operations, but also creates room for potential growth. By optimizing their space, Grant Aviation can accommodate increasing

passenger numbers and potentially expand their services in the future. This strategic move positions Grant Aviation for continued success.

- The FAA has scheduled the annual Part 139 inspection at the airport for April 30th through May 2nd. This inspection is crucial for ensuring that the airport is in compliance with FAA regulations regarding airport certification. It covers various aspects of airport operations, including safety protocols, maintenance procedures, and emergency response readiness. The airport team is gearing up to ensure that all necessary preparations are in place for a successful inspection.
- The contractor has been working on removing the beetle kill spruce trees around the area by the float plane basin.





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubanks, City Manager

THROUGH: Dave Ross, Police Chief

FROM: Jessica “JJ” Hendrickson, Animal Control Chief

DATE: April 3, 2024

SUBJECT: **March 2024 Monthly Report**

This month the Kenai Animal Shelter took in **32** animals. Animal intake and disposition:

DOGS:				
	INTAKE	17	DISPOSITION	12
	Waiver	7	Adopted	2
	Stray	6	Euthanized	4
	Impound	1	Claimed	6
	Protective Custody	3	Field Release	0
	Quarantine	0	Transferred	0
	Other Intakes	0	Other Dispositions	0
CATS:				
	INTAKE	15	DISPOSITION	12
	Waiver	8	Adopted	9
	Stray	3	Euthanized	2
	Impound	0	Claimed	1
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	0
	Other Intakes	4	Other Dispositions	0

OTHER ANIMALS:				
INTAKE	0	DISPOSITION	0	
Guinea Pig	0	Rabbit	0	
Rabbit	0	Bird	0	
Other	0	Guinea Pig	0	
DOA:	10	OTHER STATISTICS:		
Dog	4	Licenses (City of Kenai Dog Licenses)	14	
Cat	6	Rabies Clinic	0	
Rabbit	0			

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

- Statistical Data:
- 97 2022 YTD Intakes
 - 142 2023 YTD Intakes
 - 98 2024 YTD Intakes





MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Dave Swarner, Finance Director

DATE: April 11, 2024

SUBJECT: **Finance Department Mid-Month Report – March 2024**

The FY24 Budget is now a major focus of the department with budget information being received from Departments. The Council is scheduled to receive its first draft of the FY2025 budget on April 19th, with the budget work session scheduled for May 4th.

The FY23 ACFR is complete, working with auditors to schedule the presentation to council.

The department is working with the City's broker, Hub International to complete the City's property, liability and workers' compensation insurance applications for the upcoming renewal.



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: John Harris, Deputy Chief (Acting Fire Chief)

DATE: April 9, 2024

SUBJECT: Fire Department Mid-Month Report – March

For March we experienced a 5.1% year over year call volume increase. This was considerably less than our annual call volume increase of 23.8%. During the month of March, the Kenai Fire Department experienced ten (10) incidents of multiple calls in which at least two (2) rescue units were engaged in simultaneous emergency responses.

March	2023	2024	% change
Month totals	117	123	5.1%
EMS	86	84	-2.3%
All Other	31	39	25.8%
Year total	344	426	23.8%

Training:

- All KFD members attended QA / Run Reviews with Dr. Michael Levy. (3/11)
- All KFD members completed their required ARFF training for March. (various dates)
- All KFD members completed their annual recertification of their American Heart Association BLS training. (various dates)
- All three work shifts (A,B,and C) have been engaging in E-2 training, along with SCBA specific drills. (various dates)
- FF Steve Turkington completed his training on T-1, and successfully passed all of his testing for T-1. He has now attained his Driver/Operator status.

Projects/Grants:

- DC John Harris and Chief Tony Prior attended multiple board meetings - AFCA, KPFCFA, and KPESI. (various dates)
- KFD personnel participated in a Q&A session with Aspen Creek staff. This public outreach program is intended for local assisted living facilities, and designed to help their personnel with elderly care. (3/27)
- KFD personnel participated in candidate testing for the vacant firefighter position. This was done at the Regional Fire Training Facility - 450 Marathon Road, Kenai, AK. (3/15)

- KFD hosted a SafeKids car seat event at KFD Station One. This event was coordinated by Rebecca Bush. (3/27)
- Chief Tony Prior and DC John Harris met with the City Manager and Finance Director concerning the fire department budget. (3/29)





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Stephanie Randall, Human Resources Director
DATE: April 8, 2024
SUBJECT: **Human Resources Activity – March 2024**

Recruitment

Human Resources worked with the Public Works Director to actively recruit and hire a Building Official who will be starting the first week of June. Recruitment has begun for multiple temporary positions for Parks and Recreation Maintenance Workers, Personal Use Fishery and Temporary Enforcement Officer positions. To date, 42 applications have been received for 32 summer positions. The Police Department continues to recruit for a Public Safety Dispatcher and Police Officer.

Safety

Two accidents were reported in March with no damage to City property.

Special Projects

Human Resources continued to work with the Administration, McGrath Human Resources Consulting and a working group of City employees to complete the Classification and Compensation Study and provide recommendations.



KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

THROUGH: Katja Wolfe, Library Director

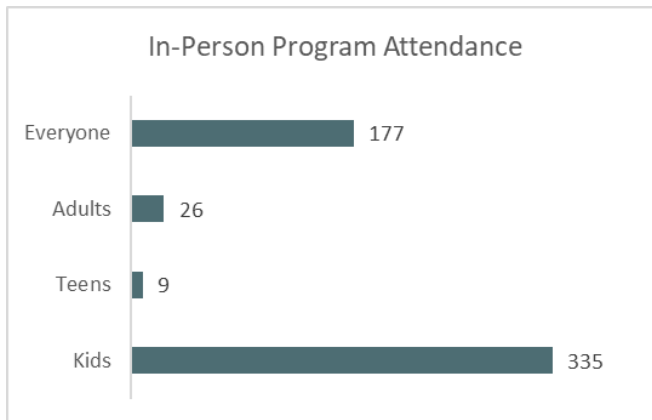
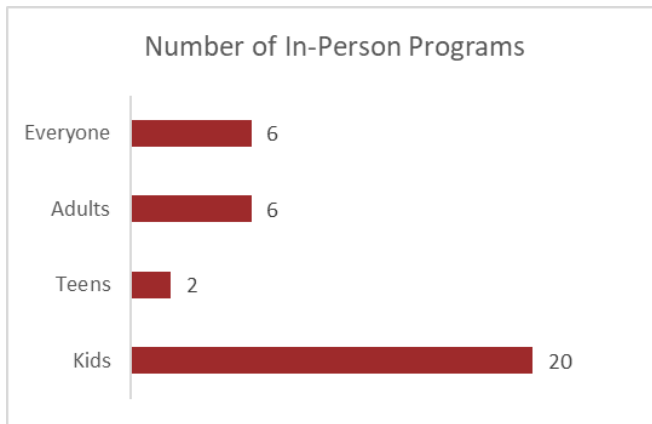
DATE: April 9, 2024

SUBJECT: **Library Report for March 2024**

MARCH 2024 AT A GLANCE

	Mar-23	Mar-24	2024 YTD
Items Borrowed			
Physical	7,406	7,063	19,744
Digital	1,804	2,070	5,829
Services			
New Memberships	70	51	183
Room Reservations	148	147	425
Programs			
Number of Programs	37	34	108
Program Attendance	495	547	1,386
Technology Sessions			
Computer Sessions	534	516	1,563
WiFi Sessions	10,323	5,638	16,386
Early Literacy Station Sessions	327	495	1,479

MARCH 2024 PROGRAMMING



HIGHLIGHTS

Kids

- 10 Story Times – 196 participants
- 4 Lego® Clubs – 55 participants
- 2 American Girl Club – 25 participants
- Little Crafts – 27 participants
- Spring into Light STEAM craft—13 participants

Teens

- Chess tournament—8 participants

Adults

- 3 Tech times – 10 participants
- Bad Art – 9 participants
- Crochet 101 – 6 participants

Everyone

- 3 Chess hours—16 participants
- Make your own Easter basket – 85 participants
- Scavenger Hunt – 50 participants
- **Giant Candyland – 635 participants**
- Plant a Flower –50 kits
- Retro Video Game bash—26 participants

MARCH 2024 SERVICE HIGHLIGHTS

- Our study and conference rooms were used by 147 individuals/groups for a total of 392 hours.
- Our second Reading Dogs event was a success. Seventeen patrons attended. Reading Dogs is a program where children can sign up to read with a certified therapy dog, making it a fun way for children to practice oral fluency, build self-esteem, and to foster a love of reading.
- Spotlight on Access World News: Access local, state, and national newspapers online through NewsBank from the library's computers as well as remotely from home or anywhere. All you need is your Kenai Library card to log in. Nearly 1200 sessions were registered in March! Visit <https://www.kenai.city/library/page/newspapers-online> for more information.





KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Dave Ross, Acting City Manager

FROM: Tyler Best, Parks and Recreation Director

DATE: April 10th

SUBJECT: **Mid-Month Report-March**

During the month of March, Parks and Recreation hosted over 100 people at the end-of-year skate at the Multi-purpose facility and over 300 people at the Annual Easter Egg Hunt at Municipal Park.

As of March 29th, the Parks and Recreation crews have stopped grooming ski trails due to warm weather and rain and started focusing on prepping for our summer months. This includes growing flowers, setting up the greenhouse, and switching out winter equipment with summer equipment.

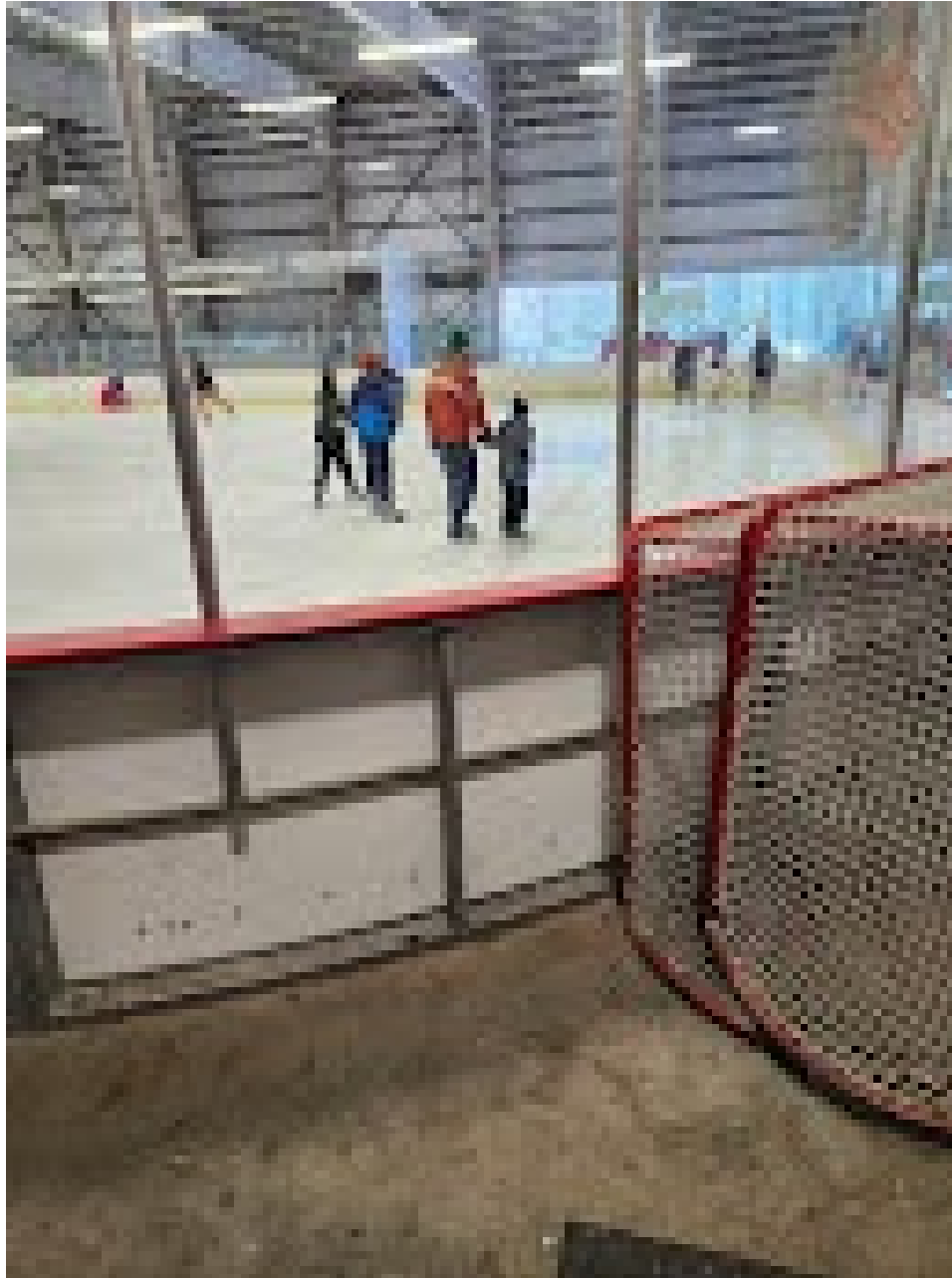
After the wind storm, Parks and Rec Removed many trees from the Dog Park, Bike path, and Municipal Park Walking trails. They also worked with the maintenance department to repair a score shack that blew over at the Kenai Little League Fields.

Kenai Rec. Center Visits-February

Weight Room/Cardio Room	1303
Racquetball	48
Wallyball	31
Shower/Sauna	0
Gymnasium	1751
Other	0
Gym Rental Visits	800
Total Number of Visits	3933



Families at the end of the year skate:





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Linda Mitchell, Planning Director
DATE: April 11, 2024
SUBJECT: **Planning and Zoning – March 2024 Monthly Report**

Public Inquiry

See attached report.

Application Summary

- Lands & Lease – See attached report.
- Planning & Zoning – Staff is still working on refining the database and automating the workflow to streamline planning processes and customize monthly report.

Code Enforcement and Compliance

In March, Planning and Zoning received one (1) new complaint and one (1) case was closed. There is a cumulative total of 22 open cases.

Staff has started the implementation of the code enforcement solution. A go-live date is anticipated for June 2024.

Planning and Zoning Commission

One (1) public meeting was held in the month of March with the following actions/recommendations.

- **Resolution PZ2024-06** – Recommended Opposition on Preliminary Plat – Mommsen’s 2024 Replat for a Parcel Merger of Lot 2 Block 4, and Lot 2 Block 3. Mommsen’s Additions No’s 1 & 2 in the Suburban Residential (RS) Zoning District.
- **Resolution PZ2024-07** – Recommended Approval on Preliminary Plat – Michael J. Pelch Homestead Jr. Addition No. 4 for a Replat of Tracts G, A-1, A-2, and A-3, Michael J. Pelch Homestead Jr. Addition No. 3 in the Rural Residential (RR) Zoning District.
- **Resolution PZ2024-05** - Granted a Conditional Use Permit to Allow a Recreational Vehicle (RV) Park on the Property Located at 813 Riverview Drive in the Central Commercial (CC) Zoning District.

March 2024 - Planning and Zoning - Public Inquiry

Report Generated On: 3/28/2024 10:07:00 AM

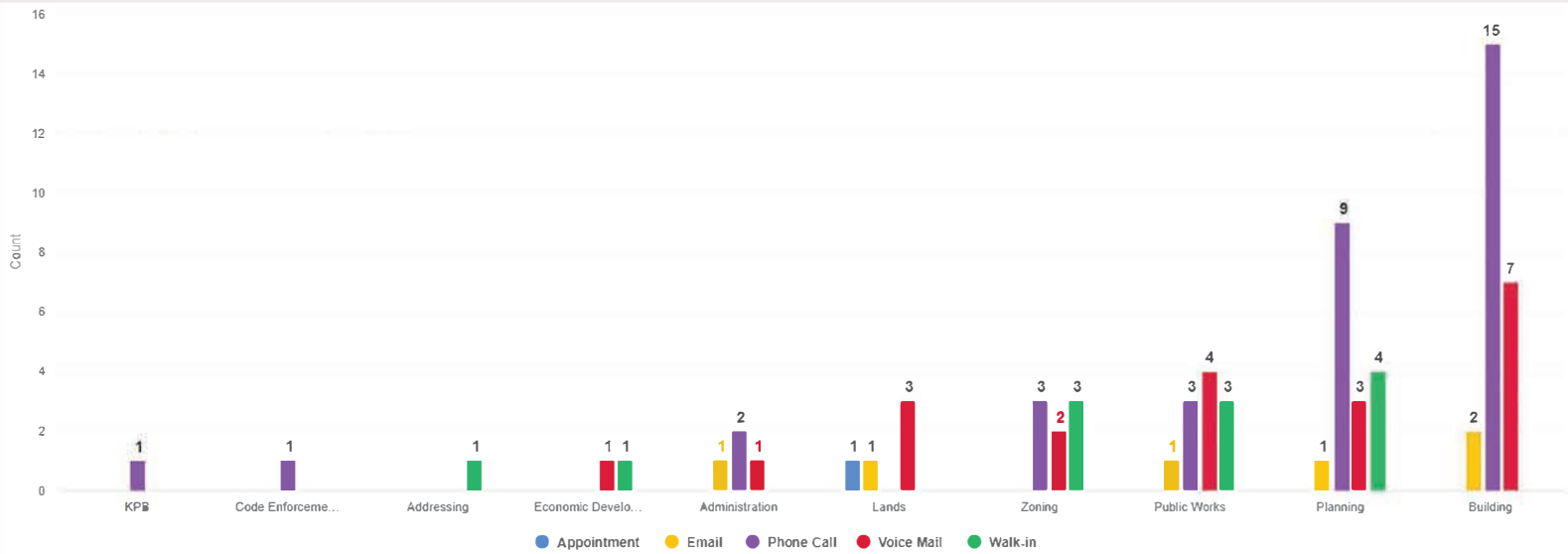
Average Days to Respond to a Public Inquiry

1.524

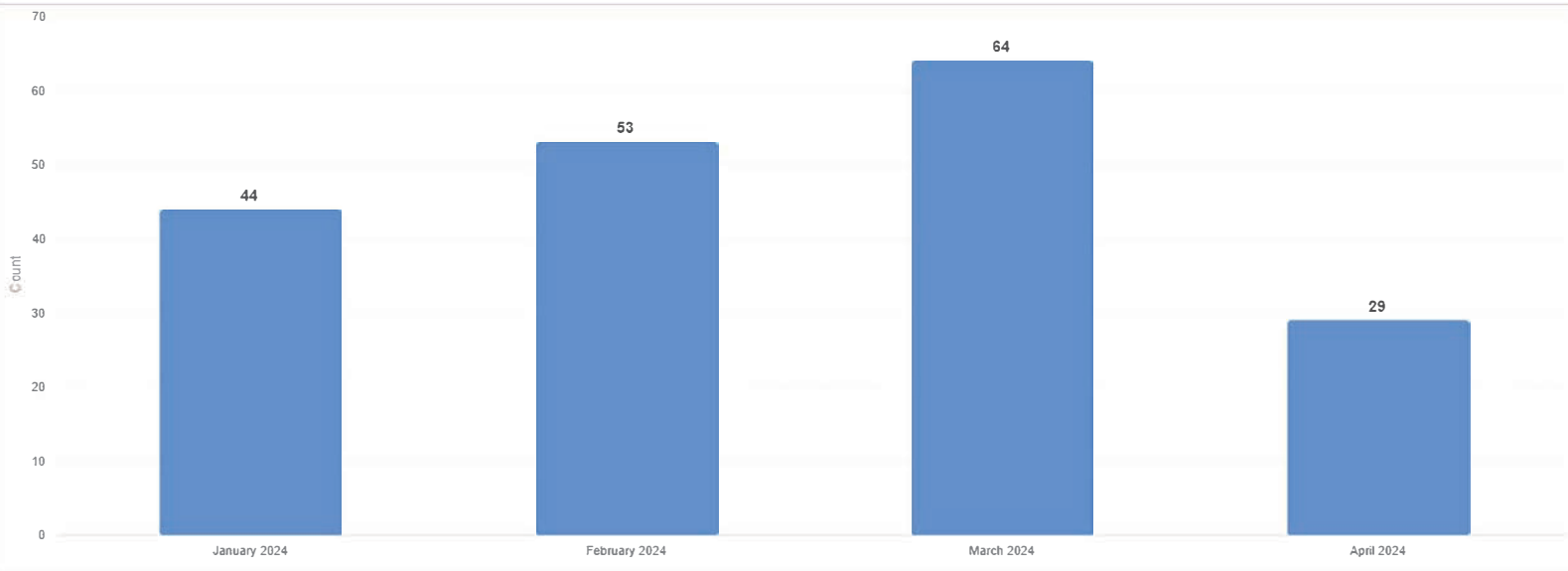
No. of Public Inquiries

63

No. of Inquiries by Department/Division and Contact Type

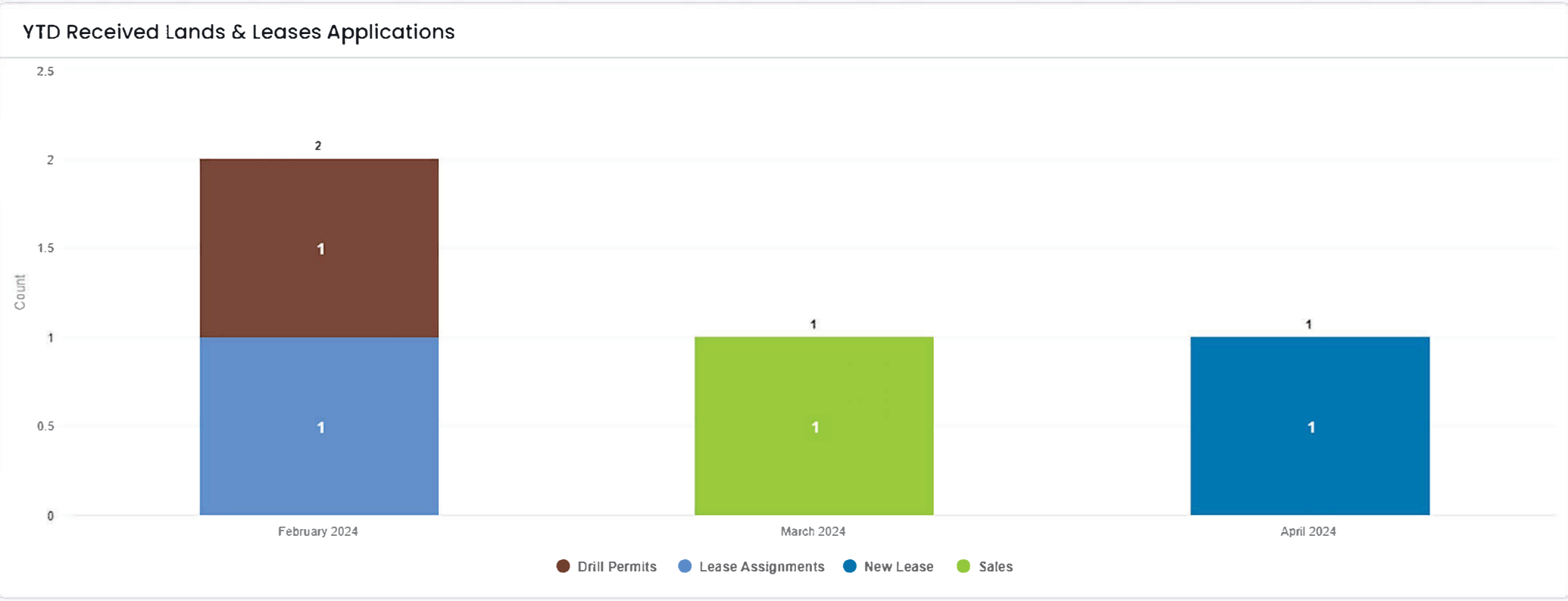


Year-to-Date: No. of Public Inquiries by Month



March 2024 - Lands & Leases

NEW 2024 05-16-24



From 2024 Summary Report



KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: David Ross, Police Chief

DATE: April 5, 2024

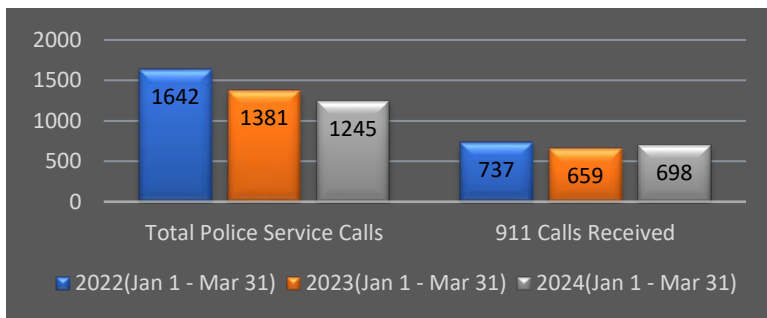
SUBJECT: **Police & Communications Department Activity – March 2024**

Police handled 454 calls for service in March. Officers made 31 arrests. Traffic enforcement resulted in 283 traffic contacts with 59 traffic citations issued and there were 4 DUI arrests. There were 19 reported motor vehicle collisions in March. There were no collisions involving animals and there was one collision involving alcohol or drugs.

The Department is still working to fill a Police Officer and a Dispatcher vacancy. The Department is in the recruitment process for summer temporary enforcement positions.

The School Resource Officer (SRO) continued to teach DARE classes at Kaleidoscope Elementary School, participated in an ALICE drill at Kenai Central High School, and handled a number of other police related calls at the schools this month.

Sgt. Ryan Coleman graduated from the FBI National Academy in Quantico Virginia, after an intensive 10-week course of study for law enforcement executives. One officer attended a week-long Crisis Intervention Team (CIT) training in Anchorage. Two officers attended a one-week Field Training Officer (FTO) training in Kodiak.



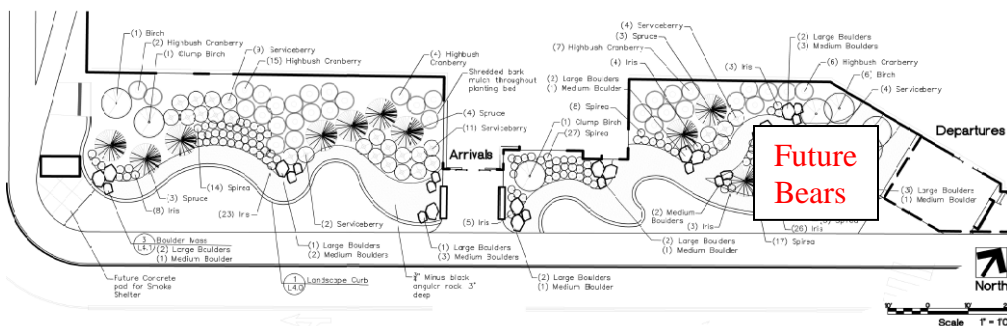


MEMORANDUM

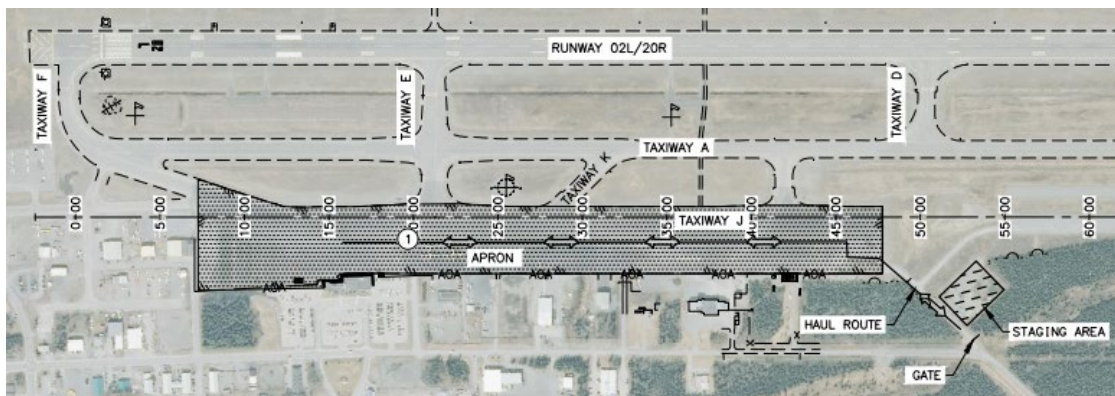
TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Scott Curtin, Public Works Director
DATE: April 2024
SUBJECT: Mid-Month Report; Public Works / Capital Projects

Airport Fund Projects:

- Kenai Municipal Airport Runway Rehabilitation Project – *Currently in Preconstruction Design Phase, with HDL Engineering Consultants currently under contract at a total to date cost of \$1,031,833. This project known as Task 4 within HDL Engineering Consultants LLC term service agreement will provide bid ready construction documents to rehabilitate Runway 2L/20R as well as Taxiways A/B/C/D/E/K/L/M under a second construction phase. Work is currently between 35% & 65% design effort. On April 1, 2024 the City received the Environmental Investigation Report conducted by Shannon & Wilson. That document is currently under FAA review. Project continues toward a grant application in 2025 and dependent upon timing of receipt of grant funds ground breaking may not be until spring 2026 for the runway and 2027 for the taxiway.*
- Kenai Municipal Airport (KMA) Terminal Landscaping Project – *Currently entering construction bid phase. Earthscape LLC currently working under a design agreement at a cost of \$28,255 has completed their contracted efforts. The project is anticipated to be released for ITB the week of April 15th, 2024. Fund raising for the bronze bears will continue and will complement the work if and when they become available.*



- Kenai Municipal Airport (KMA) Operations Building HVAC Controls Upgrade & Boiler Replacement Project – *Currently entering construction bid phase. This project will replace existing mechanical equipment including boilers, pumps and controls that have reached the end of their intended life cycle. Project was not originally started as being grant eligible, however after coordinations with Airport Managers past and present as well as our FAA counterparts, the project is now grant eligible at a 65% FAA and 35% City of Kenai financial cost share. Project design documents are completed. Grant applications are in process, and once funding is in place the project will be released for bids anticipated within the next 60 days.*
- Kenai Municipal Airport (KMA) Apron Crack Seal and Seal Coat Project – *Currently awaiting grant funding to enter construction bid phase. HDL Engineering Consultants currently contracted at a total of \$121,730 in support of the project, is now finalizing the construction bid documents. The project is awaiting FAA receipt of their anticipated cost share funding which may be delayed until late summer. Project may be delayed until early spring 2025 for construction bid release with spring/summer 2025 construction. Map below defines the anticipated project area.*



- Kenai Municipal Airport (KMA) Master Plan Update – *Currently entering the design phase. The City received word from the Federal Aviation Administration that grant funds are now available and final grant application forms are now being executed. Phase 1 work will continue over the next year. HDL Engineering Consultants initial contract to date will be \$727,445. Airport Master Plans are typically updated approximately every ten years to clearly communicate the direction of the airport. Completion of this work allows the City to continue to coordinate and receive federal grant funds in support of airport operations.*

General Fund Projects:

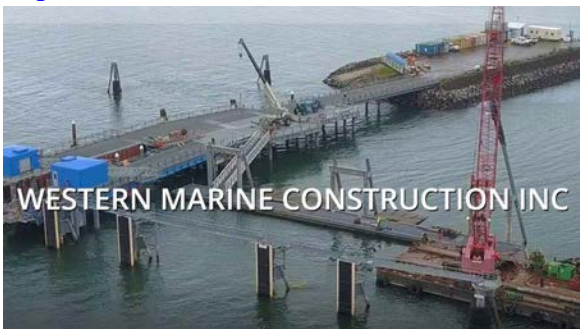
- USACE Kenai Bluff Bank Stabilization Project – *Currently in the construction phase. This project encompasses approximately 5000 lineal feet of coastal bluff starting at the mouth of the Kenai river extending upriver along the northern river bank. The bluff in this area varies from 55'-70' above the toe. A protective armored rock berm with a crest elevation of approximately 12' in height is planned. The Design and Bid phases have now concluded and*



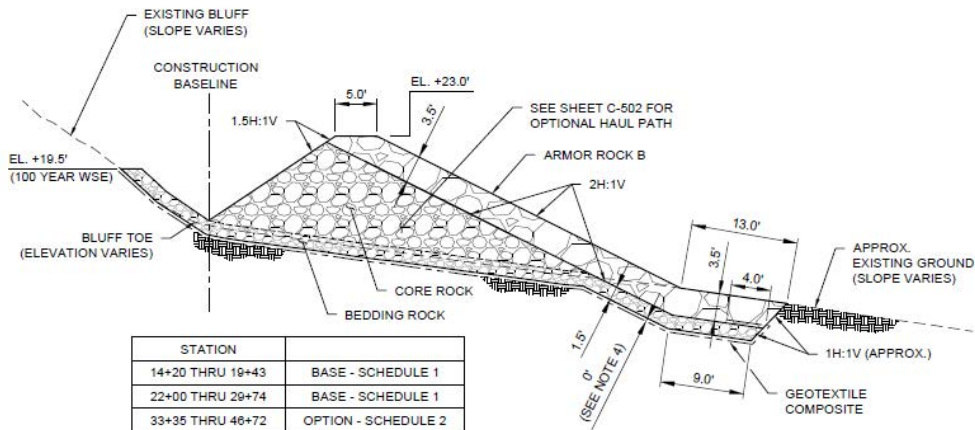
Construction is anticipated to continue through the 2024 & 2025 construction seasons. Milestones to date listed below.

- This project was formally released through USACE for Construction Bids on 11/29/23 with a Pre-Bid Meeting conducted on 12/12/23.
- On February 7th, 2024 the City received word from USACE that Western Marine Construction Inc, based out of Seattle, Washington was awarded a construction contract for \$19,321,000 as a firm fixed price. There is an additional construction element related to an inspection path that was requested, by the City and our design team, to be included within the project. That element will cost \$864,000 and will be funded 100% by the City. The larger amount has a 90/10 cost share split with the City share costing \$1,932,100 + \$864,000 for a total anticipated City share of \$2,796,100, USACE total cost share of \$17,388,900.

<https://www.westernmarineconstruction.com/>



- Western Marine Construction Inc was provided a Notice to Proceed on February 20, 2024.
- Ground Breaking Ceremony scheduled with USACE for June 11, 2024
- Diagram below is from the current set of drawings and represents a typical section of the revetment.
- *The Initial Construction Kick-off Meeting took place in Anchorage on March 28, 2024. Project submittals and RFIs have not started. Contractor currently is not anticipated to mobilize to the site until spring 2025.*



G11 / C-109
G4 / C-110
F3 / C-111
G6 / C-112
G4 / C-113

A5 TYPICAL SECTION - REVETMENT
SCALE: NTS

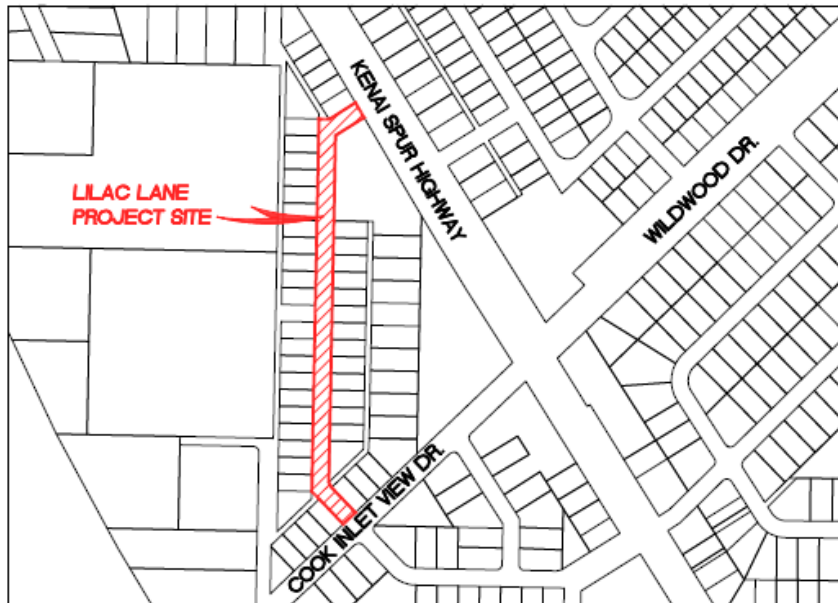


- Community Wildfire Prevention Plan (CWPP) Mitigation Project – *Currently in the construction phase.* This is Phase One of our mitigation efforts. Doug Koch Professional Tree Service was contracted with the City on February 28, 2023 in the amount of \$282,000 to mitigate 105 acres within the no name creek drainage extending from Redoubt Avenue down to the City's North Beach through Municipal Park. To date the project has completed and invoiced \$246,264.45 of work. The project has proceeded well and remains on time and on budget. Final completion is anticipated within the next 30-60 days. Most of the remaining work involves hand felling of trees in steeper areas near the creek.
- Recreation Center Improvements Project – *Currently entering closeout.* This project replaced the facilities roof system as well as numerous mechanical roof top HVAC units. Formal Invitation to Bid was released on February 23, 2023 with bids due on March 23, 2023. Orion Construction was the successful bidder with a total bid of \$1,425,700 as presented to Council through Resolution 2023-25 adopted at the April 5th, 2023 Council meeting. Change Order 1 was executed on August 16, 2023 in the total amount of \$18,548.96, which included four items including replacement of the facilities electrical meter base at HEA's request. Total contract to date \$1,444,248.96 with \$11,644.00 remaining to be invoiced. Contractor started back up on site on February 20, 2024, to begin replacement of the rooftop air handling units. All work is now complete and final closeout documents are being prepared. Big thank you to Orion Construction and their team in coordinating with Parks & Rec staff to minimize disruption to the facility.
- Multi-purpose Facility Project – Currently in the design phase. A Proposal Quote Request (PQR) was released on June 30th, 2023 with quotes due on July 13th. MBA Consulting Engineers was the only respondent at a cost of \$30,580. Design work will cover ventilation, lighting, bleacher radiant heating and will take place through November. Contract documents were fully executed on September 8, 2023. Engineers are back onsite January 12th, 2024. Engineering design report expected toward end of month. MBA Consulting is behind schedule on their deliverables to the City. Draft schematic design and material cut sheets were received on February 28th for the lighting and heating elements, ventilation equipment is not complete at this time. Staff is reviewing the deliverables and will provide comments back to the design team. Final design documents are not likely until late April.
- Cemetery Expansion – *Currently back in design phase.* This project is located at the corner of First Ave and Float Plane Rd and will provide for additional burial space as the existing adjacent cemetery has reached capacity. The Public Works Department using in house personnel has already cleared, leveled and graded the site, and placed and compacted a gravel sub-base for the parking area. Staff has successfully surveyed in 64 adult plot sites and 12 infant plot sites. These sites are available through the Clerk's office. Cemetery Phase 2 Fencing was released for bids on July 26th with bids due on August 9th. AAA Fence, Inc was the successful bidder at a cost of \$147,595, their contract was fully executed on September 8, 2023. All fencing materials have now been installed, final closeout docs received and final invoices paid. Staff is coordinating with Parks and Rec and the design team to finalize parking



lot paving as well as HEA power being brought into the property. Paving is anticipated to take place in the summer 2024.

- Softball Shelter Dugouts – Larsen Engineering has been awarded the design work for the dugouts. Design requirements are being discussed with the engineer, however this project is moving slowly as staff and engineer are heavily involved in other projects. Project will move forward shortly as staff time becomes available.
- Lilac Ln. Roadway Improvements Project – *Currently entering construction bid phase. Nelson Engineering working under a design agreement currently at \$38,840, has now completed the construction bid documents as received by the City on April 8, 2024. Legislation is pending to appropriate sufficient funding to bid the project. Previously appropriated funds were reallocated last year to complete the other paving projects including Willow St and First Avenue. The project will bid in April 2024 with and anticipated construction contract award expected in May 2024. Map below highlights the project area.*



- Cemetery Creek Culvert Replacement – *Currently on hold in design phase awaiting grant funding. RFP was released on 8/8/23 for Professional Civil Engineering and CA Services to develop 35% design documents for this project. Proposals are due on 8/28/23. This project is in coordination with the US Fish & Wildlife. Work involves replacement of several aging culverts with fish passage type culverts. 35% design documents will be used to apply for grant funding. Two proposals were received by the Department with PND Engineer's receiving the highest scoring proposal at a total cost of \$29,577. PND is now under contract. 9/28/23 a site meet was conducted with PND, City staff, & US Fish & Wildlife to discuss and review the project. 10/11/23-10/12/23 surveyors are on site developing an existing conditions field survey. Coordination with the USFW on grant funding opportunities is underway. On November 13, 2023 staff received the draft Hydrologic and Hydraulic (H&H) Report from PND Engineers. On December 1, 2023 the complete draft 35% design documents were received.*



On December 8, 2023 meeting with USFW, Engineering team and PW staff was held to review the documents. USFW have requested some additional information to be included in the design above our contracted scope of work with PND Engineers. On December 12, 2023 we received an amendment request of \$4,838 to cover the costs associated with the additional work. The additional design effort will extend the final deliverable into the mid-January 2024. These documents will be used to apply for grants in the first quarter of 2024. The project is proceeding well and as expected. The costs associated with Amendment 1 will be covered with Silver Salmon derby funds, council will see an appropriation Ordinance in February to acquire these funds. Documents will be provided to the Kenaitze and Salamatof tribes to assist with grant opportunities. On March 1st, 2024 a meeting was held with representatives from the Kenai Watershed Forum, US Fish Wildlife, and the Kenaitze tribe to discuss where project grant applications currently reside. We anticipate hearing about a potential grant opportunity in late April. We are not sure if we will be successful or not with this round of applications.

- Community Wildfire Prevention Plan (CWPP) Mitigation Phase Two – *Currently in construction phase.* Doug Koch Professional Tree Service was the low bidder on this project that was released for bids on November 1, 2023 with bids due on November 29, 2023. His bid in the amount of \$177,700 to mitigate 84.75 acres within the Cemetery Creek drainage extending from Float Plane Basin down to the Lee Shore Center. Resolution 2023-67 is in the 12/20/23 Council Packet to award the project. Work will continue throughout the next year. Contractor was out of state for some time, Contract was fully executed on January 29, 2024. Contractor is anticipating starting work in February. *Contractor is actively mitigating work areas. As weather allows they will fall back to finish up Phase 1 which has some hand felling in steep areas remaining to be completed as site conditions allow.*
- Public Safety Building Tower Guy Wire System Upgrade – *Currently in construction bid phase.* This project is intended to replace the existing guy wires with new larger cables and relocating the top two runs to ground anchors in lieu of the current attachments to the building. The project was released for construction bids on January 17, 2024 with bids due on February 6, 2024. Unfortunately, no bids were received by the Department. Staff is reaching back out to the three various firms contacted to determine why. *Project was re-released for bids on March 12th with bids due on March 26th. One bid was received by Foster's Construction totaling \$112,888, well over anticipated amounts. The department is researching our options, and may contract pieces of the work ourselves.*
- Recreation Center Flooring Refinishing – *Currently in construction.* This project is intended to refinish the main gymnasium floor and will include replacement of the existing court markings, as well as two racquetball courts. Floors are wood and will be sanded down, sealed, markings applied, and gloss coated. Project was released for bids on January 17, 2024 with bids due on February 6, 2024. One bid was received by Alaskan Industries Inc. at \$24,700 which was below estimated costs. *AK Industries started work as scheduled on April*



8th, 2024. Work is expected to take approximately 30 days comprised of two weeks of work and two weeks of cure time. Photos below are from April 9th, 2024.



Water & Sewer Fund Projects:

- Lift Station Renovations – *Currently in design phase.* Resolution 2021-58 awarded HDL Engineering agreement in the amount of \$59,560 to provide bid ready construction documents for three lift stations. These locations included the stations at mile posts 13 and 14, which are near the soccer fields and Spur / Redoubt Ave respectively, as well as a station on Lawton Drive. These locations are intended to receive new pumps and pump control panels as part of this project. After determination of which lift stations would receive renovations to start, a design meeting was held on 12/3/21 to discuss pump and control panel design. Basis of design memo received on January 6, 2022. Design documents are approaching 95%. Design is finally approaching completion. Challenges with our current SCADA team required some changes to different lift station controllers which has now been resolved. Supplemental funding will be needed to complete these three locations, staff is working on finalizing those estimated costs, with upcoming legislation to be expected. Construction expected for summer 2024.
- Wastewater Plant Digester Blowers Replacements – *Currently awaiting finalization of grant application to enter construction bid phase, funds are available.* HDL Engineering was authorized to proceed on design documents for this project through passage of Resolution 2022-29 on May 18, 2022. Design Agreement is currently in the amount of \$382,513 and will provide bid ready construction documents for the replacement of two 40+ year old blowers at the WWTP. The Department received 35% Design Study Report on September 23, 2022 and the project is currently moving toward 65% design documents. A grant for this project has been applied for through Senator Murkowski's office through the Congressional Directed Spending (CDS) program. We are awaiting word on if we were successful in receiving grant funds. This is a high priority project for the department and is anticipated to provide further energy savings similar to the aeration basin blower replacement project completed a few years ago. Final 65% plan reviews are being conducted on site with HDL on 12/19/22, bid



documents are expected to be ready 5/1/23 and if funding is in place will be bid immediately, if not will be delayed until funding arrives. Environmental review process is delayed as we are not sure of the grant requirements at this time, and may not know until a future grant is executed. Until then this will be a shovel ready project waiting on funding. May 5th a Community Grants Webinar was held to discuss the pending grant requirements, the Public Works Director and HDL Engineering participated in the webinar. Consultants are reviewing requirements and hope to have the design moving forward shortly. Project will not be able to be bid until funding formally arrives. Design team is actively working with granting agency. Construction expected for summer 2024.

- Water Treatment Plant Pumphouse – *Currently awaiting finalization of grant application to begin design phase, funding is available.* This project will construct a new pumphouse building and provide replacement distribution pumps for the City's Water System. On August 1, 2023 received letter that the State of Alaska Department of Environmental Conservation (ADEC) has awarded the City of Kenai a \$1,200,000 loan through the state's revolving fund program and that the loan would receive 100% forgiveness in support of this project. Resolution 2023-56 was approved by Council at the September 20, 2023 Council Meeting to allow access to these funds. Staff is working on grant application requirements. Ordinance 3384-2023 is being introduced 12/20/23 to move funding into place for the design work to proceed. *HDL Engineering Consultant's pending design agreement as detailed within Resolution 2024-14 up for council approval at the April 17, 2024 meeting totals \$187,461.*
- WWTP & WTP Electronic Access Gate & Controls – On August 13, 2023 HDL Engineering provided a proposal under their term agreement to begin design work on the Electronic Access Gates projects at both the Water and Wastewater Plants. The project identified as Task 13 under their agreement has a proposed design cost of \$24,902. Design work will continue over the winter months for construction to take place summer 2024. HDL working under purchase order 127771 is now actively working on this project.

Senior Citizens Fund Projects:

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

Congregate Housing Fund Projects:

- Vintage Pointe Boiler Replacement – A RFP for design services was released on October 6, 2022 with proposals due on November 3, 2022. Design work will continue into the winter with a construction bid release expected at the end of the first quarter 2023. This project will replace outdated boiler heat systems for the facility as well as providing a direction on backup power generation to support the heating system when grid power is unavailable. No proposals were received, the Department is requesting approval to enter negotiations with RSA Engineering in the hopes of moving the project forward. RSA Engineering is under contract and is expected to start design in early January 2023. On February 3, 2023 RSA



Engineering provided draft 65% Design Documents. Staff is currently reviewing. Engineering has a planned site visit for February 15, 2023 scheduled. We are anticipating bid documents being ready for an April Construction Bid release. 100% Design Documents were received from the RSA Engineering on April 14th. Council approved Resolution 2023-30 on May 3rd to reallocate funds for the project. Invitation to Bid was released on August 2, 2023 with bids due on August 23, 2023. Council approved Resolution 2023-53 at the September 6, 2023 meeting which awarded construction agreement to Orion Construction in the total amount of \$503,850. Contract has now been executed and submittals are actively in progress in support of the project. Boiler work is not expected to take place until spring when work will be less impactful on residents. *Boilers are now in Alaska and work is schedule to begin on April 1st at the facility. Generator is expected to follow one month behind, approximately May 1st. Staff is coordinating with the contractor and the senior center to minimize impacts to the facility. Temporary boilers will be installed and operated throughout the duration of the demolition and installation of the new equipment. Work is expected to go quickly with all work completed likely by the end of June 2024.*

Other Projects Information:

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





KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
THROUGH: Kathy Romain, Senior Center Director
FROM: Astrea Piersee, Administrative Assistant III
DATE: April 3, 2024
SUBJECT: **March 2024 Monthly Report**

March brought a refreshing burst of seasonal activities to the Kenai Senior Center. Highlights included:

- St. Patrick’s Day Luncheon and “Annual Wearing of the Green”.
- Weekly choir rehearsals in preparation of Easter. A final performance was held during the Easter luncheon on March 29th.
- Easter egg coloring and creation of miniature Easter baskets. These baskets were shared with home-meal clients.
- “Grow with Me” with Steve Latz on preparation of seed starting.
- No-host dinner to Rocky’s Diner.

	2024	2023
Home Delivered Meals	1827	2064
Individuals	98	94
Dining Room (Congregate) Meals	1382	1046
Individuals	138	164
Transportation (1-way rides)	276	159
Individuals	17	18
Grocery Shopping Assistance	12/39	13/27
Writers Group	29	37
Caregiver Support Group	10	7
Growing Stronger Exercise	372	313
Tai Chi Class	48	44
TOPS Weight Loss Class	69	56
Bluegrass & Music Sessions	22	77
Card Games	50	75
Wii Bowling	27	48
Arts & Crafts	24	44
Total Event Sign-ins *	2143	2073
Individuals *	179	189
Vintage Pointe Manor Vacancies	0	1

* (not including home meals clients)