



Kenai City Council - Regular Meeting

April 07, 2021 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

****Telephonic/Virtual Information on Page 4****

www.kenai.city

Agenda

A. CALL TO ORDER

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

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

B. SCHEDULED PUBLIC COMMENTS

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

1. **Steven Rouse** - Kenai Peninsula Housing Initiatives (KPHI) Report on Senior and Affordable Rental Housing on City of Kenai Donated Land.
2. **Pat Porter** - Kenai Dog Park Update.
3. **Coy West** - Presentation on City of Kenai Marketing.

C. UNSCHEDULED PUBLIC COMMENTS

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

D. PUBLIC HEARINGS

1. **Ordinance No. 3196-2021** - Accepting and Appropriating Federal Funds from the Institute of Museum and Library Services Passed Through the Alaska State Library for Employee Training.
2. **Ordinance No. 3197-2021** - Amending Kenai Municipal Code Section 23.50.010 - Employee Classification, to Amend the Class, Title, and Range, to Include a Capital Projects Manager.
3. **Ordinance No. 3198-2021** - Amending Kenai Municipal Code Section 1.15.130 - Telephonic Participation, to Provide for Remote Electronic Participation.

- 4. Ordinance No. 3199-2021** - Conditionally Waiving Certain Provisions of Title 17- Public Utilities and Enterprises, Related to Penalty, Interest and Shutoff for Nonpayment of Fees for Water and Sewer Utility Customers that Certified to the City That They Were Impacted by COVID-19 Pursuant to the City Manager's Executive Order No. 2 During the Effective Period of the City's Emergency Disaster Declaration.
- 5. Ordinance No. 3200-2021** - Accepting and Appropriating an Amendment to a COVID CARES Act for Older Adults and Their Caregivers 2021 Grant Passed through the State of Alaska for Kenai Senior Center Expenditures in Support of its Response to the COVID-19 Public Health Emergency.
- 6. Ordinance No. 3201-2021** - Increasing Estimated Revenues and Appropriations in the Airport Fund and Appropriating Funds in the Airport Snow Removal Equipment Capital Project Fund for the Purchase of Snow Removal Equipment – Multi-Purpose Broom/Blower.
- 7. Ordinance No. 3204-2021** - Increasing Estimated Revenues and Appropriations in the General Fund to Provide Funding for Approved Small Businesses Grants in Excess of Budgeted Amounts for the Grant Disbursement Program for Small Businesses that Did Not Previously Apply for Full Assistance from the City in 2020.
 1. Motion for Introduction
 2. Motion for Second Reading (Requires a Unanimous Vote)
 3. Motion for Adoption (Requires Five Affirmative Votes)
- 8. Resolution No. 2021-20** - Adopting Policy No. 2021-01, Procedures for Selecting and Appointing a Qualified Person or Persons to Fill Vacancies on the City Council.
- 9. Resolution No. 2021-21** - Approving Development Incentives for a Lease of Airport Reserve Lands for Schilling Rentals, LLC., on Lot 5A, Block 1, FBO Subdivision 2018 Replat.
- 10. Resolution No. 2021-22** - Authorizing a Budget Transfer in the Airport Fund, Airfield Department and Authorizing Award of a Contract for Sand Screening.
- 11. Resolution No. 2021-23** - Approving an Administrative Permit Process for Commercial Removal of Dead or Dying Trees from City Property.

E. MINUTES

- 1.** *Regular Meeting of March 17, 2021.

F. UNFINISHED BUSINESS

G. NEW BUSINESS

- 1.** *Action/Approval - Bills to be Ratified.
- 2.** *Action/Approval - Liquor License Renewals for Three Bears and Playa Azul.
- 3.** *Ordinance No. 3202-2021 - Amending Kenai Municipal Code Sections 1.15.120, Rules Of Order, and 1.90.050, Proceedings, to Adopt the Most Current Edition of Robert's Rules

of Order Newly Revised as the Adopted Rules of Parliamentary Procedure for the City Council and for City Boards, Commissions, and Committees.

- [4.](#) ***Ordinance No. 3203-2021** - 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.
- [5.](#) **Action/Approval** - Special Use Permit to Kenai Home Builder's Association for the Use of the Multipurpose Facility.
- [6.](#) **Action/Approval** - Confirmation of Mayoral Nomination for Appointment to Beautification Committee.
- 7. Discussion** - Condition of the Kenai Recreation Center.
- 8. Discussion** - Spruce Bark Beetle Mitigation Planning.
- [9.](#) **Discussion** - Hazard Pay for City Employees.
- 10. Discussion** - COVID-19 Response.

H. COMMISSION / COMMITTEE REPORTS

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

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

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

K. ADDITIONAL PUBLIC COMMENT

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

L. **EXECUTIVE SESSION**

M. **PENDING ITEMS**

N. **ADJOURNMENT**

O. **INFORMATION ITEMS**

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

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

Join Zoom Meeting

<https://us02web.zoom.us/j/82166791799>

Meeting ID: 821 6679 1799 **Passcode:** 737448

OR

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

Meeting ID: 821 6679 1799 **Passcode:** 737448



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3196-2021

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

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

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

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

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

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

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

General Fund:

Increase Estimated Revenues –	
Federal Grants - Library	\$ <u>784</u>

Increase Appropriations –	
Library – Travel and Transportation	\$ <u>784</u>

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

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

Ordinance No. 3196-2021
Page 2 of 2

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

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

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: *Sam L. Best*

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



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Katja Wolfe, Library Director

DATE: March 8, 2021

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

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

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

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



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3197-2021

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

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

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

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

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

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

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

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

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

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

Section 1. Form: That this is code ordinance.

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

(d) PUBLIC WORKS

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

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

Ordinance No. 3197-2021
Page 2 of 3

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

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

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

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

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



KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Scott Curtin

DATE: March 9, 2021

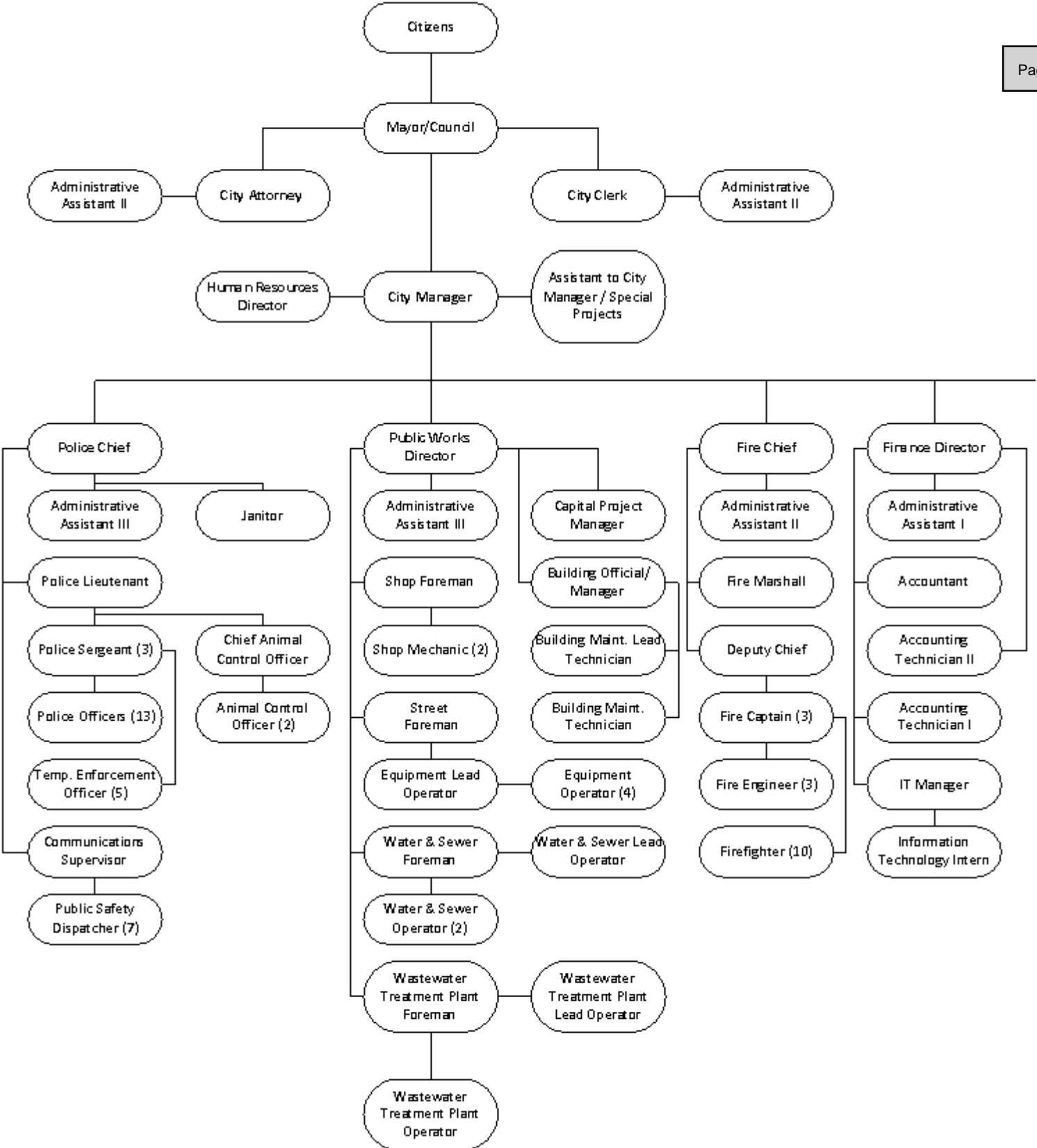
SUBJECT: Ordinance No. 3197-2021 – Capital Project Manager Position

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

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

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

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





Sponsored by: Vice Mayor Molloy

CITY OF KENAI

ORDINANCE NO. 3198-2021

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

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

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

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

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

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

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

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

1.15.130 [TELEPHONIC] Remote electronic participation.

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

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

(c) The member shall notify the Clerk's office as soon as reasonably practical, but not less than two (2) hours prior to the start of the Council meeting that the member proposes to attend by [TELEPHONE] remote electronic means. Such notification shall state the reason for [TELEPHONIC] remote electronic participation and, if needed, shall provide the telephone number, and any available facsimile, email, or other document transmission service. Failure to provide the notification within the period of time provided herein shall result in the member's exclusion from attendance of a Council meeting through [TELEPHONIC] remote electronic participation. The Clerk shall notify all Council members of the request.

(d) At the meeting, the Clerk shall establish the [TELEPHONE] appropriate connection when the call to order is imminent.

(e) A member participating by [TELEPHONE] remote electronic means shall be counted as present for purposes of discussion, voting, constituting a quorum and attendance.

(f) The member participating by [TELEPHONE] remote electronic means shall make every effort to participate in the entire meeting. From time to time during the meeting, the presiding officer shall confirm the connection, if necessary.

(g) The member participating by [TELEPHONE] remote electronic means may ask to be recognized by the Chair to the same extent as any other member.

(h) To the extent reasonably practicable, the Clerk shall provide backup materials to members participating by [TELEPHONE] remote electronic means at the member's expense.

(i) If the [TELEPHONE] remote electronic connection cannot be made or is made and then lost, the meeting shall commence or continue as scheduled and the Clerk shall attempt to establish or restore the connection.

(j) Meeting times shall be expressed in Alaska [T]Time regardless of the time at the location of any member participating by [TELEPHONE] remote electronic means.

(k) Participation by [TELEPHONE] remote electronic means shall be allowed for regular, special and work session meetings of the Council.

(l) Remarks by members participating by [TELEPHONE] remote electronic means shall be transmitted so as to be audible by all members and the public in attendance at the meeting, provided that in executive session the remarks shall be audible only to those included in the executive session.

(m) As used in these rules, "[TELEPHONE] electronic means" means any system for synchronous two (2) or more way voice and/or virtual communication. "Mayor" includes the Vice-Mayor or any other member serving as president pro tempore.

(n) Each Council member may attend a maximum of four (4) regular meetings by [TELECONFERENCE] remote electronic means during the twelve (12) month period starting November 1st of each year unless an exception provided below applies and any number of special meetings or work sessions.

(o) A Council member may attend an additional two (2) meetings by [TELECONFERENCE] remote electronic means during a twelve (12) month period starting November 1st of each

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

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

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

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

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

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

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

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

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

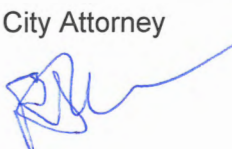
Introduced: March 17, 2021
Enacted: April 7, 2021
Effective: May 7, 2021



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
CC: City Manager, City Clerk, City Attorney
FROM: Bob Molloy, Vice Mayor 
DATE: March 9, 2021

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

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

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

The cost for this initial step is minimal.

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

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

Council's consideration and support is appreciated.

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



KENAI

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MEMORANDUM

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

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

Your consideration is appreciated.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3199-2021

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

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

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

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

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

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

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

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

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

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

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

Section 3. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment or at the end of the City's declared Disaster Declaration, whichever is later.

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

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

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



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Scott Bloom, City Attorney

DATE: March 5, 2021

SUBJECT: **Ordinance 3199 – 2021 City of Kenai Delinquent Utility Accounts**

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

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

Your consideration is appreciated.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3200-2021

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

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

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

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

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

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

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

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

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

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

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

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

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

Senior Citizen Fund:

Increase Estimated Revenues – Federal Grants	\$xx,xxx
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Increase Appropriations – Equipment	\$xx,xxx
Supplies	xx,xxx
	<u>\$xx,xxx</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 7th day of April, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: _____

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



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Kathy Romain, Senior Center Director

DATE: March 9, 2021

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

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

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

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

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



KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Kathy Romain, Senior Center Director

DATE: April 1, 2021

SUBJECT: Ordinance No. 3200-2021 – Requested Amendments

Ordinance No. 3200-2021 as introduced at the March 17, 2021 Council meeting was to accept additional funding from the State of Alaska for COVID -19 expenditures. It was believed at that time the additional funding would be awarded through the COVID CARES Act for Older Adults and their Caregivers 2021 Grant.

On March 31, 2021, after the Council Agenda was already published for the April 7, 2021 Council Meeting, we were notified the State instead chose to award the additional funding through the Department of Health & Social Services, Nutrition, Transportation, and Support Services (NTS) FY21 Grant thus requiring amendments to the original ordinance prior to adoption.

Following are the amendments necessary to accurately revise the ordinance to reflect required corrections:

Amend the title of the Ordinance to read:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING AN AMENDMENT TO A TITLE III GRANT PASSED THROUGH THE STATE OF ALASKA FOR KENAI SENIOR CENTER EXPENDITURES IN SUPPORT OF ITS RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY.

Amend the forth WHEREAS to read:

WHEREAS, the State of Alaska, Department of Health and Social Services, Division of Senior and Disabilities Services requested proposals from current NTS grantees to provide additional support services to older adults and people with disabilities in the community during the COVID-19 Public Health Emergency; and,

Amend the fifth WHEREAS to read:

WHEREAS, the Kenai Senior Center has been awarded a \$22,000 amendment to its FY21 NTS grant for services offered beginning March 1, 2021 – June 30, 2021; and,

Delete the seventh and eighth WHEREAS's:

Replace \$xx,xxx in Section 1 to \$22,000.

Replace the Federal Grants amount in Section 2 from \$xx,xxx to \$22,000, Change the Equipment amount from \$xx,xxx to \$18,000, and change the Supplies amount from \$xx,xxx to \$4,000.

Thank you for your consideration and support.





Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3201-2021

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

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

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

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

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

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

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

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

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

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

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

Airport Special Revenue Fund:

Increase Estimated Revenues –
Appropriation of Fund Balance

\$800,000

Increase Appropriations –

Transfer to Airport Snow Removal Equipment Capital Fund	<u>\$800,000</u>
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Airport Snow Removal Capital Project Fund:

Increase Estimated Revenues – Transfer from Airport Special Revenue Fund	<u>\$800,000</u>
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Increase Appropriations – Equipment	<u>\$800,000</u>
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Section 2. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

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

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

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: *Spencer R. Bent*

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



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Mary Bondurant, Airport Manager

DATE: March 9, 2021

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

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

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

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

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

Thank you for your consideration.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3204-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND TO PROVIDE FUNDING FOR APPROVED SMALL BUSINESS GRANTS IN EXCESS OF BUDGETED AMOUNTS FOR THE GRANT DISBURSEMENT PROGRAM FOR SMALL BUSINESSES THAT DID NOT PREVIOUSLY APPLY FOR FULL ASSISTANCE FROM THE CITY IN 2020.

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

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

WHEREAS, on June 3, 2020, the City Council passed Resolution 2020-39, approving a \$3,000,000 Grant Disbursement Program for Small Businesses and Non-Profit Organizations Utilizing Funds from the CARES Act with an application period of June 4, 2020 to June 19, 2020; and,

WHEREAS, on July 1, 2020, the Council amended the Grant Disbursement Program to re-open the application period from July 10, 2020 to July 17, 2020 to allow additional businesses and non-profits impacted by the COVID-19 pandemic to seek relief without materially affecting available future funding; and,

WHEREAS, on September 2, 2020, the Council amended the Grant Disbursement Program to provide a second round of grants, with an application period of October 1, 2020 to October 30, 2020 that increased the amount available to City of Kenai businesses so that the total of the City grants equaled the size of the business grants offered by the Kenai Peninsula Borough to borough businesses located outside of the City limits; and,

WHEREAS, Administration reached out to numerous businesses that did not apply during one or all of the grant application periods to determine why they did not apply, with the primary reasons given being that their business was faring well at the time, they felt the funds should go to other businesses that had a greater need, and in some cases missing the opportunity to apply; and,

WHEREAS, the magnitude and length of the COVID-19 pandemic is still unknown, and its associated negative impacts to our economy are still creating uncertainty for local businesses; and,

WHEREAS, on February 17, 2021, the Council enacted Ordinance No. 3190-2021 approving a grant disbursement program for small businesses that did not previously apply for full assistance from the City in 2020 benefiting businesses that previously did not have a need, or missed the grant opportunities for some other reason and appropriated \$200,000 to fund the program; and,

WHEREAS, the application period for the program opened on February 22, 2021 and closed March 22, 2021 with the City receiving 16 total applications and approving 11 for a payment total of \$233,250, exceeding the amount appropriated for the program by \$33,250; and,

WHEREAS, pursuant to KMC 1.15.70(d) the City may introduce and finally pass on the same day, an ordinance making, repealing, transferring or otherwise changing an appropriation; and,

WHEREAS, introduction and passage of this ordinance ensures payment to all of the eligible businesses is not unnecessarily delayed and the grant funds can be utilized as quickly as possible to offset impacts to these businesses due to the COVID-19 pandemic; and,

WHEREAS, the success of the City is dependent upon the success of the local economy and its businesses, and increasing the appropriation by \$33,250 to provide full grant funding for all eligible businesses that applied 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 estimated revenues and appropriations be increased as follows:

General Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$33,250</u>
Increase Appropriations – Non-Departmental	
Grants to Others	<u>\$33,250</u>
	<u>\$33,250</u>

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

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

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


BRIAN GABRIEL SR., MAYOR

Ordinance No. 3204-2021

Page 3 of 3

ATTEST:

Jamie Heinz, MMC, City Clerk

Approved by Finance: 

Introduced: April 7, 2021

Enacted: April 7, 2021

Effective: April 7, 2021



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Paul Ostrander, City Manager

DATE: March 24, 2021

SUBJECT: **Ordinance 3204-2021 – Providing Funding for Approved Small Business Grants in Excess of Budgeted Amounts for the Grant Opportunity for Businesses that Did Not Previously Apply for Full Assistance in 2020**

The purpose of the memo is to recommend introduction and adoption of Ordinance 3204-2021 at the April 7, 2021 meeting of the Kenai City Council

Introduction and Adoption in a Single Meeting.

Generally, Ordinances are introduced at one meeting and voted on at the subsequent meeting to provide public notice of the action at two separate meetings. KMC 1.15.070(d), as cited below, provides for introduction and passage of appropriating ordinances in a single meeting.

KMC 1.15.070(d)

No ordinance, except an emergency ordinance or an ordinance making, repealing, transferring, or otherwise changing appropriations, may be finally passed on the same day that it is introduced. By unanimous consent of all Council Members present, such ordinances may be read a second time and then, by the required vote, be passed on the same day on which they are introduced. All persons present shall be given an opportunity to be heard before the vote on final passage.

Since COVID-19 began impacting the daily lives of our residents in March of 2020, the administration has worked diligently to identify areas of need in the community and recommend ways in which the City could help meet those needs. When Federal CARES Act funding was made available through the State, and later, when additional funding was provided through the Kenai Peninsula Borough, it was clear that utilizing a portion of these funds to support our business community was going to be essential to offset the negative economic impacts of the pandemic.

City Council approved a first round of grants that included small businesses and non-profit entities for the period of June 4-19, 2020, and re-opened the first round for an additional period of July 10-17, 2020. Council then authorized a second round of grants for small businesses for the period of October 1-30, 2020. Depending on the business' total gross sales, Kenai businesses were eligible for up to \$35,000 in grants from the City through these programs.

On February 17, 2021, the Council enacted Ordinance No. 3190-2021 approving a grant disbursement program for small businesses that did not previously apply for full assistance from the City in 2020, benefiting businesses that previously did not have a need or missed the grant opportunities for some other reason and appropriated \$200,000 to fund the program. The application period for the program opened on February 22, 2021 and closed March 22, 2021, with the City receiving 16 total applications and approving 11 for a payment total of \$233,250, exceeding the amount appropriated for the program by \$33,250.

Ordinance 3204-2021 appropriates an additional \$33,250 to provide full grant funding for all eligible businesses that applied. Introduction and adoption of this ordinance is being requested so that payment to these eligible businesses is not unnecessarily delayed and the grant funds can be utilized as quickly as possible to offset impacts to these businesses due to the COVID-19 pandemic.

As a reminder, grant amounts under this program are not in excess of what other City businesses received or what was offered to Kenai Peninsula Borough businesses outside of the City limits.

Your consideration is appreciated.





Sponsored by: City Clerk

CITY OF KENAI

RESOLUTION NO. 2021-20

A RESOLUTION OF THE CITY OF KENAI, ALASKA, ADOPTING POLICY NO. 2021-01, PROCEDURES FOR SELECTING AND APPOINTING A QUALIFIED PERSON OR PERSONS TO FILL VACANCIES ON THE CITY COUNCIL.

WHEREAS, from time to time due to resignations and other reasons set out in Kenai Charter and Kenai Municipal Code, vacancies occur in the City Council; and,

WHEREAS, Kenai Charter Section 2-9 provides that the City Council, by a majority vote of its remaining members, shall fill a vacancy; and,

WHEREAS, to provide for transparency in filling Council vacancies, it is appropriate for there to be an adopted procedure in place.

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

Section 1. That Council Policy 2021-01 Procedures for Selecting and Appointing a Qualified Person or Persons to Fill Vacancies on the City Council, as attached hereto, is adopted.

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

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

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

POLICY NO. 2021-01 – PROCEDURES FOR SELECTING AND APPOINTING A QUALIFIED PERSON OR PERSONS TO FILL VACANCIES ON THE CITY COUNCIL.

A. Declaring the Seat(s) Vacant

1. The City Council, due to a resignation or for reasons prescribed by Kenai Charter or Kenai Municipal Code, must declare a City Council seat vacant, set a timeframe for advertising the vacancy or vacancies, set a deadline for applications to be submitted, and direct the City Clerk to administer the procedure.

B. Advertising and Application Procedures

1. The City Clerk shall advertise the vacancy or vacancies, together with the deadline, at least two (2) times by publication in a newspaper of general circulation, by posting on the official bulletin board of the City at City Hall, and by posting on the City's website.

2. For consideration, each interested person will be required to submit a letter of interest and their resume by the deadline set by Council.

3. Each applicant's residency and eligibility to serve on the Council will be confirmed by the City Clerk and the resumes and letters of interest will be included in the Council packets for the work session or meeting set for conducting interviews.

4. The Mayor and the City Clerk will work together to schedule necessary meetings and/or work sessions depending on the number of applications received.

5. Each applicant, in addition to the City Council, will be provided with the packets of the meeting(s) in which the interviews and appointment(s) will take place.

C. Conducting Interviews

1. When conducting interviews, each candidate will have five minutes to make a statement and then additional time to answer questions from the Council.

D. Appointment Procedures

1. At the Regular or Special Meeting after the interviews are conducted, Appointment of a City Council Member or Members shall appear on the agenda. In the event of the appointment(s) taking place at a Regular Meeting the matter will appear after Unscheduled Public comments and before Public Hearings.

2. In the event multiple appointments are being made at the same meeting, one appointment will be made at a time. The Mayor will announce which seat is being considered which can be identified by the term expiration of that seat. Any candidates eliminated during the first appointment process may be considered for subsequent appointments in the same application process / meeting.

3. At the Regular or Special Meeting, at the appropriate time on the agenda, the Council will make and pass a motion to begin the voting process by secret ballot.

- a. In the event there is only one candidate for an open seat, Council may skip all secret ballot voting and make a motion to appoint the candidate.

4. Council Members will be given a ballot and asked to vote for two candidates. The votes will be read out loud and tallied by the Clerk. The candidates that receive one or fewer votes will be eliminated and Council Members will again be given a ballot and asked to vote for two of the remaining candidates. In order to provide for a fair and transparent process, Council Members will not vote for the same candidate twice on one ballot. Council Members may vote for an individual candidate once, on multiple ballots, until the candidate is eliminated or appointed. This process will take place until there are two candidates remaining. Once two candidates remain for the identified seat, Council Members will be given a ballot and asked to vote for one candidate. The votes will be read aloud and tallied. The outcome will be determined by a simple majority of the remaining Council. If at any time during the voting process there is a tie, and the tie isn't broken after two votes, the tie shall be broken by lot, as provided in Kenai Municipal Code in the case of a tie in an election. If more than a two-way tie, straws may be drawn to eliminate an appropriate number of candidates and in a two-way tie, a coin may be tossed.

- a. In the event there are only two candidates for the open seat, step 4 may be skipped and the voting process can begin with Council Members voting for one candidate in step 5.
- b. The Council, by motion, could decide to not appoint any candidates and start a new recruitment period or extend the existing recruitment period.
- c. In the event the number of Council Members remaining pursuant to Kenai Charter 2-9(a) is such that candidates receiving one vote need to be retained, the elimination of candidates receiving one vote may be disregarded.

5. Once voting for one of two candidates for the seat, when one of the candidates receives a simple majority of votes, or it's decided by lot, Council will make and pass a motion to appoint that person to fill the vacant seat. This process will be repeated until all seats are filled.

E. Oath and Term

1. After the motion(s) to appoint the candidate(s) has passed, the winner(s) will be sworn in and take their seat(s) on the Council immediately.
2. The person(s) appointed serves until the next regular election pursuant to Kenai Charter 2-9.



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Jamie Heinz, City Clerk

DATE: March 17, 2021

SUBJECT: Resolution No. 2021-20

After the recent exercise to select and appoint a person to fill a vacancy on City Council, I was asked to bring forth a policy for adoption, utilizing the procedures that were followed. This resolution and associated policy accomplishes that and I attempted to write the procedures in a generic way that would work for appointing a single candidate or multiple candidates. As a reminder, this process is very similar to the process followed in Soldotna, Seward, Palmer, Bethel, and Ketchikan in recent history. The one change made in this process which is different from the process followed in December is that any candidate with one or fewer votes would be automatically removed. This would prevent ties with candidates receiving one vote and move the process along more effectively. There is a clause that waives this in the event the number of Council Members remaining is small enough that retaining candidates that receive one vote is beneficial to the process.

Your consideration is appreciated.



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2021-21

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA APPROVING DEVELOPMENT INCENTIVES FOR A LEASE OF AIRPORT RESERVE LANDS FOR SCHILLING RENTALS, LLC., ON LOT 5A, BLOCK 1, FBO SUBDIVISION 2018 REPLAT.

WHEREAS, the Kenai City Council approved of a 45-year lease application from Schilling Rentals on March 18, 2020, for Lot 5A, Block 1, FBO Subdivision 2018 Replat to be used as a hangar for rotor and fixed wing aircraft and crew quarters; and,

WHEREAS, Schilling Rentals submitted an application for temporary development incentives that meets requirements of Kenai Municipal Code 21.10.100, Temporary Development Incentives, on March 26, 2021; and,

WHEREAS, Schilling Rentals has provided an estimated value of \$200,000 for the following eligible work activities: clearing and grubbing, unclassified excavation, classified excavation, and utility extensions; and,

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

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

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

Section 1. That the temporary development incentives with an estimated value of \$200,000 for the following eligible work activities: clearing and grubbing, unclassified excavation, classified excavation, and utility extensions is approved for credit for temporary development incentives. Credit may be applied towards rent for a maximum of five (5) years.

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

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

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk



KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Ryan Foster, Planning Director

DATE: March 30, 2021

SUBJECT: **Resolution No. 2021-21 – Approving Development Incentives for a Lease to Schilling Rentals**

City Council approved a 45-year lease application from Schilling Rentals on March 18, 2020, for Lot 5A, Block 1, FBO Subdivision 2018 Replat to be used as a hangar for rotor and fixed-wing aircraft and crew quarters. A lease has been delivered to Schilling Rentals, and Council approved a lease execution extension to May 31, 2021 due to unforeseen circumstances of the COVID-19 public health emergency and its impact on business plans.

Kenai Municipal Code 21.10.100 requires Council approval of temporary development incentives. This resolution will approve development incentives for this lease. A Development Incentive Application was received on March 26, 2021 for an estimated value of \$200,000 for the following eligible work activities: clearing and grubbing, unclassified excavation, classified excavation, and utility extensions. If approved by Council, the applicant will still need to provide an estimate of the value of the work, including a scope of work, prepared by a qualified engineer licensed to work in Alaska to the City and accepted prior to work being performed. In addition, a certification from a qualified engineer that the accepted scope of work has been completed must be provided to the City and accepted at the completion of the site preparation work in order for the credit to be applied towards rent for a maximum of 5 years. The annual rent for the first year of the lease is \$13,114.88.

Thank you for your consideration.

Attachment:

City of Kenai Lease Development Incentive Application received March 26, 2021 from Schilling Rentals



City of Kenai Lease Development Incentive Application

Application Date: _____

Applicant Information

Name of Applicant:	SCHILLING RENTALS LLC				
Mailing Address:	PO BOX 3426	City:	KENAI	State:	AK
				Zip Code:	99611
Phone Number(s):	Home Phone:		Work/ Message Phone: 907-283-7556		
E-mail: (Optional)	admin@schillingrentalsllc.com				

Lease Information

Eligible development

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

Required documentation

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

Application is for:

- ☐ Existing Lease Property
☒ New Land Lease Application

Description of property:

413 N WILLOW ST.

Description of work to be completed:

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

Estimated value of work: \$200,000.00

Estimated start date:

Estimated completion date:

Attachment(s):

- ☐ Scope of work
☐ Other:

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

Signature:		Date:	3/26/2021
Print Name:	MICHAEL SCHILLING	Title:	MEMBER

For City Use Only:

- ☐ General Fund ☐ Airport Reserve Land
☐ Airport Fund ☐ Outside Airport Reserve

Date Application Received: _____

Date Scope of Work Approved: _____

Amount of Credit Applied: _____



Lease Application

413 North Willow Street
 Kenai Peninsula Borough Parcel #: 04336049
 Lot 5A, FBO Subdivision 2018 Replat
 February 2020



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



Sponsored by: Administration

CITY OF KENAI**RESOLUTION NO. 2021-22**

A RESOLUTION OF THE CITY OF KENAI, ALASKA, AUTHORIZING A BUDGET TRANSFER IN THE AIRPORT FUND, AIRFIELD DEPARTMENT AND AUTHORIZING AWARD OF A CONTRACT FOR SAND SCREENING.

WHEREAS, Ordinance No. 3182-2021 passed at the February 17, 2021, appropriated \$50,000 from the Airport Special Revenue Fund to advertise a bid seeking assistance with the screening of Airport owned sand for snow and ice control; and,

WHEREAS, on February 21, 2021, a formal invitation to bid was released for a contract to screen 6,000 CY of Airport owned sand that meets FAA specifications with bids due on March 24, 2021; and,

WHEREAS, two responsive bids were received:

Contractor	Lump Sum Bid
Triangle Recycling, LLC	\$ 58,800
Dibble Creek Rock Ltd.	\$ 96,000

; and,

WHEREAS, additional funds are necessary to award the bid and sufficient funds are available in the Airport Special Revenue Fund; and,

WHEREAS, award of a contract to Triangle Recycling, LLC, the lowest responsive bidder, is in the best interest of the City.

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

Section 1. That the following budget revision is authorized.

Airport Fund:

Decrease Expenditures:

Airfield – Repair & Maintenance \$ 8,800

Increase Expenditures:

Airfield – Operating & Repair Supplies \$ 8,800

Section 2. That the City Manager is authorized to execute a contract with Triangle Recycling, LLC in the amount of \$58,800 for screening of Airport-owned sand for use during winter operations at the Kenai Municipal Airport.

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

Resolution No. 2021-22

Page 2 of 2

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

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Approved by Finance: _____



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Mary Bondurant, Airport Manager

DATE: March 29, 2021

SUBJECT: **Resolution No. 2021-22 – Authorizing Award of a Contract for Sand Screening**

In efforts to reduce Airfield operating costs, a formal Invitation to Bid was advertised on February 21, 2021 seeking assistance with screening Airport owned sand to meet the Federal Aviation Administration (FAA) recommendations of Advisory Circular 150/5200-30D. Meeting these specifications will allow the Airport to use the sand for snow and ice control on the Airport.

The Airport has previously rented a screening plant and screened the sand ourselves over the past three years. However, the company sold the screening plant, and the Airport paid approximately \$30,000 for 1,500 CY of FAA spec'd sand in FY21. A sand stockpile of 6,000 CY will give the Airport 3-4 years of sand, representing a cost savings of approximately \$60,000.

Thank you for your consideration.



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2021-23

A RESOLUTION OF THE CITY OF KENAI, ALASKA, APPROVING AN ADMINISTRATIVE PERMIT PROCESS FOR COMMERCIAL REMOVAL OF DEAD OR DYING TREES FROM CITY PROPERTY.

WHEREAS, the City of Kenai is heavily infested with spruce bark beetles; and,

WHEREAS, the infestation has spread rapidly throughout the City, causing widespread stands of dead or dying spruce trees with thousands currently under threat or risk of becoming infected; and,

WHEREAS, these dead or dying trees adversely affect the quality of life in our community by posing a public safety hazard and exacerbating the fire conditions; and,

WHEREAS, minimizing fire danger, improving safety, and preventing further destruction and loss involves completely removing the trees; and,

WHEREAS, it is in the City's best interest to allow the commercial removal of dead or dying spruce trees on City property utilizing a permit process for commercial tree removal on City of Kenai lands; and,

WHEREAS, approving an administrative permit process for commercial users with no fee will encourage the removal of dead trees from City property allowing available commercial uses of the wood and reducing the hazards presented by dead or dying trees.

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

Section 1. That City Administration is authorized to issue permits for the removal of dead or dying trees from City property utilizing the permit form attached hereto in the same or similar form without further Council approval. The City Administration's authority to issue the permits is not obligatory and permits may be issued or denied in the best interest of the City.

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

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

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Scott Bloom, City Attorney

DATE: April 1, 2021

SUBJECT: **Resolution 2020-23 – Permit Process For Commercial Removal Of Dead Or Dying Trees From City Property**

The City of Kenai is heavily infested with spruce bark beetles, and the infestation has spread rapidly throughout the City, causing widespread stands of dead or dying spruce trees with thousands currently under threat or risk of becoming infected. These dead or dying trees adversely affect quality of life in our community by posing a public safety hazard and exacerbating the fire conditions. It is in the City's best interest to allow the commercial removal of dead or dying spruce trees on City property utilizing a permit process for commercial tree removal on City of Kenai lands. This Resolution requests approval of a commercial permit process for the removal of dead or dying trees from City property without any associated fee and allows for administrative approval of permits when it is determined by City administration to be in the City's best interest.

Your consideration is appreciated.



Commercial Tree Removal Permit for City of Kenai Lands

City of Kenai Parks & Recreation Office | 907.283.8261 | www.kenai.city

Section 1 – Applicant Information

Business name:

Contact name:

Contact address (mailing):

City:

State:

Zip:

Contact phone number:

Contact email address:

IRS AK business license number:

Attach a Certification of Insurance (see Section 4 for requirements), AK Business License, and a Kenai Peninsula Borough Tax Compliance Certification with your application.

Section 2 – Property Information

1. Please provide a description of the property you wish to remove tree(s) on (Borough parcel number(s) or physical address):

2. Please attach a picture or diagram showing the tree(s) you would like to remove and include any nearby hazards such as building or other improvements, utility lines, roads, etc.

☐ Attached

3. Please describe the reason you would like to remove the tree(s), i.e., selling firewood, mulch, mill operation, etc.

4. Please describe how the tree(s) will be felled and removed (chainsaw, hand tools, use of a contractor, truck, snow machine, other equipment, etc.):

5. Please describe how the City property where the tree removal is requested will be accessed (from what road, property or adjacent trail):

6. Slash must be removed from the property. The City may assist in slash removal. Please describe your slash removal plan including any coordinated efforts with the City.

Section 3 – Release of Liability, Hold Harmless, and Indemnity Agreement

For and in exchange for my being allowed to fell, cut and remove trees on City of Kenai property I, _____ (print Business owner or manager name), hereby agree to defend, indemnify, and hold harmless and to fully and forever release, discharge, and exonerate the City of Kenai, its employees, officers, directors, volunteers, agents, successors, assigns, and all others acting on its behalf (the City) from any and all claims, demands, actions, lawsuits, and controversies of every kind and nature for any and all injuries, death, damages, and/or losses of every kind and nature arising directly or indirectly out of or related to my felling, cutting and removal of any trees and associated debris on City of Kenai Property. This Release extends to all such injuries, death, damages, and/or losses whether presently known or unknown, suspected or unsuspected, or disclosed or undisclosed.

I understand that the City makes no representations whatsoever as to the safety of the property, or safety of the activity of felling, cutting or removing trees and associated debris and understand and acknowledge that there may be known or unknown hazards on the City of Kenai's property. I understand and acknowledge that the activity of felling, cutting and removing trees and associated debris is a dangerous activity that may result in severe bodily injury, illness, death, and/or property damage of all kinds. These risks are associated with the felling, cutting and removal of trees and associated debris on City of Kenai property. ***I recognize and accept all risks associated with, arising out of, or relating to felling, cutting and removal of trees and associated debris on City of Kenai Property.***

It is my express intent that this Release of Liability, Hold Harmless, and Indemnity Agreement shall bind myself, the members of my family, and my heirs, assigns, agents, administrators, personal representative(s), and next of kin and that this Agreement shall be deemed to be a release, a waiver, a discharge of liability of the City, a hold harmless agreement, an indemnity agreement, and a covenant not to sue the City. I understand and agree that I will not receive any monetary compensation for any time or services related to the felling, cutting, or removal of trees or associated debris on City of Kenai Property. ***I understand that by signing this Agreement I am giving up substantial legal rights and/or remedies which may otherwise be available to me and to my family. I further certify that I am 18 years of age or older.***

I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTOOD THE ABOVE.

Signed: _____ Date: _____

Printed Name: _____ Title: _____



Section 4 – Commercial Tree Removal Permit

Pursuant to the statements made above and the signed **RELEASE OF LIABILITY, HOLD HARMLESS, AND INDEMNITY AGREEMENT**, the City grants the right to _____ (print business name)

PERMITTEE to remove dead, infested, and decadent spruce and birch for firewood, timber uses, community fuel reduction, forest health, and wildlife habitat benefits from the following described City Property: _____ on the following dates _____ with the following limitations:

1. PERMITTEE must be onsite at all times during all activities associated with tree removal
2. PERMITTEE must keep a copy of the permit prominently displayed in the vehicle window or available for inspection by City officials onsite
3. Tree removal may not take place during a burn suspension
4. Only dead, dying or diseased trees (standing or down) may be removed
5. Associated debris or "slash" (branches and other residue left after the felling of timber) may not be left on the property under the following conditions:
6. No cutting within 100' of a body of water or stream unless written permission is granted by the City of Kenai
7. All stumps and/or piles resulting from firewood cutting must not exceed a height of twelve inches (12") above the ground
8. PERMITTEE shall not fell any trees that could fall in such a way to endanger power lines or other utility facilities
9. The burial of waste or trash is prohibited. Waste must be transported off site daily
10. City property may only be accessed by _____ (print name)
11. If property is accessed by equipment off established roads or trails, it must be done in a manner as to minimize soil and vegetation disturbance.
12. Storage of petroleum products is allowed in amounts necessary for activities required on the property only upon condition that PERMITTEE exercise proper care, handling, and safe and proper storage. Fuel may not be placed within 100 feet of any wetland or the mean or ordinary high water mark of any lakes, streams, or other bodies of water. Fuel must be stored in leak proof containers and placed within a secondary containment.
13. No new roads or trails are authorized under this permit. PERMITTEE shall not restrict public access to State waters or City-owned land except as necessary to create safe working conditions to perform the permitted activities, protect personal property or public safety. The paved trail lying on the adjacent property, to the East, shall not be used as a travelway for the activities permitted herein.
14. All survey monuments, witness corners, reference monuments, mining claims posts, bearing trees and subdivision monumentation shall be protected against destruction, obliteration or damage.
15. PERMITTEE shall not disturb historic or prehistoric resources. Should previously undiscovered artifacts or areas of historic, prehistoric or archaeological importance be discovered, the site shall be protected from further disturbance and PERMITTEE shall immediately cease activities and report such discovery to both the City and the State Historic Preservation Office.
16. No open fires or burning is permitted on City property unless a City of Kenai Burn Permit has been obtained for the property location.
17. PERMITTEE shall take immediate action to suppress uncontrolled fires and report them to the proper authorities as soon as possible.
18. PERMITTEE shall conduct all operations on the parcel in a safe manner and in accordance with generally accepted best management practice
19. Insurance requirements:

The Proposer must, at Proposer's own expense, throughout the term of the Agreement secure and maintain the following insurance:

- a. Comprehensive general liability insurance, including premises, all operation, property damage, personal injury and death, broad-form contractual coverage with a per occurrence limit of not less than \$1,000,000 combined single limit;
- b. Worker's compensation insurance with coverage for all employees engaged in work under this Agreement as required by AS 23.30.045 (Proposer is responsible for worker's compensation insurance for any sub-proposer who directly or indirectly provides services under this Agreement); and,
- c. Comprehensive automobile liability insurance covering all owned, hired, and non-owned vehicles with coverage limits not less than \$1,000,000 combined single limit per occurrence.

All insurance required must also meet the following requirements:

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

20. This permit conveys to PERMITTEE no interest in the property, and in no way constitutes a preference to PERMITTEE for sale, lease, or permit renewal of this property. This permit is revocable immediately for cause without notice. It is issued for authorized purposes to PERMITTEE. The permit represents a non-exclusive privilege authorizing special use of City land.

Violation of permit conditions or the conduct of activities not authorized by this permit will result in permit revocation and may result in a claim for damages by the City and other civil or criminal penalties as applicable under law. PERMITTEE shall remove all chattels or improvements placed on the land by PERMITTEE within 30 days of permit revocation. The City may, at its option, direct that all activity under this permit stop until a violation of the permit conditions is corrected. Continued activity after notice to stop will be deemed a trespass by the City.

The City reserves the right to permit other land use in the permit area, provided the City determines that such use will not unduly impair the PERMITTEE'S activities. Should circumstances warrant, this permit may be modified or suspended in writing by the City to protect resources, health, safety, and the environment.

21. This permit may not be transferred or assigned without prior written approval by the City.
22. Upon written notification from the City, PERMITTEE may be required to suspend work if ground, weather, fire danger level, or road conditions become unsuitable for conducting tree removal work and PERMITTEE shall immediately cease operations until notified with instructions to resume operations when conditions allow.
23. Activities allowed under this permit are: Removing hazard trees, and dead, infested, and decadent spruce and birch for firewood and other timber uses, as described in the Application, made a part of this permit by reference.
24. All activities shall be conducted in a manner that will minimize land disturbance and will not cause a change in the character of the land or damage water courses, shorelines, or natural drainage patterns.

25. PERMITTEE shall be liable for damage to any City-owned property resulting from this activity. Damages resulting from the activities shall be restored, repaired or replaced by PERMITTEE at PERMITTEE'S expense; failure to repair damages subjects PERMITTEE to all available remedies the City has at law or equity. The election of one remedy will not prohibit the City from pursuing any and all of the available remedies
26. All activities shall avoid harming or disturbing bald eagles or their nest sites in accordance with the Bald Eagle Protection Act (16 USC 668).
27. Cutting of live trees or vegetation is prohibited for use as firewood. The gathering of wood from dead and down trees on the property is allowed within the course of activities listed.
28. Only temporary structures may be placed on the PROPERTY and shall be located not less than seventy-five (75) feet from the mean or ordinary high-water mark of all lakes, streams, or other bodies of water. Temporary structures are defined as being removable within forty-eight (48) hours' notice.
29. The property must be kept in a clean and sanitary condition and every effort shall be made to prevent the pollution of waters. Sanitary facilities shall be in accordance with the State of Alaska, Department of Environmental Conservation regulations.
30. PERMITTEE is responsible for the safety of all persons conducting activities on the property under this permit. PERMITTEE agrees to provide clientele with information regarding rules and regulations and other information pertaining to the property and the permit.
31. No provision of this permit shall be construed to create a partnership or joint venture or any other arrangement between the City and PERMITTEE where the City would be in any way responsible for debts, losses, or liabilities of PERMITTEE.
32. Any other conditions: _____

Approved by: _____ Date: _____

Print Name: _____ Title: _____

By Signing this Permit Agreement, the PERMITTEE agrees to abide by all terms and conditions of this Permit, including but not limited to the statements made above and the signed **RELEASE OF LIABILITY, HOLD HARMLESS, AND INDEMNITY AGREEMENT.**

PERMITTEE name: _____ Date: _____

PERMITTEE signature: _____ Title: _____

**KENAI CITY COUNCIL – REGULAR MEETING
MARCH 17, 2021 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
MAYOR BRIAN GABRIEL, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on March 17, 2021, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Mayor Gabriel led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Brian Gabriel, Mayor
Henry Knackstedt
Jim Glendening
Victoria Askin

Robert Molloy
Teea Winger
Glenese Pettey

A quorum was present.

Also in attendance were:

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

3. Agenda Approval

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

Add to item J.1.

City Manager's Report

- FY2021 Efficiencies Report

MOTION:

Vice Mayor Molloy **MOVED** to approve the agenda with the requested additions, and with the revision of moving Resolution 2021-18 to be considered first under public hearings. Council Member Knackstedt **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

4. Consent Agenda

MOTION:

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

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

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

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

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

B. SCHEDULED PUBLIC COMMENTS

C. UNSCHEDULED PUBLIC COMMENTS

D. PUBLIC HEARINGS

6. **Resolution No. 2021-18** - Authorizing an Amendment of the Shop Local Economic Stimulus Program to Extend the Dates of the Program and Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with the Kenai Chamber of Commerce and Visitor Center for Administration of the Program.

[Clerk's note: During Agenda Approval this item was moved to the top of Public Hearings.]

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2021-18 and Vice Mayor Molloy **SECONDED** the motion.

Mayor Gabriel opened for public hearing;

Duane Bannock thanked the Council for the shop local program on behalf of his business, and remarked on the excellent job the Chamber of Commerce has done administering the program. He stated his support for extending the program through this resolution, and urged Council to consider extending the grocery program as well, now that has expended its funds. He suggested that the two programs be combined, or to move funds from the shop local program to the grocery program.

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

UNANIMOUS CONSENT was requested.

City Manager Ostrander provided an update on the Shop Here All Year program, reporting that a total of \$135,050 in vouchers had been paid out during the first six weeks of the program and the Chamber of Commerce has reported a recent increase in applications.

Discussion included whether or not the shop local program could be merged with the grocery program. It was explained that at the current rate, the majority of the funds will be used through shop local program and adding the grocery program would require an appropriation of additional funds. In addition, the effort of running the combined program would be similar to that of running the two programs concurrently and the Chamber has expressed staffing concerns.

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

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

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3195-2021 and Vice Mayor Molloy **SECONDED** the motion.

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

Clarification was provided that the funds could be divided into two buckets, one to be used for operational expenses and the other for rent relief for lessees and concessionaires. It was noted that funds would not be used for flight tour businesses that utilize the airport, only for businesses located at the airport.

VOTE:

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

NAY:

MOTION PASSED UNANIMOUSLY.

2. **Resolution No. 2021-14** - Further Extending the Disaster Emergency Declaration for the City of Kenai Made on March 18, 2020 in Response to the COVID-19 Health Emergency.

MOTION:

Council Member Winger **MOVED** to adopt Resolution No. 2021-14 and Council Member Glendening **SECONDED** the motion.

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

MOTION TO AMEND:

Council Member Winger **MOVED** to amend Resolution No. 2021-14 to change the end date in both section 1 and the last whereas clause to May 31, 2021. Vice Mayor Molloy **SECONDED** the motion.

UNANIMOUS CONSENT was requested for the amendment.

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

Clarification was provided that if the resolution passes, it will be extended until school is out of session and more people are vaccinated.

MOTION TO AMEND:

Council Member Winger **MOVED** to amend Resolution No. 2021-14 to change the last Whereas to reflect that the declaration would be extended for 61 days. Vice Mayor Molloy **SECONDED** the motion.

UNANIMOUS CONSENT was requested for the amendment.

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

UNANIMOUS CONSENT was requested for main motion as amended

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

3. **Resolution No. 2021-15** - Approving Development Incentives Per Kenai Municipal Code 21.10.100. for a Lease of Airport Reserve Lands Between the City of Kenai and Alaska Air Fuel, Inc. on 2.52± Acre Portion of Lot 5, FBO Subdivision No. 8.

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2021-15 and Council Member Askin **SECONDED** the motion.

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

Clarification was provided that Resolution No. 2021-15 is also related to Resolution No. 2021-16 and the Special Use Permit to Alaska Air Fuel, Inc. for Office, Parking and Utilities that are items on this agenda. Alaska Air Fuel has a lease with the City for this property that is approaching the one-year deadline for execution of that lease, but it is being held up by a subdivision plat that needs to be approved by the Borough. Alaska Air Fuel wants to begin immediate work on the property but they don't have a property right to it at this time, so the Special Use Permit would allow them to. Resolution No. 2021-16 provides for an extension of the period where they can sign that lease, and the development incentives are only applicable once the lease is signed. This legislation together allows Alaska Air Fuel to get on the property earlier than the lease would allow but still allow them to enter the lease when the subdivision plat is completed, once that is done they would be eligible for the development incentives.

UNANIMOUS CONSENT was requested.

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

4. **Resolution No. 2021-16** - Approving an Application Extension Until October 8, 2021 Per Kenai Municipal Code 21.10.050 for Alaska Air Fuel, Inc. for a 2.52± Acre Portion of Lot 5, FBO Subdivision No. 8.

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2021-16 and Vice Mayor Molloy **SECONDED** the motion.

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

UNANIMOUS CONSENT was requested.

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

5. **Resolution No. 2021-17** - Authorizing a Budget Transfer Within the General Fund – Buildings Division for Professional Services as a Result of Personnel Vacancy.

MOTION:

Council Member Askin **MOVED** to adopt Resolution No. 2021-17 and Council Member Winger **SECONDED** the motion.

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

UNANIMOUS CONSENT was requested.

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

6. **Resolution No. 2021-18** - Authorizing an Amendment of the Shop Local Economic Stimulus Program to Extend the Dates of the Program and Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with the Kenai Chamber of Commerce and Visitor Center for Administration of the Program.

[Clerk's note: During Agenda Approval this item was moved to the top of Public Hearings.]

7. **Resolution No. 2021-19** - Authorizing an Agreement for Professional Engineering Services to Begin Assessments for the Master Plan for Water & Sewer Facilities and Equipment.

MOTION:

Vice Mayor Molloy **MOVED** to adopt Resolution No. 2021-19 and Council Member Winger **SECONDED** the motion.

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

It was noted that this resolution is a continuation of the discussion Council has had regarding the upgrades and efficiencies to our water and sewer facilities, and compliments were given to Public Works Director Curtin for the sequential and on-point updates to development of this program.

UNANIMOUS CONSENT was requested.

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

E. MINUTES

1. *Regular Meeting of March 3, 2021.

Approved by the consent agenda.

G. NEW BUSINESS

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

Approved by the consent agenda.

2. ***Action/Approval** - Purchase Orders Over \$15,000.

Approved by the consent agenda.

3. ***Ordinance No. 3196-2021** - Accepting and Appropriating Federal Funds from the Institute of Museum and Library Services Passed Through the Alaska State Library for Employee Training.

Introduced by the consent agenda and Public Hearing set for April 7, 2021.

4. ***Ordinance No. 3197-2021** - Amending Kenai Municipal Code Section 23.50.010 - Employee Classification, to Amend the Class, Title, and Range, to Include a Capital Projects Manager.

Introduced by the consent agenda and Public Hearing set for April 7, 2021.

5. ***Ordinance No. 3198-2021** - Amending Kenai Municipal Code Section 1.15.130 - Telephonic Participation, to Provide for Remote Electronic Participation.

Introduced by the consent agenda and Public Hearing set for April 7, 2021.

6. ***Ordinance No. 3199-2021** - Conditionally Waiving Certain Provisions of Title 17- Public Utilities and Enterprises, Related to Penalty, Interest and Shutoff for Nonpayment of Fees for Water and Sewer Utility Customers that Certified to the City That They Were Impacted by COVID-19 Pursuant to the City Manager's Executive Order No. 2 During the Effective Period of the City's Emergency Disaster Declaration.

Introduced by the consent agenda and Public Hearing set for April 7, 2021.

7. ***Ordinance No. 3200-2021** - Accepting and Appropriating an Amendment to a COVID CARES Act for Older Adults and Their Caregivers 2021 Grant Passed through the State of Alaska for Kenai Senior Center Expenditures in Support of its Response to the COVID-19 Public Health Emergency.

Introduced by the consent agenda and Public Hearing set for April 7, 2021.

8. ***Ordinance No. 3201-2021** - Increasing Estimated Revenues and Appropriations in the Airport Fund and Appropriating Funds in the Airport Snow Removal Equipment Capital Project Fund for the Purchase of Snow Removal Equipment – Multi-Purpose Broom/Blower.

Introduced by the consent agenda and Public Hearing set for April 7, 2021.

9. **Action/Approval** - Special Use Permit to Alaska Air Fuel, Inc. for Office, Parking and Utilities.

MOTION:

Council Member Knackstedt **MOVED** to approve the Special Use Permit to Alaska Air Fuel, Inc. for Office, Parking and Utilities. Council Member Askin **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

10. **Discussion** - COVID-19 Response.

City Manager Ostrander reported that there is one employee in COVID-19 protocol and one hospitalization at Central Peninsula Hospital. He noted that he had volunteered at the vaccination clinic held by the Fire Department at the Beacon facility last Saturday, and he was proud of the Fire Department's professionalism and how it reflects on the City. The Senior Center had begun providing transportation for medical appointments Monday through Wednesday, group activities have been increasing every week, and they are working towards in-house dining starting in April.

11. **Discussion** - Set Meetings for Council Personnel Evaluations.

Options for dates and scheduling were suggested and discussed. The evaluation dates were set for the City Clerk and City Attorney on April 20, 2021, and City Manager on April 22, 2021.

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging – Council Member Pettey reported on the actions of the March 11, 2021 meeting. Next meeting April 8, 2021.
2. Airport Commission – Council Member Knackstedt reported on the actions of the March 11, 2021 meeting. Next meeting April 8, 2021.
3. Harbor Commission – No report, cancelled due to lack of agenda items. Next meeting April 12, 2021.

4. Parks and Recreation Commission – Council Member Winger reported on the actions of the March 4, 2021 meeting. Next meeting April 1, 2021.
5. Planning and Zoning Commission – Council Member Glendening reported on the actions of the March 10, 2021 meeting. Next meeting March 24, 2021.
6. Beautification Committee – No report. Next meeting April 13, 2021.
7. Mini-Grant Steering Committee – No report.

I. REPORT OF THE MAYOR

Mayor Gabriel encouraged everyone to get out and enjoy the additional daylight and remarked that springtime is on the way.

J. ADMINISTRATION REPORTS

1. City Manager - City Manager P. Ostrander reported on the following:
 - Efficiencies Report included in the laydown, which shows a lot of effort from every Department in the City to save money;
 - Budget work session to be scheduled in April, and recommended Council schedule it April 24th;
 - The appropriated amount for small business grants has been exceeded, and legislation will be brought to Council in order to match the applications. Until then, everyone will be paid up to the last applicants who will be notified that their payment is delayed pending Council actions;
 - Kenai Peninsula Borough Ordinance 2020-45 rewrote much of the platting code, Administration reviewed and doesn't feel there will be significant impacts to the City;
 - Changes to the Borough's anadromous ordinance: Borough's Planning Commission approved and will be recommending Assembly adopt it as code. Discussed possibility of exclusion of north shore of the river where the bluff project goes, and is confident that the conditional use permit process in place will allow permitting to occur;
 - Former Mayor Pat Porter will try to kick-start the dog park program, and has a meeting scheduled for July;
 - Recognized the excellent work of City Clerk Jamie Heinz, noting that she was a key player in the City's marketing program, is a member of the COVID-19 Incident Management Team, supported multiple department with their efficiencies initiatives, and is overall a great employee;
 - Bluff project update: City has received five promising proposals which are being reviewed, will be working on negotiations and hopefully get it in front of Council at the next meeting;
 - Borough administrative policy states that every five years the City of Kenai will not have a representative on the Borough's Planning Commission, and he would like to work with Borough Administration and encourage them to modify that policy so that the four seats on the Commission consistently are represented by the four municipalities that have the largest amount of population.
2. City Attorney – No report.

3. City Clerk – City Clerk J. Heinz reported on the following:
 - Working on a policy for filling a Council vacancy, legislation will be put forth at the next Council meeting;
 - New edition of Roberts Rules of Order has been published, will put forth an ordinance to amend code;
 - Noted that the Tarbox platform sign is up;
 - Helping Administration to develop administrative processes using Laserfiche software.

K. ADDITIONAL PUBLIC COMMENT

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

Council Member Glendening noted he appreciated the spirited discussions Council has been having, and that members of the public have been enjoying it as well. He also noted he was pleased that Shop Here All Year was extended, because he'd been getting overwhelmingly positive feedback. He mentioned the upcoming land sales and updates on the Doctor's Cabin, and was glad we're moving forward on main initiatives like the Bluff Stabilization Project and the anadromous project, and thanked the City Manager for pursuing representation on the Kenai Peninsula Borough Board.

Council Member Pettey echoed Council Member Glendening's comments on moving forward with bluff stabilization, each step, and is looking forward to ribbon cutting and the joyous celebration of the community.

Council Member Winger noted upcoming events like the kite festival, Easter egg hunt, 4th of July parade, air show, Mountain View Elementary bike rodeo, and school graduations. She encouraged volunteering and donations for the events that are in need of support. She also suggested having a work session for a walkthrough of Kenai Recreation Center before the City takes over management from the Boys & Girls Club, noting her concern for leaks in roof and possible mold.

Council Member Askin noted that she had with vouchers for grocery program at the Chamber of Commerce, and is looking forward to the airport ribbon-cutting and all upcoming summer events. Wished everyone a Happy Saint Patrick's Day.

Vice Mayor Molloy also wished everyone a Happy Saint Patrick's Day. He acknowledged and thanked Council Members Winger and Askin for their volunteer efforts at the Chamber. Noted that last year we looked forward to the Return of the Salmon party but it was cancelled, and he is hoping we can have it this year.

Council Member Knackstedt noted the Efficiencies Report and appreciated the work that went into it.

L. EXECUTIVE SESSION – None.

M. PENDING ITEMS – None.

N. ADJOURNMENT

O. INFORMATION ITEMS

1. Purchase Orders Between \$2,500 and \$15,000.
2. Kenai Peninsula Orchestra Letter of Thanks

There being no further business before the Council, the meeting was adjourned at 7:58 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of March 17, 2021.

Jamie Heinz, MMC
City Clerk

PAYMENTS OVER \$15,000.00 WHICH NEED COUNCIL RATIFICATION

COUNCIL MEETING OF: APRIL 7, 2021

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	97,562.62
PREMERA BLUE CROSS	MARCH PREMIUM	VARIOUS	LIABILITY	226,486.61

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
--------	-------------	---------------	--------	--------------



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
FROM: Jamie Heinz, City Clerk
DATE: March 19, 2021
SUBJECT: **Liquor License Renewals**

The following establishments submitted an application to the Alcohol and Marijuana Control Office for renewal of their liquor licenses:

- Ramon Gonzalez D/B/A Playa Azul
- Three Bears Alaska, Inc. D/B/A Three Bears

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


Your consideration is appreciated.

Submit

by Jamie Heinz 3/1/2021 1:33:16 PM (Form Submission)

Approve

by Jeremy Hamilton 3/16/2021 9:32:40 AM (Fire Marshall Review)

 *Inspection scheduled for 3/16*

- The task was assigned to Jeremy Hamilton. The due date is: March 10, 2021 5:00 PM 3/1/2021 1:33 PM


Approve

by Michael Wesson 3/1/2021 1:36:29 PM (Building Official Review)

- The task was assigned to Michael Wesson. The due date is: March 10, 2021 5:00 PM 3/1/2021 1:33 PM

Approve

by Jamie Heinz 3/2/2021 10:08:03 AM (Police Department Review)

 *No objections per B. Langham.*

- Jamie Heinz assigned the task to Jamie Heinz 3/2/2021 10:07 AM
- The task was assigned to Jamie Heinz, David Ross. The due date is: March 10, 2021 5:00 PM 3/1/2021 1:33 PM

Approve

by Tina Williamson 3/2/2021 9:47:50 AM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: March 10, 2021 5:00 PM 3/1/2021 1:33 PM

Approve

by Cindy Herr 3/1/2021 3:43:18 PM (Legal Asst Review)

 *No outstanding monies owed in restitution or traffic citations.*

- The task was assigned to Cindy Herr. The due date is: March 10, 2021 5:00 PM 3/1/2021 1:33 PM

Approve

by Wilma Anderson 3/1/2021 3:12:10 PM (Lands Review)

 *The applicant does not have any outstanding land issues.*

- The task was assigned to Wilma Anderson. The due date is: March 10, 2021 5:00 PM 3/1/2021 1:33 PM

Approve

by Terry Eubank 3/2/2021 10:00:37 AM (Finance Review)

- The task was assigned to Terry Eubank. The due date is: March 11, 2021 5:00 PM 3/2/2021 9:47 AM

Approve

by Scott Bloom 3/2/2021 10:08:38 AM (Legal Review)

- The task was assigned to Scott Bloom. The due date is: March 11, 2021 5:00 PM 3/2/2021 9:47 AM

Approve

by Ryan Foster 3/9/2021 4:15:00 PM (P&Z Department Review)

- The task was assigned to Ryan Foster. The due date is: March 11, 2021 5:00 PM 3/2/2021 9:47 AM

AMCO License Application

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Date

3/1/2021

Establishment Information

License Type

Restaurant or Eating Place

Licensee

Ramon Gonzalez

Doing Business As

Playa Azul

Premises Address

12498 Kenai Spur Hwy #1

City, State

Kenai, AK

Contact Information

Contact Licensee

Ramon Gonzalez

Contact Phone No.

907-283-2010

Contact Email

ruizr7058@gmail.com

Additional Contact Information

Name

Phone No.

Email

Documents

File Upload

5224 LGB Notice - City of Kenai in KPB 22621.pdf

565KB

5224 Playa Azul CRA REPL.PDF

3.2MB



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce,
Community,
and Economic Development

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

February 26, 2021

City of Kenai

Kenai Peninsula Borough

Via Email: jheinz@kenai.city ; MBerg@kpb.us ; MJenkins@kpb.us ; SNess@kpb.us ; BTaylor@kpb.us ;
TShassetz@kpb.us ; JBlankenship@kpb.us

Re: Notice of Liquor License Renewal Application

License Numb	DBA	Type	City	Borough	Community Council
5224	Playa Azul	Restaurant or Eating Place	Kenai	Kenai Peninsula Borough	NONE

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

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

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

Sincerely,

Glen Klinkhart, Director

amco.localgovernmentonly@alaska.gov



Alaska Alcoholic Beverage Control Board

Master Checklist: Renewal Liquor License Application

Doing Business As:	Playa Azul	License Number:	5224
License Type:	Restaurant/Eating Place		
Examiner:	Nathanael D Hall	Transaction #:	100008542 & 8545

Document	Received	Completed	Notes
AB-17: Renewal Application	12/7	2/24	Minor corrections
App and License Fees	12/7 & 12/10	12/10	

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement			
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation			
AB-30: Minimum Operation			
AB-33: Restaurant Affidavit	12/7	2/24	Minor corrections
COI / COC / 5 Star			
FP Cards & Fees / AB-08a			
Late Fee			

Names on FP Cards:	N/A
--------------------	-----

	Yes	No
Selling alcohol in response to written order (package stores)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mailing address and contact information different than in database (if yes, update database)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
In "Good Standing" with CBPL (skip this and next question for sole proprietor)?	<input type="checkbox"/>	<input type="checkbox"/>
Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)?	<input type="checkbox"/>	<input type="checkbox"/>

LGB 1 Response:☐

Waive

☐

Protest

☐

Lapsed

LGB 2 Response:☐

Waive

☐

Protest

☐

Lapsed



Alaska Alcoholic Beverage Control Board

Form AB-17: 2021/2022 License Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than 12/31/2020 per AS 04.11.270, 3 AAC 304.160, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any complete application for renewal or any fees for renewal that have not been postmarked by 02/28/2021 will be expired per AS 04.11.540, 3 AAC 304.160(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the required fees and all documents required, or the application will be returned without being processed, per AS 04.11.270, 3 AAC 304.105
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

Establishment Contact Information

Licensee (Owner):	Ramon Gonzalez	License #:	5224
License Type:	Restaurant / Eating Place		
Doing Business As:	Playa Azul		
Premises Address:	12498 Kenai Spur Hwy #1 Kenai 99611		
Local Governing Body:	Kenai Peninsula Borough / City of Kenai		
Community Council:			

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

Mailing Address:					
City:		State:		ZIP:	

Section 1 – Licensee Contact Information

Contact Licensee: The individual listed below must be listed in Section 2 or 3 as an Official/Owner/Shareholder of your entity and must be listed on CBPL with the same name and title.

This person will be the designated point of contact regarding this license, unless the Optional contact is completed.

Contact Licensee:	Ramon Gonzalez	Contact Phone:	(907) 283-2010
Contact Email:	ruiz17058@gmail.com		

Optional: If you wish for AMCO staff to communicate with anyone other than the Contact Licensee about your license, list them below:

Name of Contact:		Contact Phone:	
Contact Email:			

Name of Contact:		Contact Phone:	
Contact Email:			

Name of Contact:		Contact Phone:	
Contact Email:			

AMCO

**Form AB-17: 2021/2022 License Renewal Application****Section 2 – Entity or Community Ownership Information****Sole Proprietors should skip this Section.**

Use the link from Corporations, Business and Professional Licensing (CBPL) below to assist you in finding the Entity #.

<https://www.commerce.alaska.gov/cbp/main/search/entities>

Alaska CBPL Entity #:	
------------------------------	--

READ BEFORE PROCEEDING: Any new or changes to Shareholders (10% or more), Managers, Corporate Officers, Board of Directors, Partners, Controlling Interest or Ownership of the business license must be reported to the ABC Board within 10 days of the change and must be accompanied by a full set of fingerprints on FBI-approved card stock, AB-08a's, payment of \$48.25 for each new officer with a date-stamped copy of the CBPL change per AS 04.11.045, 50 & 55, or a Notice of Violation will be issued to your establishment and your application will be returned.

The only exception to this is a Corporation who can meet the requirements set forth in AS 04.11.050(c).

DO NOT LIST OFFICERS OR TITLES THAT ARE NOT REQUIRED FOR YOUR ENTITY TYPE.

- Corporations of any type including non-profit must list ONLY the following:
 - All shareholders who own 10% or more stock in the corporation
 - Each President, Vice-President, Secretary, and Managing Officer regardless of percentage owned
- Limited Liability Corporations, of any type must list ONLY the following:
 - All Members with an ownership interest of 10% or more
 - All Managers (of the LLC, not the DBA) regardless of percentage owned
- Partnerships of any type, including Limited Partnerships must list ONLY the following:
 - Each Partner with an interest of 10% or more
 - All General Partners regardless of percentage owned

Important Note: All entries below must match our records, or your application will be returned per AS 04.11.270, 3 AAC 304.105. You must list full legal names, all required titles, phone number, percentage of shares owned (if applicable) and a full mailing address for each official of your entity whose information we require. If more space is needed: attach additional completed copies of this page. Additional information not on this page will be rejected.

Name of Official:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	

Name of Official:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	

Name of Official:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	

AMCO

**Form AB-17: 2021/2022 License Renewal Application****Section 3 – Sole Proprietor Ownership Information****Corporations, LLC's and Partnerships of ALL kinds should skip this section.**

READ BEFORE PROCEEDING: Any new or changes to the ownership of the business license must be reported to the ABC Board within 10 days of the change and must be accompanied by a full set of fingerprints on FBI approved cardstock, AB-08a's, payment of \$48.25 for each new owner or officer and a date stamped copy of the CBPL change per AS 04.11.045, or a Notice of Violation will be issued to your establishment and your application will be returned.

Important Note: All entries below must match our records, or your application will be returned per AS 04.11.270, 3 AAC 304.105. You must list full legal names, phone number, and mailing address for each owner or partner whose information we require.

If more space is needed, attach additional copies of this page. Additional owners not listed on this page will be rejected.

This individual is an: ☒ Applicant ☐ Affiliate

Name:	Ramon Gonzalez		Contact Phone:	(907) 283-2010	
Mailing Address:	P.O. Box 1090				
City:	Kenai	State:	AK	ZIP:	99611
Email:	ruizr7058@gmail.com				

This individual is an: ☒ Applicant ☐ Affiliate

Name:	Lidiana Rodriguez de Gonzalez		Contact Phone:	907/283-2010	
Mailing Address:	PO Box 1090				
City:	Kenai	State:	AK	ZIP:	99611
Email:					

Section 4 – License Operation

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

	2019	2020
1. The license was regularly operated continuously throughout each year. (Year-round)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. The license was only operated during a specific season each year. (Seasonal) <i>If your operation dates have changed, list them below:</i> _____ to _____	<input type="checkbox"/>	<input type="checkbox"/>
3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year. <i>A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.</i>	<input type="checkbox"/>	<input type="checkbox"/>
4. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendar years. <i>A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated.</i>	<input type="checkbox"/>	<input type="checkbox"/>

If you have not met the minimum number of hours of operation in 2020, you are not required to pay the fees, however a complete AB-29 is required with Section 2 marked "OTHER" and COVID is listed as the reason.

Section 5 – Violations and Convictions

	Yes	No
Have ANY Notices of Violation been issued for this license OR has ANY person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2019 or 2020?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

AMCO

**Form AB-17: 2021/2022 License Renewal Application****Section 6 – Certifications**

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

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.
- I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and accurately listed, and I have provided AMCO with all required changes of Shareholders (10% or more), Managers, Corporate Officers/Board of Directors, Partners, Controlling Interest or Ownership of the business license, and have provided all required documents for any new or changes in officers.
- I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons **have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 304.465.**
- I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name from what is currently approved and on file with the Alcoholic Beverage Control Board.

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

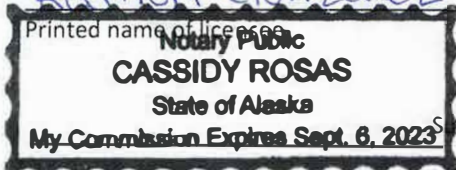
Ramon Gonzalez
Signature of licensee

Cassidy Rosas
Signature of Notary Public

Ramon Gonzalez
Printed name of licensee

Notary Public in and for the State of: Alaska

My commission expires: Sept 6 2023



Subscribed and sworn to before me this 3rd day of December, 2020.

Restaurant/Eating Place applications must include a completed AB-33: Restaurant Receipts Affidavit

Recreational Site applications must include a completed Recreational Site Statement

Tourism applications must include a completed Tourism Statement

Wholesale applications must include a completed AB-25: Supplier Certification

All renewal and supplemental forms are available online

Any application that is not complete or does not include ALL required completed forms and fees will not be processed and will be returned per AS 04.11.270, 3 AAC 304.105.

FOR OFFICE USE ONLY

License Fee:	\$ <u>600</u>	Application Fee:	\$ 300.00	Misc. Fee:	\$
Total Fees Due:					\$ <u>900</u>

Alaska Business License # **1005000****Alaska Department of Commerce, Community, and Economic Development**

Division of Corporations, Business, and Professional Licensing

PO Box 110806, Juneau, AK 99811-0806

This is to certify that

PLAYA AZUL MEXICAN RESTAURANT

PO BOX 1090, KENAI, AK 99611

owned by

RAMON GONZALEZ

is licensed by the department to conduct business for the period

December 23, 2019 to December 31, 2021
for the following line(s) of business:

72 - Accommodation and Food Services



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.
It is not transferable or assignable.

Julie Anderson
Commissioner



Office of the Borough Clerk

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

Johni Blankenship, MMC
Borough Clerk

March 12, 2021

Sent via email: jheinz@kenai.city

Kenai City Hall
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant	:	Gonzalez, Ramon
Business Name	:	PLAYA AZUL
License Type	:	Restaurant/Eating Places
License Location	:	12498 Kenai Spur Hwy #1, City of Kenai
License No.	:	5224
Application Type	:	License Renewal

Dear Ms. Heinz,

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

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

Sincerely,

Johni Blankenship, MMC
Borough Clerk

JB/ts

Encl.

cc: ruizr7058@gmail.com; jheinz@kenai.city; MBerg@kpb.us; SNess@kpb.us;
MJenkins@kpb.us

Submit

by Jamie Heinz 3/1/2021 1:25:41 PM (Form Submission)

Approve

by Jeremy Hamilton 3/3/2021 4:40:22 PM (Fire Marshall Review)

 *Inspection done August 2020*

- The task was assigned to Jeremy Hamilton. The due date is: March 10, 2021 5:00 PM
3/1/2021 1:25 PM


Approve

by Michael Wesson 3/1/2021 1:34:52 PM (Building Official Review)

- The task was assigned to Michael Wesson. The due date is: March 10, 2021 5:00 PM
3/1/2021 1:25 PM

Approve

by Jamie Heinz 3/2/2021 10:07:30 AM (Police Department Review)

 *No objections per B. Langham*

- Jamie Heinz assigned the task to Jamie Heinz 3/2/2021 10:06 AM
- The task was assigned to Jamie Heinz, David Ross. The due date is: March 10, 2021 5:00 PM
3/1/2021 1:25 PM

Approve

by Tina Williamson 3/2/2021 9:45:54 AM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: March 10, 2021 5:00 PM
3/1/2021 1:25 PM

Approve


by Cindy Herr 3/1/2021 3:42:06 PM (Legal Asst Review)

 *No outstanding monies owed in restitution or traffic citations.*

- The task was assigned to Cindy Herr. The due date is: March 10, 2021 5:00 PM 3/1/2021 1:25 PM

Approve

by Wilma Anderson 3/1/2021 3:11:17 PM (Lands Review)

 *Three Bears Alaska, Inc. does not have any outstanding land issues.*

- The task was assigned to Wilma Anderson. The due date is: March 10, 2021 5:00 PM
3/1/2021 1:25 PM

Approve

by Terry Eubank 3/2/2021 10:00:59 AM (Finance Review)

- The task was assigned to Terry Eubank. The due date is: March 11, 2021 5:00 PM
3/2/2021 9:45 AM

Approve

by Scott Bloom 3/2/2021 10:08:28 AM (Legal Review)

- The task was assigned to Scott Bloom. The due date is: March 11, 2021 5:00 PM
3/2/2021 9:45 AM

Approve

by Ryan Foster 3/9/2021 4:14:29 PM (P&Z Department Review)

- The task was assigned to Ryan Foster. The due date is: March 11, 2021 5:00 PM
3/2/2021 9:45 AM

AMCO License Application

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Date

3/1/2021

Establishment Information

License Type

Package Liquor Store

Licensee

Three Bears Alaska, Inc.

Doing Business As

Three Bears

Premises Address

10575 Kenai Spur Highway

City, State

Kenai, AK

Contact Information

Contact Licensee

Steve Mierop

Contact Phone No.

907-357-4311

Contact Email

steve@threebearsalaska.com

Additional Contact Information

Name

Phone No.

Email

Documents

File Upload

4118 LGB Notice - City of Kenai in KPB 22621.pdf

565.76KB

4118 Three Bears CRA PS.PDF

5.2MB



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce,
Community,
and Economic Development**

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

February 26, 2021

City of Kenai

Kenai Peninsula Borough

Via Email: jheinz@kenai.city ; MBerg@kpb.us ; MJenkins@kpb.us ; SNess@kpb.us ; BTaylor@kpb.us ;
TShassetz@kpb.us ; JBlankenship@kpb.us

Re: Notice of Liquor License Renewal Application

License Numb	DBA	Type	City	Borough	Community Council
4118	Three Bears	Package Store	Kenai	Kenai Peninsula Borough	none

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

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

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

Sincerely,

Glen Klinkhart, Director

amco.localgovernmentonly@alaska.gov



Alaska Alcoholic Beverage Control Board

Master Checklist: Renewal Liquor License Application

Doing Business As:	Playa Azul	License Number:	5224
License Type:	Restaurant/Eating Place		
Examiner:	Nathanael D Hall	Transaction #:	100008542 & 8545

Document	Received	Completed	Notes
AB-17: Renewal Application	12/7	2/24	Minor corrections
App and License Fees	12/7 & 12/10	12/10	

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement			
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation			
AB-30: Minimum Operation			
AB-33: Restaurant Affidavit	12/7	2/24	Minor corrections
COI / COC / 5 Star			
FP Cards & Fees / AB-08a			
Late Fee			

Names on FP Cards:	N/A
--------------------	-----

	Yes	No
Selling alcohol in response to written order (package stores)?	<input type="checkbox"/>	<input type="checkbox"/>
Mailing address and contact information different than in database (if yes, update database)?	<input type="checkbox"/>	<input type="checkbox"/>
In "Good Standing" with CBPL (skip this and next question for sole proprietor)?	<input type="checkbox"/>	<input type="checkbox"/>
Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)?	<input type="checkbox"/>	<input type="checkbox"/>

LGB 1 Response:☐

Waive

☐

Protest

☐

Lapsed

LGB 2 Response:☐

Waive

☐

Protest

☐

Lapsed



Alaska Alcoholic Beverage Control Board

Form AB-17: 2021/2022 License Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than 12/31/2020 per AS 04.11.270, 3 AAC 304.160, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any complete application for renewal or any fees for renewal that have not been postmarked by 02/28/2021 will be expired per AS 04.11.540, 3 AAC 304.160(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the required fees and all documents required, or the application will be returned without being processed, per AS 04.11.270, 3 AAC 304.105
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

Establishment Contact Information

Licensee (Owner):	Three Bears Alaska, Inc.	License #:	4118
License Type:	Package Store		
Doing Business As:	Three Bears		
Premises Address:	10575 Kenai Spur Highway		
Local Governing Body:	City of Kenai (Kenai Peninsula Borough)		
Community Council:	None		

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

Mailing Address:					
City:		State:		ZIP:	

Section 1 – Licensee Contact Information

Contact Licensee: The individual listed below must be listed in Section 2 or 3 as an Official/Owner/Shareholder of your entity and must be listed on CBPL with the same name and title.

This person will be the designated point of contact regarding this license, unless the Optional contact is completed.

Contact Licensee:	Steve Mierop	Contact Phone:	907-357-4311
Contact Email:	steve@threebearsalaska.com		

Optional: If you wish for AMCO staff to communicate with anyone other than the Contact Licensee about your license, list them below:

Name of Contact:	Joan Travostino	Contact Phone:	907-257-7839
Contact Email:	travostino.joan@dorsey.com		

Name of Contact:		Contact Phone:	
Contact Email:			

Section 2 – Written Order Information

Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2021 and/or 2022?

YES ☐ NO ☒

**Form AB-17: 2021/2022 License Renewal Application****Section 3 – Entity or Community Ownership Information****Sole Proprietors should skip this Section.**

Use the link from Corporations, Business and Professional Licensing (CBPL) below to assist you in finding the Entity #.

<https://www.commerce.alaska.gov/cbp/main/search/entities>

Alaska CBPL Entity #:	24136D
-----------------------	--------

READ BEFORE PROCEEDING: Any new or changes to Shareholders (10% or more), Managers, Corporate Officers, Board of Directors, Partners, Controlling Interest or Ownership of the business license must be reported to the ABC Board within 10 days of the change and must be accompanied by a full set of fingerprints on FBI-approved card stock, AB-08a's, payment of \$48.25 for each new officer with a date-stamped copy of the CBPL change per AS 04.11.045, 50 & 55, or a Notice of Violation will be issued to your establishment and your application will be returned.

The only exception to this is a Corporation who can meet the requirements set forth in AS 04.11.050(c).

DO NOT LIST OFFICERS OR TITLES THAT ARE NOT REQUIRED FOR YOUR ENTITY TYPE.

- Corporations of any type *including non-profit* must list ONLY the following:
 - All shareholders who own 10% or more stock in the corporation
 - Each President, Vice-President, Secretary, and Managing Officer regardless of percentage owned
- Limited Liability Corporations, of any type must list ONLY the following:
 - All Members with an ownership interest of 10% or more
 - All Managers (of the LLC, not the DBA) regardless of percentage owned
- Partnerships of any type, *including Limited Partnerships* must list ONLY the following:
 - Each Partner with an interest of 10% or more
 - All General Partners regardless of percentage owned

Important Note: All entries below must match our records, or your application will be returned per AS 04.11.270, 3 AAC 304.105. You must list full legal names, all required titles, phone number, percentage of shares owned (if applicable) and a full mailing address for each official of your entity whose information we require. **If more space is needed: attach additional completed copies of this page. Additional information not on this page will be rejected.**

Name of Official:	David A. Weisz				
Title(s):	President; Director; Shareholder	Phone:	907-357-4311	% Owned:	10.45
Mailing Address:	445 N. Pittman Rd., Ste. B				
City:	Wasilla	State:	AK	ZIP:	99623

Name of Official:	Rachel A. Sanford				
Title(s):	Vice Pres.; Treasurer; Asst. Sec.; Director	Phone:	907-883-4324	% Owned:	
Mailing Address:	P.O. Box 189				
City:	Tok	State:	AK	ZIP:	99780

Name of Official:	Paul D. Sonnenberg				
Title(s):	Vice President; Director	Phone:	907-357-4311	% Owned:	
Mailing Address:	445 N. Pittman Rd., Ste. B				
City:	Wasilla	State:	AK	ZIP:	99623

**Form AB-17: 2021/2022 License Renewal Application****Section 3 – Entity or Community Ownership Information****Sole Proprietors should skip this Section.**

Use the link from Corporations, Business and Professional Licensing (CBPL) below to assist you in finding the Entity #.

<https://www.commerce.alaska.gov/cbp/main/search/entities>

Alaska CBPL Entity #:	
-----------------------	--

READ BEFORE PROCEEDING: Any new or changes to Shareholders (10% or more), Managers, Corporate Officers, Board of Directors, Partners, Controlling Interest or Ownership of the business license must be reported to the ABC Board within 10 days of the change and must be accompanied by a full set of fingerprints on FBI-approved card stock, AB-08a's, payment of \$48.25 for each new officer with a date-stamped copy of the CBPL change per AS 04.11.045, 50 & 55, or a Notice of Violation will be issued to your establishment and your application will be returned.

The only exception to this is a Corporation who can meet the requirements set forth in AS 04.11.050(c).

DO NOT LIST OFFICERS OR TITLES THAT ARE NOT REQUIRED FOR YOUR ENTITY TYPE.

- Corporations of any type *including non-profit* must list ONLY the following:
 - All shareholders who own 10% or more stock in the corporation
 - Each President, Vice-President, Secretary, and Managing Officer regardless of percentage owned
- Limited Liability Corporations, of any type must list ONLY the following:
 - All Members with an ownership interest of 10% or more
 - All Managers (of the LLC, not the DBA) regardless of percentage owned
- Partnerships of any type, *including Limited Partnerships* must list ONLY the following:
 - Each Partner with an interest of 10% or more
 - All General Partners regardless of percentage owned

Important Note: All entries below must match our records, or your application will be returned per AS 04.11.270, 3 AAC 304.105. You must list full legal names, all required titles, phone number, percentage of shares owned (if applicable) and a full mailing address for each official of your entity whose information we require. **If more space is needed: attach additional completed copies of this page. Additional information not on this page will be rejected.**

Name of Official:	Stephen D. Mierop				
Title(s):	Vice President; Secretary	Phone:	907-357-4311	% Owned:	
Mailing Address:	445 N. Pittman Rd., Ste. B				
City:	Wasilla	State:	AK	ZIP:	99623

Name of Official:	William B. Eckhardt				
Title(s):	Director	Phone:	907-357-4311	% Owned:	
Mailing Address:	445 N. Pittman Rd., Ste. B				
City:	Wasilla	State:	AK	ZIP:	99623

Name of Official:	Three Bears Investment Group, LLC				
Title(s):	Shareholder	Phone:	907-357-4311	% Owned:	77.63
Mailing Address:	445 N. Pittman Rd., Ste. B				
City:	Wasilla	State:	AK	ZIP:	99623

**Form AB-17: 2021/2022 License Renewal Application****Section 4 – Sole Proprietor Ownership Information****Corporations, LLC's and Partnerships of ALL kinds should skip this section.**

READ BEFORE PROCEEDING: Any new or changes to the ownership of the business license must be reported to the ABC Board within 10 days of the change and must be accompanied by a full set of fingerprints on FBI approved cardstock, AB-08a's, payment of \$48.25 for each new owner or officer and a date stamped copy of the CBPL change per AS 04.11.045, or a Notice of Violation will be issued to your establishment and your application will be returned.

Important Note: All entries below must match our records, or your application will be returned per AS 04.11.270, 3 AAC 304.105. You must list full legal names, phone number, and mailing address for each owner or partner whose information we require.

If more space is needed, attach additional copies of this page. Additional owners not listed on this page will be rejected.

This individual is an: ☐ Applicant ☐ Affiliate

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
Email:					

This individual is an: ☐ Applicant ☐ Affiliate

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
Email:					

Section 5 – License Operation

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

1. The license was **regularly operated continuously** throughout each year. (Year-round)

2019

☒

2020

☒

2. The license was **only operated during a specific season** each year. (Seasonal)

If your operation dates have changed, list them below:

☐☐

_____ to _____

3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.

A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.

☐☐

4. The license was not operated at all or was not operated for at least the minimum requirement of 240 total

hours each year, during one or both calendar years. A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated.

☐☐

If you have not met the minimum number of hours of operation in 2020, you are not required to pay the fees, however a complete AB-29 is required with Section 2 marked "OTHER" and COVID is listed as the reason.

Section 6 – Violations and Convictions

Have **ANY** Notices of Violation been issued for this license **OR** has **ANY** person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2019 or 2020?

Yes

☐

No

☒

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

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

**Form AB-17: 2021/2022 License Renewal Application****Section 7 – Certifications**

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

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.
- I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and accurately listed, and I have provided AMCO with all required changes of Shareholders (10% or more), Managers, Corporate Officers/Board of Directors, Partners, Controlling Interest or Ownership of the business license, and have provided all required documents for any new or changes in officers.
- I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 304.465.**
- I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name from what is currently approved and on file with the Alcoholic Beverage Control Board.

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.
Three Bears Alaska, Inc.

By: _____

Signature of licensee

Stephen D. Mierop, Vice President

Printed name of licensee

PATRICIA ANN NELSON
Notary Public
State of Alaska
My Commission Expires
August 22, 2022

Signature of Notary Public

Alaska

Notary Public in and for the State of:

My Commission Expires

My commission expires:

08/22/2022

Subscribed and sworn to before me this 10th day of December, 2020.

Restaurant/Eating Place applications must include a completed AB-33: Restaurant Receipts Affidavit

Recreational Site applications must include a completed Recreational Site Statement

Tourism applications must include a completed Tourism Statement

Wholesale applications must include a completed AB-25: Supplier Certification

All renewal and supplemental forms are available online

Any application that is not complete or does not include ALL required completed forms and fees will not be processed and will be returned per AS 04.11.270, 3 AAC 304.105.

FOR OFFICE USE ONLY

License Fee:	\$1,500.00	Application Fee:	\$ 300.00	Misc. Fee:	\$
Total Fees Due:					\$1,800.00

Department of Commerce, Community, and Economic Development

CORPORATIONS, BUSINESS & PROFESSIONAL LICENSING

[State of Alaska](#) / [Commerce](#) / [Corporations, Business, and Professional Licensing](#) / [Search & Database Download](#) / [Corporations](#) / Entity Details

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	Three Bears Alaska, Inc.
Previous Legal Name	L & J ENTERPRISES, INC.

Entity Type: Business Corporation

Entity #: 24136D

Status: Good Standing

AK Formed Date: 5/19/1981

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2021 [File Biennial Report](#)

Entity Mailing Address: 445 N PITTMAN RD STE B, WASILLA, AK 99623

Entity Physical Address: 445 N PITTMAN RD STE B, WASILLA, AK 99623

Registered Agent

Agent Name: JOAN TRAVOSTINO

Registered Mailing Address: 1031 W 4TH AVE STE 600, ANCHORAGE, AK 99501

Registered Physical Address: 1031 W 4TH AVE STE 600, ANCHORAGE, AK 99501

Officials

☐ Show Former

AK Entity			
#	Name	Titles	Owned
	David Weisz	Director, President, Shareholder	10.45

AK Entity #	Name	Titles	C
	Paul Sonnenberg	Vice President, Director	
	Rachel Sanford	Assistant Secretary, Treasurer, Vice President, Director	
	Robin Watkins-Holbert	Shareholder	6.65
	Stephen D. Mierop	Secretary, Vice President	
119101	Three Bears Investment Group, LLC	Shareholder	77.63
	WILLIAM ECKHARDT	Director	

Filed Documents

Date Filed	Type	Filing	Certificate
5/19/1981	Creation Filing	Click to View	
11/21/1986	Biennial Report		
11/21/1988	Biennial Report		
11/01/1990	Biennial Report		
12/17/1992	Biennial Report	Click to View	
12/12/1994	Biennial Report	Click to View	
12/19/1996	Biennial Report	Click to View	
12/15/1998	Biennial Report	Click to View	
11/17/2000	Biennial Report	Click to View	
6/06/2003	Election or Resolution to Dissolve	Click to View	
6/16/2003	Biennial Report	Click to View	
1/07/2005	Biennial Report	Click to View	
6/29/2005	Restated (NO AMENDMENT)	Click to View	Click to View
9/26/2005	Change of Officials	Click to View	
10/06/2005	Amendment	Click to View	Click to View
2/27/2007	Change of Officials	Click to View	
5/09/2007	Biennial Report	Click to View	
5/09/2007	Agent Change	Click to View	
12/15/2008	Biennial Report	Click to View	
1/31/2011	Biennial Report	Click to View	
12/19/2012	Certificate of Compliance		Click to View
12/27/2012	Biennial Report	Click to View	
12/31/2013	Certificate of Compliance		Click to View
3/03/2014	Change of Officials	Click to View	
3/20/2014	Certificate of Compliance		Click to View
12/23/2014	Change of Officials	Click to View	
12/31/2014	Biennial Report	Click to View	
6/04/2015	Certificate of Compliance		Click to View
8/06/2015	Certificate of Compliance		Click to View

Date Filed	Type	Filing	Certificate	Page 85
10/23/2015	Change of Officials	Click to View		
4/13/2016	Certificate of Compliance		Click to View	
6/17/2016	Certificate of Compliance		Click to View	
9/16/2016	Certificate of Compliance		Click to View	
12/30/2016	Biennial Report	Click to View		
1/27/2017	Certificate of Compliance		Click to View	
3/08/2017	Change of Officials	Click to View		
10/02/2017	Agent Change	Click to View		
10/16/2017	Certificate of Compliance		Click to View	
11/13/2017	Change of Officials	Click to View		
1/22/2019	Biennial Report	Click to View		
9/13/2019	Certificate of Compliance		Click to View	
12/12/2019	Change of Officials	Click to View		
5/20/2020	Certificate of Compliance		Click to View	
7/10/2020	Change of Officials	Click to View		

Alaska Business License # **213073****Alaska Department of Commerce, Community, and Economic Development**

Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806

This is to certify that

THREE BEARS #50

445 N PITTMAN RD STE B, WASILLA, AK 99623

owned by

THREE BEARS ALASKA, INC.

is licensed by the department to conduct business for the period

December 16, 2019 to December 31, 2021
for the following line(s) of business:

42 - Trade



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.
It is not transferable or assignable.

Julie Anderson
Commissioner

Alaska Business License # **213073****Alaska Department of Commerce, Community, and Economic Development**

Division of Corporations, Business, and Professional Licensing

PO Box 110806, Juneau, AK 99811-0806

This is to certify that

THREE BEARS #50

445 N PITTMAN RD STE B, WASILLA, AK 99623

owned by

THREE BEARS ALASKA, INC.

ENDORSEMENT: 213073 - 1

Effective December 16, 2019 through December 31, 2021

This business license has an endorsement for the physical address shown below:

10575 KENAI SPUR HWY, KENAI, AK 99611



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.
It is not transferable or assignable.

Julie Anderson
Commissioner



Office of the Borough Clerk

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

Johni Blankenship, MMC
Borough Clerk

March 12, 2021

Sent via email: jheinz@kenai.city

Kenai City Hall
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant	:	Three Bears Alaska, Inc.
Business Name	:	Three Bears
License Type	:	Package Store
License Location	:	10575 Kenai Spur Highway, Kenai, AK 99611, City of Kenai
License No.	:	4118
Application Type	:	License Renewal

Dear Ms. Heinz,

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

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

Sincerely,

Johni Blankenship, MMC
Borough Clerk

JB/ts

Encl.

cc: steve@threebearsalaska.com; jheinz@kenai.city; MBerg@kpb.us; SNess@kpb.us; MJenkins@kpb.us



Sponsored by: City Clerk

CITY OF KENAI

ORDINANCE NO. 3202-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AMENDING KENAI MUNICIPAL CODE SECTIONS 1.15.120, RULES OF ORDER, AND 1.90.050, PROCEEDINGS, TO ADOPT THE MOST CURRENT EDITION OF ROBERT'S RULES OF ORDER NEWLY REVISED AS THE ADOPTED RULES OF PARLIAMENTARY PROCEDURE FOR THE CITY COUNCIL AND FOR CITY BOARDS, COMMISSIONS, AND COMMITTEES.

WHEREAS, the City of Kenai has adopted Robert's Rules of Order Newly Revised as the rules of parliamentary procedure for the City Council and the various Boards, Commissions, and Committees of the City; and,

WHEREAS, Robert's Rules of Order Newly Revised, 12th Edition, was published in September 2020 and supersedes all previous editions of Robert's Rules of Order; and,

WHEREAS, the City Clerk recommends adoption of the most current edition of Robert's Rules of Order Newly Revised which is intended to automatically become the parliamentary authority in organizations who prescribe its use; and,

WHEREAS, special rules that are currently included in the Kenai Charter and Kenai Municipal Code will still supersede the most current edition and new special rules or exceptions can be added to the code at any time upon the proper enactment of an ordinance; and,

WHEREAS, it is in the best interest of the City to adopt the most current edition of Robert's Rules of Order Newly Revised which is intended to automatically become the parliamentary authority upon its publication.

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

Section 1. Amendment of Section 1.15.120 – Rules of Order of the Kenai Municipal Code:
That Kenai Municipal Code, Section 1.15.120 – Rules of Order, is hereby amended as follows:

- (a) A proposed amendment to, or repeal of, any rule in this chapter shall be submitted in writing as a non-emergency ordinance, and may be passed in the same manner as other non-emergency ordinances.
- (b) The most current edition of Robert's Rules of Order Newly Revised[, 11TH EDITION] shall govern in all cases to which they are applicable and in which they are not inconsistent with City Charter or ordinance and any special rules of order the Council may adopt.
- (c) The Council rules shall be observed in all cases unless suspended temporarily for a special purpose of an emergency nature by a vote of five (5) members present. Any member

may move, at any time, for the suspension of any rule, and such motion must be seconded to entitle it to consideration.

(d) If any member, in speaking or otherwise, transgresses the rules of the Council, the Chair shall, or any member may, call the member to order; in which case the member so called to order shall immediately cease discussion unless permitted by the Chair to explain; and the Council, if appealed to, shall decide the question without debate. If the decision be in favor of the member so called to order, the member shall be at liberty to proceed; if otherwise, the member shall not proceed without leave of the Council to proceed in order.

Section 2. Amendment of Section 1.90.050 – Proceedings of the Kenai Municipal Code: That Kenai Municipal Code, Section 1.90.050 – Proceedings, is hereby amended as follows:

(a) All boards, commissions and committees will have regularly scheduled meetings which shall be open to the public. Exceptions to the meeting requirements shall be established by Council. Permanent records or minutes shall be kept of all proceedings and such minutes shall record the vote of each member upon every question. Every decision or finding shall immediately be filed in the office of the City Clerk and shall be a public record open to inspection by any person. All acts of boards, commissions and committees are subject to the paramount authority of the City Council.

(b) If the commission, committee or board member shall be absent, without the body excusing the absence for good cause, from more than one-half of all the meetings of his or her committee, commission or board, regular and special, held within any period of three (3) consecutive calendar months, he or she shall thereupon cease to hold the seat. A commission, committee or board member may not have more than three (3) excused absences during a twelve (12) month calendar year.

(c) In all matters of parliamentary procedure, the most current edition of Robert's Rules of Order Newly Revised[, 11TH EDITION] shall be applicable and govern all meetings, unless as specified in KMC 1.15.060 motions; KMC 1.15.100, speaking; and KMC 1.15.110, voting.

(d) The responsibility of insuring that all members of boards, commissions and committees receive a copy of the Standard Procedures of Boards, Commissions and Committees lies with the City Clerk.

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 21st day of April, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Introduced: April 7, 2021
Enacted: April 21, 2021
Effective: May 21, 2021



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Jamie Heinz, City Clerk
DATE: March 16, 2021
SUBJECT: Ordinance No. 3202-2021

In September 2020, the 12th Edition of Robert's Rules of Order Newly Revised was published. It is the only currently authorized edition of Robert's Rules of Order Newly Revised. It is the intent of the authors and publisher that the Twelfth Edition supersedes all previous editions and automatically becomes the parliamentary authority in organizations who prescribe Robert's Rules of Order Newly Revised. The authors recommend that the particular edition is not specified but instead indicates, "the current edition of." The same statement is included in the Eleventh Edition.

In 2012, the code was amended to prescribe the 11th Edition. I recommend amending the code to indicate "the most current edition," given the intent and authorization provided by the authors. Robert's Rules of Order Newly Revised has been updated approximately every ten years since 1970. It is reasonable to think that the Twelfth Edition will be the most current edition for approximately ten years and, when a new edition is published, it will not be necessary to make a change to the code if we indicate that "the most current edition" is to be used. A quick search revealed that the codes for the cities of Soldotna and Homer also provide for, "the most current edition."

The City currently has some special rules enacted by its code and those special rules will continue to supersede the new edition of Robert's Rules of Order Newly Revised. The City may also add or amend special rules to the code at any time upon the proper enactment of an ordinance.

The following lists several of the substantial changes made in the Twelfth Edition:

1. Postpone to a Certain Time – to have this motion more closely agree with rules relating to Point of Order and Appeal.
2. Limit or Extend Limits of Debate – to clarify the varying effects that adoption of the different forms of this motion have on the making of subsidiary motions.
3. Lay on the Table – to rearrange these rules into a more orderly and logical sequence.
4. Point of Order – to clarify and expand upon the rules setting forth remedies.
5. Take from the Table – to clarify the rules that impose time limits on taking questions from the table and setting forth the status of motions taken from the table.

6. Reconsider – by including a summary of rules relating to reconsideration and rearrangement of the order in which the rules are discussed.
7. To provide greater guidance concerning filling in blanks.
8. Clarifying and incorporating rules for the office of vice-president that had previously been scattered throughout the book.
9. Minutes – to more clearly present the various procedures for their approval.

Other updates dozens more clarifications and refinements to improve existing rules, helpful summary explanations, expanded charts, tables, and lists, and sample rules for electronic meetings.

Your consideration is appreciated.





Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3203-2021

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

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

WHEREAS, grant funding will be used to purchase personal protective equipment (PPE) for our personnel, to be used while responding to Forest Fire Incidents; and,

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

WHEREAS, the State of Alaska Division of Forestry has provided a grant in the amount of \$4,974.92 to assist the City of Kenai Fire Department in purchasing forestry firefighting gear, and,

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

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

Section 1. That the City Manager is authorized to accept a grant from the United States Department of Agriculture Forest Service passed through the State of Alaska Division of Forestry in the amount of \$4,974.92 for the purchase of forestry firefighting equipment and is authorized to execute a grant agreement and to expend the grant funds to fulfill the purpose and intent of this Ordinance.

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

General Fund:

Increase Estimated Revenues –	
Federal Grants - Fire	<u>\$4,974.92</u>

Increase Appropriations – Fire Department	
Small Tools & Minor Equipment	<u>\$4,974.92</u>

Section 3. That the City Manager is authorized to execute a grant agreement and to expend the grant in compliance with grant conditions and this ordinance.

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 21st day of April, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, MMC, City Clerk

Approved by Finance: 

Introduced: April 7, 2021
Enacted: April 21, 2021
Effective: April 21, 2021



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Tony Prior, Fire Chief

DATE: March 19, 2021

SUBJECT: Ordinance 3203-2021

The City of Kenai Fire Department has been awarded a Volunteer Fire Assistance (VFA) grant in the amount of \$4,974.92 for the purchase of forestry firefighting gear from the United States Department of Agriculture Forest Service through the State of Alaska Division of Forestry. The grant will fund the purchase of forestry firefighting Personal Protective Equipment (PPE), along with equipment to place on our designated forestry response apparatus. This gear and equipment will enable us to respond appropriately with tools needed for forestry incidents.

Your consideration is appreciated.



Division of Forestry

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

March 10, 2021

Dear Volunteer Fire Department:

Thank you for applying for the 2021 Volunteer Fire Assistance (VFA) grants. Thirty-five (35) volunteer fire departments applied for a VFA grant requesting a total of \$164,044.58 in assistance. Thirty-four (34) of the thirty-five (35) VFDs will receive some level of funding. A total of \$159,026.50 was awarded. This letter is the official notification.

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

- Checks will be distributed electronically by association with the VFD's SOA vendor number and the SOA electronic payment agreement. Electronic disbursements are expected by May 2021.
- To be eligible for a 2022 VFA grant, compliance documentation, such as copies of receipts for 2021 grant expenditures, must be submitted to your nearest Forestry office at the time of, or prior to, submitting a 2022 application.
- Volunteer Fire Assistance is an award of Federal Financial Assistance with funding from the USDA Forest Service. Prime and sub recipients to this award are subject to OMB guidance in sub parts A through F of 2 CFR Part 200 as adapted and supplemented by the USDA in 2 CFR Part 400. Adaption by USDS 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 here:
https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd526908.pdf.
- The OMB Circulars are available on the internet at www.ecfr.gov.

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

Sincerely,

Sarah Saarloos

Sarah Saarloos, Fire Staff Officer

2021 VFA Grant Awards

Fire Department	Amount Requested	Amount Awarded	Division of Forestry Office
Delta Junction VFD	\$4,990.25	\$4,972.27	Delta Area Office
Rural Deltana VFD	\$4,972.50	\$4,972.50	Delta Area Office
Chena-Goldstream Fire & Rescue	\$5,000.00	\$5,000.00	Fairbanks Area Office
City of Anderson	\$4,998.63	\$4,998.63	Fairbanks Area Office
McKinley VFD	\$4,961.02	\$4,961.02	Fairbanks Area Office
Steese Area VFD	\$4,500.00	\$4,500.00	Fairbanks Area Office
Tri-Valley VFD	\$5,000.00	\$5,000.00	Fairbanks Area Office
Anchor Point Fire & Emergency Medical Service Area	\$4,998.42	\$4,998.42	Kenai Kodiak Area Office
Cooper Landing VFD	\$4,449.10	\$4,449.10	Kenai Kodiak Area Office
Fire Protection Area No. 1 (Bayside Fire Station)	\$4,500.00	\$4,500.00	Kenai Kodiak Area Office
Homer VFD	\$4,998.50	\$4,998.50	Kenai Kodiak Area Office
Kachemak Emerg. Services	\$4,986.01	\$4,986.01	Kenai Kodiak Area Office
Kenai FD	\$4,974.92	\$4,974.92	Kenai Kodiak Area Office
Lowell Point VFD	\$4,995.00	\$4,995.00	Kenai Kodiak Area Office
Nikiski FD	\$4,626.00	\$4,626.00	Kenai Kodiak Area Office
Ninilchik Emergency Services	\$4,778.80	\$4,778.80	Kenai Kodiak Area Office
Seward FD	\$4,979.00	\$4,979.00	Kenai Kodiak Area Office
Womens Bay VFD	\$4,350.06	\$4,350.06	Kenai Kodiak Area Office
Butte FD	\$4,970.70	\$4,970.70	Mat Su Area
Caswell Lakes FSA #135	\$4,988.39	\$4,988.39	Mat Su Area
Chickaloon Fire Service, Inc.	\$5,000.00	\$0.00	Mat Su Area
Houston FD	\$4,608.00	\$4,608.00	Mat Su Area
Palmer Fire and Rescue	\$4,875.00	\$4,875.00	Mat Su Area
Sutton VFD	\$3,224.00	\$3,224.00	Mat Su Area
Talkeetna VFD	\$5,000.00	\$5,000.00	Mat Su Area
West Lakes FD	\$4,885.65	\$4,885.65	Mat Su Area
Willow VFD	\$4,973.43	\$4,973.43	Mat Su Area
Whale Pass VFD	\$2,215.45	\$2,215.45	Southeast Alaska
Aniak VFD	\$4,590.00	\$4,590.00	Southwest District
Port Alsworth VFD	\$4,499.00	\$4,499.00	Southwest District
Northway VFD	\$4,625.00	\$4,625.00	Tok Area Office
Tok VFD	\$4,034.71	\$4,034.71	Tok Area Office
Gakona VFD	\$5,000.00	\$5,000.00	Valdez-Copper River Area Office
Kennicott/McCarthy VFD	\$4,997.05	\$4,997.05	Valdez-Copper River Area Office
Valdez FD	\$4,499.99	\$4,499.99	Valdez-Copper River Area Office
GRAND TOTAL	\$164,044.58	\$159,026.60	



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and City Council

THROUGH: Paul Ostrander, City Manager

FROM: Robert J. Frates, Parks & Recreation Director

DATE: March 30, 2021

SUBJECT: **Special Use Permit – Kenai Peninsula Builders Association**

The purpose of this correspondence is to request Kenai City Council approval of a Special Use Permit to the Kenai Peninsula Builders Association for purposes of hosting a home show event at the Kenai Multi-purpose Facility and adjacent parking lot.

The Kenai Peninsula Builders Association is interested in hosting its annual home show event Saturday, May 8 and Sunday, May 9. Set up will occur on Friday, May 7 with take down completed on Sunday evening.

Thank you for your consideration.

**MULTI-PURPOSE FACILITY RENTAL AGREEMENT
SPECIAL USE PERMIT**

THE CITY OF KENAI (OWNER) for the considerations, conditions and requirements set forth below, hereby grants to KENAI PENINSULA BUILDERS ASSOCIATION (RENTER), whose address is P.O. Box 1753, Kenai, AK 99611, a non-profit organization, the right to use the Kenai Multi-Purpose Facility located at 9775 Kenai Spur Highway, Kenai, AK 99611, as provided below.

1. PARTIES

This Agreement, made and entered into this ____ day of _____, 2021 between the City of Kenai, hereinafter referred to as OWNER, and Kenai Peninsula Builders Association, hereinafter referred to as RENTER.

2. RENTAL SPACE

The space rented pursuant to this Rental Agreement is the Multi-Purpose Facility owned by the City of Kenai. The RENTER agrees to quit and surrender the demised premises to the OWNER at the end of the rental period, in the same condition as date of commencement of this rental agreement, ordinary use and wear thereof excepted.

3. PURPOSE

The aforementioned space to be used solely for the purpose, and no other, of hosting the Kenai Peninsula Home Show Event.

4. USE DATES

A. Permittee shall have use of the Premises for the purpose of conducting a home show event open to the general public from 9:00a.m. – 6:00p.m. on Saturday, May 8 and 11:00a.m. – 5:00p.m. on Sunday, May 9. Permittee is scheduled to arrive and set up the event on May 7, 2021, and to completely tear down and depart no later than 11:00p.m. on May 9, 2021.

5. RENTAL TERMS

A. RENTER agrees to pay OWNER for the use of rented premises for the amount of \$145 per hour for the time period stated above, excluding set-up and takedown.

- B.** It is the responsibility of the RENTER to prohibit smoking inside the Multi-Purpose Facility by guests, employees, invitees, and any other person allowed to use the premises by RENTER pursuant to AS 18.35 and KMC 12.40.

6. CLEANUP & PORTABLE RESTROOMS

The RENTER agrees to take down decorations, signs, and/or banners that were put up by RENTER. Garbage is to be deposited into a refuse container each evening or removed off site. Rental of portable restrooms and related services should be considered for the outside vendor area.

7. INDEMNITY, DEFEND, AND HOLD HARMLESS

RENTER agrees to fully indemnify, defend, and hold harmless, the OWNER, its officers, agents, employees, and volunteers from and against any and all actions, injuries, death, damages, costs, liability, claims, losses, judgments, penalties, and expenses of every type and description including any fees and/or costs reasonably incurred by the OWNER'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 any act, incident, or accident, occurring as a result of the acts, errors or omissions, of the RENTER or its agents, guests, invitees, or employees, arising in connection with the operations, use, or occupancy of the premises by RENTER. This shall be a continuing release and shall remain in effect after termination of this Agreement.

8. ASSUMPTION OF RISK

RENTER assumes full control and sole responsibility as between RENTER and OWNER for the activities of RENTER, its personnel, employees, and persons acting on behalf of or under the authority of the RENTER anywhere on the Premises. RENTER shall provide all proper safeguards and shall assume all risks incurred in its activities on the Premises and its exercise of the privileges granted in this Agreement.

9. INSURANCE

RENTER shall secure and keep in force adequate insurance, as stated below, to protect OWNER and RENTER. Where specific limits are stated, the limits are the minimum acceptable limits. If RENTER's insurance policy contains higher limits, OWNER is entitled to coverage to the extent of the higher limits.

A. Commercial General Liability insurance, including premises, all operations, property damage, personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit. The policy must name the OWNER as an additional insured.

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

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 RENTER uses for activities permitted under this Agreement. The policy must name the OWNER 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. RENTER shall submit to the OWNER 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. RENTER shall request a waiver of subrogation against OWNER from RENTER's insurer and the waiver of subrogation, where possible, shall be provided at no cost to OWNER.
- iv. Provide the OWNER 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 OWNER by May 6, 2021. The effective date of the insurance shall be no later than May 7, 2021.

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

10. GENERAL TERMS AND CONDITIONS OF USE AND OPERATION

- A.** RENTER may not assign or sublet the Premises.
- B.** RENTER agrees that at all times RENTER will conduct activities with full regard to public safety, and will observe and abide by all applicable regulations and requests by duly authorized agencies responsible for public safety.
- C.** RENTER will comply with all laws of the United States and State of Alaska; all municipal ordinances; and all lawful orders of the police and fire departments, or other municipal authorities; and will obtain, and pay for all necessary permits and licenses and will not do, nor allow to be done, anything on said premises during the term of this Agreement in violation of any such laws, ordinances, rules or orders.
- D.** RENTER shall not admit to said premises a larger number of persons than can safely and freely move about in said premises; and the decision of OWNER in this respect shall be final. It is further understood and agreed that RENTER will permit no chairs or seats to remain in the passageways or fire exits in said premises and will keep all passageways and fire exits clear at all times; and that the sidewalks, grounds, entries, passages, vestibules, halls abutting streets, and all ways of access to public utilities of said premises, shall not be obstructed by RENTER or used for any purpose other than for ingress to and egress from demised premises.
- E.** RENTER shall not injure, nor in any manner deface said premises; and shall not permit anything to be done whereby said building or premises shall be in any manner injured or marred, or defaced, nor shall RENTER drive, nor permit to be driven, any nails, hooks, tacks, or screws, in any part of the building, nor shall RENTER make, or allow to be made, any alteration of any kind therein. That if said premises, or any portion of said building or grounds, during the term of this lease, shall be damaged by the act, default, or negligence of RENTER or by RENTER'S agents, employees, guests, invitees, or any person, or persons admitted to said premises by said RENTER, the RENTER will pay OWNER upon demand such sum as shall be necessary to restore said premises to their original condition.
- F.** OWNER does not relinquish and does hereby retain the right to enforce all necessary laws rules, and regulations, for the management and operations of said premises. OWNER retains the right to enter the demised premises at any time and on any occasion, without any restrictions whatsoever.

- G.** OWNER reserves the right to eject, or cause to be ejected, from the premises any disorderly person; and neither OWNER nor any of its officers, agents, or employees, shall be liable to RENTER for any damages that may be sustained by and through the exercise of such right.
- H.** RENTER will not allow beer, wine, liquor, or alcoholic beverages of any kind to be sold or consumed upon said premises without the express written consent of OWNER.

Should the City agree to allow the sale of alcoholic beverages on the premises, a vendor licensed by the Alaska Alcoholic Beverage Control Board must dispense any and all alcohol beverages on the premises. The vendor must have, during RENTER'S occupancy of said premises, policies of general liability and liquor liability. Said policy must be from a reliable insurance company authorized to transact business in the State of Alaska and subject to suit in Alaska. The City shall be named as an additional insured on said policy with a waiver of subrogation endorsement. Coverage shall be in the amount of \$500,000 for bodily injury, death or property damage resulting from one occurrence.

RENTER agrees to furnish and place on file with OWNER, a copy of said policy or a certificate that a policy of insurance has been issued, at the time of execution of this Agreement. The policy is subject to approval by OWNER.

- I.** Special Conditions:

RENTER agrees to accept all terms and conditions of this Agreement. Any decision affecting any matter not herein expressly provided shall rest solely within the discretion of the Director or City Manager

**CITY OF KENAI
OWNER**

**KENAI PENINSULA
BUILDERS ASSOCIATION
RENTER**

By: _____
Paul Ostrander Date

By: _____
Kirsten Raye Date

City Manager

Executive Officer

ACKNOWLEDGMENTS

STATE OF ALASKA)
) ss
 THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ____day of _____, 2021, the foregoing instrument was acknowledged before me by PAUL OSTRANDER, City Manager of the City of Kenai, Alaska, an Alaska home rule municipality, on behalf of the City.

 Notary Public for Alaska

My Commission Expires: _____

STATE OF ALASKA)
) ss
 THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ____day of _____, 2021, the foregoing instrument was acknowledged before me by Kirsten Raye, of KENAI PENINSULA BUILDERS ASSOCIATION, a non-profit organization, on behalf of the organization.

 Notary Public for Alaska

My Commission Expires: _____



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
FROM: Jamie Heinz, City Clerk
DATE: March 30, 2021
SUBJECT: Beautification Committee Appointment

In 2020, Emily Jensen resigned her position on the Beautification Committee. Janet Phillips has applied and Mayor Gabriel has nominated her to fill the vacancy. The term for this seat expires December 31, 2021.

Kenai Municipal Code (KMC) 1.90.010 requires Council confirmation of nominations presented by the Mayor.

Your consideration regarding confirmation is appreciated.

From: [Janet Phillips via Kenai, Alaska](#)
To: [City Clerk](#)
Subject: Form submission from: Commission/Committee Application
Date: Saturday, March 20, 2021 7:42:21 PM

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

Submitted on Saturday, March 20, 2021 - 7:42pm
 Submitted by anonymous user: 74.124.98.99
 Submitted values are:

Date: Sat, 03/20/2021
 Name: Janet Phillips
 Resident of City of Kenai? Yes
 If resident, how long? One Year
 Residence Address: 325 Portlock Street
 Mailing Address: 325 Portlock Street, Kenai 99611
 Home Telephone: 907-314-3738
 Home Fax:
 Business Telephone:
 Business Fax:
 Email address: tiggerwild1966@gmail.com
 May we include your contact information on our website? Yes
 If not all, what may we include?
 Employer: Currently Unemployed
 Job Title: NA
 Name of Spouse: Clayton Phillips
 Current Membership Organization: None
 Past organizational memberships: City of St Robert MO Parks and Recreation Board, Aglow Board, Stonecroft Committee, and so many more in my lifetime
 Committees or commissions in which you are interested: Beautification Committee
 Why do you want to be involved with this commission or committee? My life's philosophy is "Bloom Where You are Planted"! I heard you had an opening for the beautification Committee and decided to apply. It sounds like a great way to help out and to meet more people in my community.
 What background, experience, or credentials do you possess to bring the board, commission, or committee membership?
 I have a 30 year long list of volunteer history. I was a stay at home military wife for 16 years and at every new relocation, there was always an open door in each community that I lived in for volunteer work. I have served on many various boards and committees in my life.

The experience that I received while on the city of St Robert Missouri Parks and Recreation Board would be helpful to the position of the Beautification Committee. We were responsible for looking at the current conditions of the parks and setting in motion ways to improve them. We had a brand new playground put in place that made our community a better place for its citizens.

Not sure how helpful to the committee of Beautification it is but, I was the Sterling Alaska Senior Center Executive Director for 18 months in 2018 and 2019. My having a Bachelor in Business with a Major in Marketing helped me qualify for the position of director there. I rubbed shoulders with other community minded folks while being the director. I oversaw staff and also our many volunteers we had. Gotta love our volunteers and take care of them :)

The results of this submission may be viewed at:

From: [Lyn \(Lynette\) Kennedy via Kenai, Alaska](#)
To: [City Clerk](#)
Subject: Form submission from: Commission/Committee Application
Date: Monday, March 8, 2021 3:22:05 PM

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

Submitted on Monday, March 8, 2021 - 3:21pm
 Submitted by anonymous user: 24.237.248.235
 Submitted values are:

Date: Mon, 03/08/2021
 Name: Lyn (Lynette) Kennedy
 Resident of City of Kenai? Yes
 If resident, how long? 12+ years
 Residence Address:
 Mailing Address:
 Home Telephone: 907-395-4054
 Home Fax:
 Business Telephone: Cell 907-252-7017
 Business Fax:
 Email address:
 May we include your contact information on our website? Yes, but not all (specify below)
 If not all, what may we include? Name, phone
 Employer: Retired
 Job Title: Retired
 Name of Spouse:
 Current Membership Organization: None
 Past organizational memberships: None
 Committees or commissions in which you are interested: Beautification
 Why do you want to be involved with this commission or committee? I love to see the beautiful flowers and shrubs every summer and all efforts to show off the beautiful area. I would love to see that continued and perhaps expanded.
 What background, experience, or credentials do you possess to bring the board, commission, or committee membership? No special credentials other than an eye for beauty and plants. I've watched Kenai grow and improve for 60+ years and would like to help that continue.

The results of this submission may be viewed at:
<https://www.kenai.city/node/2601/submission/7561>



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Meghan Thibodeau, Deputy City Clerk
DATE: April 1, 2021
SUBJECT: Hazard Pay Discussion

The following information was requested by Council Member Winger to be included in the discussion regarding Hazard Pay. This information was originally presented in the article “State and Local Hazard Pay” by Isabel Soto, published on March 18, 2021 by the American Action Forum. The article can be found at the following website:

<https://www.americanactionforum.org/insight/state-and-local-hazard-pay/#ixzz6qpCLltfT>

Your consideration is appreciated.

State	City or County	Date	Amount	Eligibility	Duration	Status
Alabama	Attalla	20-Apr-20	\$2 per hour	Firefighters, police officers and dispatchers	4 weeks (28 days)	
Alabama	Attalla	20-Apr-20	\$1 per hour	Public works employees	4 weeks (28 days)	
Alabama	Birmingham	7-Apr-20	5% pay raise	City employees who directly interact with the public	One month	
Alabama	Baldwin County	7-Apr-20	\$240,000 per pay period	Deputies, corrections officers and communications officers		Ended due to COVID-19 concerns
Alabama	Boaz	1-Apr-20	\$200 per month	Police and fire department employees	Until all employees are back to working normal hours	
Alabama	Columbiana	21-Apr-20	5% pay increase to hour rate	Police, fire, street/sanitation, sewer, court and senior center departments	2 pay cycles	
Alabama	Daphne	6-Apr-20	\$3 per hour	First responders	4 weeks (28 days)	
Alabama	Daphne	6-Apr-20	One-time \$250 payment	Public safety personnel		
Alabama	Rainbow City	17-Apr-20	\$2 per hour	Police officers, investigators and firefighters	3 Weeks (21 days)	
Alabama	Riverside	5-May-20	\$1 per hour	First responders	Throughout stay-at-home orders	Riverside Mayor Rusty Jessup signed an executive order
Alabama	Selma	28-Apr-20	\$1.75 per hour	Police department and fire department employees	30 days (subject to extension)	

Alabama	Southside	28-Apr-20	One-time payment of \$500	Police officers, firefighters, dispatchers and animal control officers	N/A	
Alabama	Summerdale	14-Apr-20	\$1.50 per hour	Police officers	28 days (subject to reconsideration)	
Alabama	Vestavia Hills	14-Apr-20	5% pay increase	First responders, building and engineering inspectors and administrative employees who work with the public	30 days	
Alaska	Statewide	13-Apr-20	N/A			*ASEA requested Hazard Pay for State employees but was denied by the state
Arizona	Pima County	12-Apr-20	\$2 per hour	Deputies, corrections officers, animal care officers, medical service posts and front-line clerk positions with direct contact with the public	30-Jun-20	

Arkansas	statewide	5-Apr-20	\$125 per week (working 20-39 hours) or \$250 per week (40+ hours a week)	Emergency medical workers	30-May-20	
California	Los Angeles County	5-Jan-21	\$5 per hour	Workers at large grocery and drugstore chains	120 Days	Voted on Mandate
California	Montibello	27-Jan-21	\$4 per hour	Workers at grocery and drug store with at least 300 employees nationwide	180 Days	Passed as an urgency ordinance
California	Oakland		\$5 per hour	Grocery store workers		Passed as an emergency ordinance
California	San Francisco	Early January				Passed as a non-binding ordinance
California	San Jose	2/23/2021 (go into effect March 25, 2021)	\$3 per hour	Retail food workers at stores with 300 employees nationwide	120 days	Ordinance will be formalized on 2/23/2021
California	Santa Monica	12-Jan-21	\$5 per hour	Grocery workers at large employers		Approved
Colorado	Aurora	18-Mar-20	\$3,000 in 2020	Police officers and fire crews that interacted with the public daily	31-Dec-20	

Colorado	Jefferson County	1-Mar-20	\$50 per day worked	Sheriff's office says deputies, control room operators and support personnel	30-Sep-20	
Colorado	Lakewood		\$1800 in 2020	Police officers		
Colorado	Thornton	20-Mar	\$250 one-time payment	Frontline workers	20-Apr	
Connecticut	South Windsor	13-Apr-20	\$200 weekly	Fire marshal's office, voters' registrar, parks and recreation, health, finance, town planning, town administration and public transit	37 days	
Connecticut	South Windsor	13-Apr-20	\$4 per call	Firefighters	37 days	
Connecticut	South Windsor	13-Apr-20	\$350 per week	Police officers	37 days	
Connecticut	Statewide	26-Jul-20	\$1 an hour	ShopRite workers	22-Aug-20	ENDED
DC	D.C.	16-Mar-20	\$14 per day	First responders required to physically report to work	As long as city can provide it	
Delaware	New Castle County	20-Aug	\$5 million of CARES Act money for all hazard pay	Government employees		
Florida	Brevard County	20-Dec	One-time payment \$1,500	First Responders	N/A	

Georgia	Atlanta	7-Apr-20	\$500 a month	Public safety, sanitation and other front-line workers	through June	
Georgia	Augusta		\$5 per hour			Terminated due to reopening of Georgia economy
Georgia	Barrow County	14-Apr-20	\$250 per month	Emergency services	Duration of statewide emergency	
Georgia	Carrollton	7-Apr-20	\$200 every two weeks	Firefighters, police officers, public works employees, sanitation workers, City Hall cashiers, treatment plant workers and sewer infrastructure employees	10 weeks	
Georgia	Cherokee County	9-Apr-20	\$250 per month (elevated risk) or \$500 per month (significantly elevated risk)	Front line workers	3 months	
Georgia	Douglas County	16-Mar-20	\$200 per pay period	Sheriff's deputies, 911 dispatchers, coroner's office employees, firefighters, animal shelter workers and landfill workers	2 months	

Georgia	Douglas County	1-Feb-21	\$1000 one-time payment	Teachers and other school employees	N/A	
Georgia	Forsyth County	19-Mar-20	\$500 per month	Employees who are put in contact with the public	6 pay periods	
Georgia	Forsyth County	19-Mar-20	\$250 per month	Employees who cannot practice social distancing or must enter occupied residences as part of their job	6 pay periods	
Georgia	Fulton County	18-Mar-20	\$750 one-time payment	Front line workers	60 days	
Georgia	Grady County	21-May-20	\$300 one-time bonus (part time employees) or \$600 one-time bonus (full time employees)	EMS employees	N/A	
Georgia	Henry County	17-Mar-20	\$2.50 per hour	Employees who have the potential of direct contact with the public on a daily basis	1 month	
Georgia	Henry County	17-Mar-20	\$1.50 per hour	Employees working in county offices	1 month	
Georgia	Savannah	12-Apr-20	\$2.50 per hour	City employees	8 weeks	

Georgia	Smyrna	20-Mar-20	\$2 per hour	First responders, community development employees and public works employees	throughout the city's declared state of emergency	
Georgia	Walton County	1-Apr-20	\$100 per week	Firefighters, EMTs, paramedics, deputies, jail employees, public works employees and animal control officers	1 month	
Georgia	Woodstock	16-Mar-20	\$500/month (primary assigned duties) or \$250/month (secondary assigned duties)	Firefighters and police officers	2 months	
Hawaii	Honolulu		\$800 per month	Bus and Handivan drivers		* Bus and Handivan drivers are requesting hazard pay after 42 staff members contracted COVID-19

Idaho	Statewide	1-Mar-20	Biweekly payment	An employee must be deemed as performing hazardous, critical or essential duty for the substantial majority of their scheduled work hours	30-Dec-20	
Illinois	Chicagoland			Illinois Amazon Warehouse Workers		* Workers petitioning for hazard pay
Indiana	Elwood	6-May-20	\$1000 one time payment	Police and fire department	N/A	
Kansas	Lansing	5-Apr-20	\$400 per pay period	Staff at Lansing Correctional Facility		
Kansas	Sedgwick	8-Apr-20	\$200 per month	County employees	2 pay periods (subject to extension)	
Kentucky	Lexington		\$2 per hour	Kroger employees	late spring 2020	ENDED (workers are now asking for more hazard pay)
Louisiana	Statewide	11-Mar-20	\$250 one time payment	Frontline workers	28-Dec-20	ENDED

Maine	Augusta	20-Mar	\$3-\$5	Certain employees within the correctional, agricultural and marine resources, administrative services and public health departments, and some staff at the Riverview and Dorothea Dix psychiatric centers	31-Dec-20	ENDED
Maine	Portland	2022	1.5 times normal pay	Low-wage store workers	Unknown	Provision delayed until 2022
Maryland	Baltimore	26-Mar-20	\$200 biweekly and \$100 biweekly (mission critical)	Firefighters, EMTs and police officers/employees who are mission critical		
Maryland	Montgomery County	13-Apr-20	\$10 per hour	County employees represented by the IAFF and FOP		
Maryland	Montgomery County	13-Apr-20	\$10 or \$3 per hour	MCGEO-represented employees depending on whether or not they regularly interact with the public.		

Massachusetts	Statewide	15-Apr-20	\$10 per hour	State health care workers represented by the American Federation of State, County and Municipal Employees (AFSCME) Council 93	6 weeks	
Michigan	Burton	23-Apr-20	\$1000 one time payment	police officers	N/A	
Michigan	Burton	23-Apr-20	\$250 one-time payment	firefighters	N/A	
Michigan	Burton	23-Apr-20	up to \$1000 one-time payment	Any city employee working "above and beyond the call of duty"	N/A	
Michigan	Detroit		\$800 per month	City's first responders and other employees that work with the public	duration of state emergency	
Michigan	Flint	14-May-20	\$1,200 (\$750 for other police and fire department staff, \$1000 for public works water service)	Sworn police officers and firefighters	2 payment installments	
Michigan	Macomb County	4-Apr-20	\$1/\$2 per hour	County employees based on interaction with the public		

Michigan	Mount Clemens	1-Apr-20	\$2 per hour	Firefighters and bus drivers	1 month	
Michigan	Oakland County	7-May-20	Hourly pay depending on how long the employee spends on sight	Sheriff's office, health division, emergency operations, facilities and water resources employees		
Michigan	Statewide	5-Apr-20	\$750 per pay period	Corrections officers represented by the Michigan Corrections Organization		
Michigan	Washtenaw County	1-Jan-20	4% pay increase	Deputies and corrections officers	One year	
Minnesota	Minneapolis		\$2 an hour	Cub Foods workers	4-Jul-20	ENDED
Minnesota	Minneapolis		\$2 an hour	Linden Hills Co-op, Eastside Food Co-op, Kowalski's Market workers	20-Oct	
Minnesota	Minneapolis	13-Apr-20	4% wage increase	Lunds & Byerlys employees	27-Sep-20	ENDED
Minnesota	Minneapolis	20-Mar	3 rounds of \$300 (full time workers) or \$150 (part-time workers)	Walmart workers	20-Aug	
Mississippi	Clarksdale	7-Apr-20	5% pay raise	First responders and public works employees	at least 2 pay periods	

Mississippi	Jackson	End of April	\$600 one time payment	First responders	N/A	
Mississippi	Ocean Springs	14-May-20	\$100 per week	Police officers and firefighters	10 weeks	
Missouri	Statewide		\$250 a month	State employees working in detention facilities, with mental health patients and with the developmentally disabled	31-Dec-20	
Montana	Statewide	20-May	\$4 per hour (\$2 per hour for the month of March 2021)	Frontline workers	21-Mar	
Nebraska	Statewide	20-Nov	Unclear	Bryan's Health Staff		*\$3.3 million of CARES Act funding
Nevada	Las Vegas	20-Jul	3.23% wage increase	1,300 city employees (even if they did not attend work)	1 month	
New Hampshire	Statewide	5-May-20	\$300 weekly (full time first responders) or \$150 (part time and volunteer firefighters and EMTs)	Police officers, firefighters, EMS providers, corrections officers and other first responders	Through end of June	
New Jersey	Statewide	26-Jul-20	\$1 an hour	ShopRite workers	22-Aug-20	ENDED

New Mexico	Statewide	27-Nov-20	\$600 one time payment	Low-wage essential workers	N/A	
New York	Statewide	26-Jul-20	\$1 an hour	ShopRite workers	22-Aug-20	ENDED
North Carolina	Charlotte	26-Mar-20	5% increase in base pay	Employees who have frequent, direct contact with the public, including first responders	Until county stay at home order is lifted	
North Carolina	Rockingham	29-Apr-20	\$250 one time payment	Police and fire department	N/A	
North Dakota	Valley City	15-Mar-20	\$500 a month	Nine city police officers	3 months	
Ohio	Statewide	20-Mar	10% per hour (at facilities where staff and inmates have tested positive) \$8 per hour (specific cases if other state employees weren't home but corrections officers were still working)	State corrections officers	21-Feb	
Oklahoma	Stephens County	11-May-20	\$2 per hour	Sheriff's office employees		

Oregon	Statewide	20-May	Department of Human Services provide payment equal to 2.5% of Medicaid revenue	Nursing facilities	20-Jul	
Pennsylvania	Lock Haven	17-Mar-20	\$2 per hour	on-site essential employees	TBD	
Rhode Island	Statewide		\$1000 a week	Essential workers		* Not an official program * It is being advocated for by the Rhode Island Health Care Association
South Carolina	Charleston County	20-Apr-20	\$100 per week(salaried) or \$250 (hourly workers)	Essential county employees		
South Carolina	Summerville	22-Apr-20	\$300 per week	Summerville town employees		
Tennessee	Statewide					*Governor Lee said that the state wouldn't consider offering hazard pay for essential workers during the pandemic
Texas	Collin County	6-Apr-20	\$6 per hour (mandatory workers) or \$3 (non-mandatory workers)	County workers	Duration of county's emergency period	

Texas	Dallas County	7-Apr-20	not released	First responders and health workers		
Texas	Denton County	7-Apr-20	\$80 per week	Critical employees (detention officers, sheriff's deputies and constables)	Until county's disaster declaration is lifted	
Texas	Donna	7-Apr-20	\$700 per month	Patrol officers and firefighters	6 weeks	
Texas	Glen Heights	13-Apr-20	\$2 per hour	Front line workers	Until disaster declaration is lifted	
Texas	Navarro County	25-Apr-20	\$5 per hour	Sheriff's department and Road and Bridge personnel	Through July 2020	
Utah	South Salt Lake	30-Oct-20	\$150 per pay check	First responders	30-Dec-20	
Vermont	Statewide	13-Mar-20	\$1,200 (68-216 hours between start and end date) or \$2,000 (216+ hours)	Front line employees in public health, public safety, health care, and human services	15-May-20	Second round started at the end of October
Virginia	Fairfax County	21-Feb	\$2,000 one time payment	Government workers whose jobs put them at high risk of exposure	N/A	
Virginia	Statewide	12-Mar-20	\$1,500 one time payment	Consumer Direct Care Network attendees	30-Jun-20	

Virginia	Statewide	20-Oct	\$1500 one time payment	Home health workers who worked between March 12 and June 30	N/A	
Washington	Seattle	January 25,2021	\$4 per hour	Grocery workers at grocery and food retail businesses with at least 500 employees		Mandate unanimously passed
Washington	Burien	17-Feb-21	\$5 per hour	All grocery workers at stores with 250+ employees		Passed ordinance
Washington	King County	11-Feb-21	\$4 per hour	Grocery store workers		Introduction and consideration of bill
West Virginia	Kanswha-Charleston Health Department	20-Oct	\$500 one-time payment	Kanswha-Charleston Health Department workers	N/A	
West Virginia	Lewisburg City	20-Nov	\$1,500 one-time payment	City employees	N/A	
West Virginia	Putnam County	21-Feb	\$250 or \$500 per month	First responders and emergency personnel	21-May	
Wisconsin	Sheboygan County		\$10 per hour	Long Term Care facility workers	During a confirmed positive case in the unit	
Wisconsin	Fond du Lac County	End of 2020	One time payment dependent on full or part time status	Nursing home employees	N/A	

Wisconsin	Ozaukee County	15-Mar-20	Lump sum based on average number of weekly hours of six pay periods	Sheriff's Office, Public Health, Lasata, and Human Services employees	24-Oct-20	
Wisconsin	Rock County		\$500 one time payment	Nursing home, sheriff's office, ME office, HSD, youth services center, communications center, and facilities and IT		
Wisconsin	Rock County		\$5 per hour	Staff working in a closed down unit with a positive case		
Wisconsin	Bayfield County		\$1.50 per hour	On call health department staff		
Wisconsin	Washington County		\$20 each day worked	Custodians. Medical Examiner Staff, direct care staff in nursing homes, jail workers, deputies and detectives in Sheriff's department		
Wisconsin	Waupaca County		One-time payment	Salaried Public Health Officers and Health Managers		

Wyoming	Johnson County	27-Jan-21	\$5000 (full time) \$2500 (part time) One time payment	Employees at Johnson County Health Center	N/A	
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**KENAI COUNCIL ON AGING
REGULAR MEETING
MARCH 11, 2021 – 4:30 P.M.
KENAI SENIOR CENTER
CHAIR DON ERWIN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

The meeting was called to order by Chair Erwin at 4:34 p.m.

a. Pledge of Allegiance

Chair Erwin led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

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

Members Absent:

A quorum was present.

Staff/Council Liaison

Present: Senior Director Romain, Administrative Assistant Clary, Council
Liaison Pettey

c. Agenda Approval

MOTION:

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

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

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

4. APPROVAL OF MEETING SUMMARY

MOTION:

Member Williams **MOVED** to approve the February 11, 2021 meeting summary as written and Member Craig **SECONDED** the motion. There were no objections. **SO ORDERED.**

5. **UNFINISHED BUSINESS** -- None.

6. NEW BUSINESS –

a. **Discussion** – Code of Conduct

Members reviewed, discussed and brainstormed ideas for revisions. Discussion/comments included:

- Revisit salad bar/buffet table due to COVID-19 issues;
- Change “hand sanitizer available” to “hand sanitizer available for your convenience”;
- Concern that visitors to the Center have had to be reminded to use the hand sanitizer;
- Should staff and/or volunteers be available to monitor restrooms for hand washing and hand sanitizing before entering the dining room when it is opened?;
- The timeline for opening for more activities and socializing, i.e. kitchen access and adding chairs to tables;
- Has Center administration considered purchase of an ozinator;
- Add to the Code of Conduct: “If ill, do not enter building.”

Senior Center Director Romain stated she will include additional sanitation device information into the Code of Conduct and include a draft of it to the April 8, 2021 meeting for consideration.

b. **Discussion – 2021 Goals**

Senior Center Director Romain discussed updating goals of the Center, noting the main one at this time was to get the Center open and back to normal as soon as possible. Other issues include outreach and awareness, as well as connecting with the Chamber of Commerce and developing a plan regarding “why retire to Kenai.” She requested members bring other goals ideas to the April meeting for discussion and consideration.

c. **Discussion – Greenhouse Project**

Romain reminded members that funds had been donated in Bill Osborn's memory for the development of a greenhouse on the Center grounds. The bluff erosion project could affect where the project could be situated. Due to the Public Works Department experiencing transitions in personnel, its needed assistance in the planning for the project was not available at this time. A general discussion and questions from the members followed.

7. **REPORTS**

- a. Senior Center Director – Romain spoke to the Center’s current opening plan, temporary staff, current grants, stimulus information, anticipating future grants, and new vehicle.
- b. Council on Aging Chair – Chair Erwin thanked Romain for “always providing informative information.”
- c. City Council Liaison – Council Member Pettet reviewed the Action Agenda for the Council’s February 17, 2021 and March 03, 2021 meetings which were included in the packet, noting ordinances and resolutions passed, etc.

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

There were no announcements of absences for the April 8, 2021 meeting.

9. **COUNCIL MEMBERS COMMENTS AND QUESTIONS**

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

MOTION:

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

There being no further business, the Council on Aging meeting adjourned at 6:13pm.

Meeting summary prepared and submitted by:

Jamie Heinz, MMC
City Clerk

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

MEETING SUMMARY

1. CALL TO ORDER

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

a. Pledge of Allegiance

Chair Feeken led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Commissioners Present: G. Feeken, K. Dodge, D. Lechlitter, P. Minelga, J. Zirul, D. Pitts

Commissioners Absent: J. Bielefeld

Staff/Council Liaison Present: Airport Manager M. Bondurant, Administrative Assistant E. Brincefield, Council Liaison H. Knackstedt

A quorum was present.

c. Agenda Approval

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

- | | |
|-----------------|--|
| Add to item 11. | <p>Informational Items</p> <ul style="list-style-type: none"> • Special Use Permit to Alaska Air Fuel • Resolution No. 2021-15 • Resolution No. 2021-16 |
|-----------------|--|

MOTION:

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

2. SCHEDULED PUBLIC COMMENT

a. Joe Caldwell, Kenai Aviation – Update on Airport Activities

Joel Caldwell did not attend the meeting to speak to the commission.

3. UNSCHEDULED PUBLIC COMMENT – None.

4. **APPROVAL OF MEETING SUMMARY**

a. February 11, 2021

MOTION:

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

5. **UNFINISHED BUSINESS**

a. **Discussion** – Informational Sign at Float Plane Basin

Airport Manager Bondurant discussed the design stage of the sign to be displayed at the float plane basin, looking for comments from the commission.

Inclusion of a QR code was discussed, and concern was raised about who would maintain the business list. Commissioners recommended charging a small fee to advertise. It was noted that the Kenai Airport is the gateway to the Kenai Peninsula, and commissioners feel this is a great way to advertise business on the Peninsula. It was suggested that the sign be displayed at the terminal transient area as well as the float plane basin. Airport Staff will reach out to Alaska Channel about running this advertising program.

Commission generally approved of the aerial pictures, but it was noted that having specific attractions listed on a map with pictures might be too busy and the inclusion of a QR code would direct users to those specific places/pictures.

More information will be brought to April commission meeting.

6. **NEW BUSINESS**

a. **Discussion/Recommendation** – FY22 Budget

Airport Manager Bondurant reported the Airport Budget was approved with no required changes. Noted she had received direction from City administration to keep budgets the same or less as FY21, and the Airport was able to reduce costs in a couple areas of FY22 Budget.

Bondurant commented that utilities have increased substantially city-wide.

Two special projects were highlighted in FY22 budget: security camera project and terminal landscaping project.

7. **REPORTS**

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

- 2 new ARFF trucks are scheduled for delivery in July;
- Sand storage building should begin again in April;
- 2020 land acquisition project is in closeout process, but 14 pages of ALP updates are being submitted;

- Airport lost a multipurpose slow-blower this winter season, is minimum 40-45 weeks out to fix. The engine has been replaced 3 times. Approval from FAA to submit application for new multipurpose machine. Ready to submit grand application on May 3;
- Recently updated AEP and is being distributed to all participants;
- Received 2 more grants for COVID-19 relief money;
- Currently updating land brochure.

b. **City Council Liaison** – Council Member Knackstedt reported on the actions of the February 17, 2021, and March 3, 2021 Council Meetings.

8. NEXT MEETING ATTENDANCE NOTIFICATION – April 8, 2021

9. COMMISSIONER COMMENTS AND QUESTIONS

Commissioner Zirul recently traveled to Mexico and commented on his experience with mask mandates.

Commissioner Lichleiter thanked Airport operations staff for all their hard work with snow removal.

Commissioner Pitts noted he is happy to see the Airport is working toward further development of the float plane basin.

10. ADDITIONAL PUBLIC COMMENT – None.

11. INFORMATION ITEMS

- a. February 2021 Mid-Month Report
- b. January 2021 Enplanements

12. ADJOURNMENT

MOTION:

Commissioner Lichleiter **MOVED** to adjourn the meeting and Commissioner Zirul **SECONDED** the motion. There were no objections; **SO ORDERED**.

There being no further business before the Commission, the meeting was adjourned at 6:53 p.m.

Meeting summary prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
MARCH 24, 2021 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

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

1. Pledge of Allegiance

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

2. Roll Call

Commissioners present: J. Twait, J. Halstead, D. Fikes, G. Woodard

Commissioners absent: R. Springer, G. Greenberg, A. Douthit,

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

A quorum was present.

3. Agenda Approval

MOTION:

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

4. Consent Agenda

MOTION:

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

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

5. *Excused absences – None

B. APPROVAL OF MINUTES

1. *March 10, 2021

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT – None.**D. UNSCHEDULED PUBLIC COMMENT – None.****E. CONSIDERATION OF PLATS**

1. **Resolution PZ2021-09** – Preliminary Subdivision Plat of Carl F. Ahlstrom RPM's Replat Number 2, submitted by Segesser Surveys, 30485 Rosland Street, Soldotna, AK 99669, on behalf of the City of Kenai, 210 Fidalgo Avenue, Kenai, AK 99611

Planning Director Foster presented his staff report with information provided in packet, noting that the applicant wishes to vacate the property lines between Lot 22A, Block 13, and Lot 21, 20, and 19, Block 13, Carl F. Ahlstrom Subdivision, which will create a larger tract to be described as Lot 19A, Block 13, Carl F. Ahlstrom Subdivision, RPM's Replat Number 2. The applicant also wishes to vacate the utility easements as set forth on the Preliminary plat.

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

- Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- The Kenai City Council must declare the ten-foot (10') utility easements are not needed for a public purpose and approve the vacation of the utility easements as shown on the preliminary plat.

MOTION:

Commissioner Woodard **MOVED** to approve Resolution No. PZ2021-09 and Vice Chair Fikes **SECONDED** the motion.

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

The question was raised of whether or not the owner intended to demolish or expand any existing structures. It was clarified that we currently had no information on future improvements beyond the subdivision and vacation of utility lines, but if that occurred then the Planning & Zoning department would be notified by the Building department when the owner applies for a permit. It was also clarified that the vacation the easements would not inhibit any road construction or future development in the area. It was explained how vacating these easements could benefit the landowner as they might find it more advantageous to consolidate four separate parcels into one lot.

VOTE:

YEA: Halstead, Twait, Fikes, Woodard
 NAY:

MOTION PASSED UNANIMOUSLY.

F. PUBLIC HEARINGS – None.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS – None.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Glendening reported on the actions from the March 17, 2021 City Council meeting.
2. **Borough Planning** – Vice Chair Fikes reported on the actions of the March 15, 2021 Borough Planning Commission meeting.
3. **City Administration** – Planning Director Foster reported on the following:
 - He will be offering training for new Planning & Zoning commissioners, which can be scheduled individually or as a work session before a future meeting;
 - Received a Conditional Use Permit application, scheduled for the April 14, 2021 meeting.

K. ADDITIONAL PUBLIC COMMENT

1. Citizens Comments
2. Council Comments

L. INFORMATIONAL ITEMS

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. April 14, 2021

N. COMMISSION COMMENTS & QUESTIONS

Commissioner Woodard noted she looks forward to Planning Director Foster's training session.

Commissioner Halstead said it was good to be back and see everyone in person, and expressed appreciation for how well staff was able to present and work with commissioners remotely.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:47 p.m.

Minutes prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

DRAFT

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

COUNCIL MEETING OF: APRIL 7, 2021

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
AIRSIDE SOLUTIONS	WINDSOCKS	AIRPORT	OPERATING SUPPLIES	4,343.08
SEGESSER SURVEYS	PLAT PREP - SAND STORAGE PROJECT	AIRPORT	PROFESSIONAL SERVICES	3,070.00