



## Kenai City Council - Regular Meeting

December 16, 2020 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

[www.kenai.city](http://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. **John Williams** - Nomination to Cook Inlet Regional Citizen's Advisory Council Seat, Summer 2021 Events, and Visitor Center Anniversary.

#### C. UNSCHEDULED PUBLIC COMMENTS

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

#### D. PUBLIC HEARINGS

1. **Ordinance No. 3167-2020** - Increasing Estimated Revenues and Appropriations in the Cares Act Recovery Special Revenue Fund.
2. **Ordinance No. 3168-2020** - Increasing Estimated Revenues and Appropriations in the Airport Operations Facility, Airport Snow Removal Equipment, Terminal Improvement, Airport Improvements, Personal Use Fishery, Animal Control Improvements, Public Safety Improvements, City Shop Improvements, Municipal Roadway Improvements, Water and Sewer Improvements, and Wastewater Treatment Facility Improvements Capital Project Funds to Transfer Residual Balances from Completed or Canceled Projects Back to their Original Funding Sources.
3. **Ordinance No. 3169-2020** - Increasing Estimated Revenues and Appropriations in the General Fund, Finance Department for the Payment of Fees in Connection with the

Collection of Remote Seller Sales Tax by the Alaska Remote Seller Sales Tax Commission on Behalf of the City of Kenai.

- 4. Ordinance No. 3170-2020** - Accepting and Appropriating a Grant from the State of Alaska for the Purchase of Library Books.
- 5. Ordinance No. 3171-2020** - Accepting and Appropriating a State of Alaska Grant Passed through the Southern Region EMS Council, Inc. for Two Automatic External Defibrillator (AED) Trainers and One Advanced Life Support (ALS) Skills Training Mannequin.
- 6. Ordinance No. 3172-2020** - Waiving the \$5,000 Limitation in KMC 7.25.020 (A) for Allocating CARES Act Funds to Allow the City Manager to Allocate the Funds to the Proper Account as Needs Arise and Time to Utilize the Funds Expires, and Declaring an Emergency.
- 7. Resolution No. 2020-93** - Authorizing the City Manager to Execute a Professional Services Agreement for 2021 Fire Systems Testing, Inspection & Monitoring Project.
- 8. Resolution No. 2020-94** - Authorizing the City Manager to Enter into an Amended Restaurant Concession Agreement at the Kenai Municipal Airport with Brothers Cafe.
- 9. Resolution No. 2020-95** - Authorizing the City Manager to Execute a Professional Engineering Services Agreement for the Kenai Waste Water Treatment Plant (WWTP) Sludge Press Replacement Project.
- 10. Resolution No. 2020-96** - Further Extending the Disaster Emergency Declaration for the City of Kenai Made on March 18, 2020 in Response to the COVID-19 Health Emergency.

**E. MINUTES**

- 1.** \*Special Meeting of November 23, 2020.
- 2.** \*Work Session Summary of December 2, 2020.
- 3.** \*Regular Meeting of December 2, 2020.
- 4.** \*Work Session Summary of December 9, 2020.

**F. UNFINISHED BUSINESS**

**G. NEW BUSINESS**

- 1. \*Action/Approval** - Bills to be Ratified.
- 2. \*Action/Approval** - Purchase Orders Over \$15,000.
- 3. \*Action/Approval** - Non-Objection to Liquor License Renewals for Kenai Golf Course and 2 Go Mart.
- 4. \*Action/Approval** - Special Use Permit to Schilling Alaska, Inc., d/b/a the Uptown Motel for Snow Storage.

- 5.** \***Ordinance No. 3173-2020** - Accepting and Appropriating Asset Forfeiture Sharing Funds for the Police Department for the Purpose of Purchasing Law Enforcement Equipment.
- 6.** \***Ordinance No. 3174-2020** - Accepting And Appropriating a FM Global Fire Prevention Grant for the Purchase of Two I pads and Accessories to be Used Toward Fire Prevention Efforts.
- 7.** \***Ordinance No. 3175-2020** - Increasing Estimated Revenues and Appropriations in the Airport Improvements Capital Fund and Authorizing an Increase to the Construction Purchase Order to Kirila Fire, Inc.
- 8.** \***Ordinance No. 3176-2020** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and the Airport Snow Removal Equipment Capital Project Funds to Provide Supplemental Funding for the Project, and Authorizing a Purchase Agreement for the Purchase of a Replacement Wide-Area Tractor & Mower.
- 9.** **Action/Approval** - Confirmation of Mayoral Nominations for Appointment to the Planning and Zoning Commission.
- 10.** **Action/Approval** - Confirmation of Mayoral Nominations for Appointment to Various City Commissions.
- 11.** **Action/Approval** – Confirmation of Mayoral Nomination for Appointment of City of Kenai Representative to the Cook Inlet Regional Citizens Advisory Council Board.
- 12.** **Action/Approval** - Mayoral Nomination of a Council Member to the Supervisory Sub-Committee.
- 13.** **Discussion** - Update Regarding Remote Sellers Sales Tax.
- 14.** **Discussion** - Coordinating with Soldotna on a Community Led Campaign Against COVID-19.
- 15.** **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 & Zoning Commission report.
6. Beautification Committee
7. Mini-Grant Steering Committee

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

**J. ADMINISTRATION REPORTS**

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

**K. ADDITIONAL PUBLIC COMMENT**

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

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

1. Purchase Orders Between \$2,500 and \$15,000.
2. Marathon Pipe Line Emergency Notification Letter
3. Thank You from Kenai Chamber of Commerce
4. Cook Inlet Regional Citizens Advisory Council Report - December

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

**Join Zoom Meeting**

<https://us02web.zoom.us/j/85067488222>

**Meeting ID:** 850 6748 8222 **Passcode:** 616807

OR

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

**Meeting ID:** 850 6748 8222 **Passcode:** 616807



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3167-2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE CARES ACT RECOVERY SPECIAL REVENUE FUND.

WHEREAS, the City of Kenai has been awarded \$10,376,356.66 in United States Treasury Coronavirus Relief and Economic Security (CARES) Act grant funds, including \$7,700,831.72 passed through the State of Alaska and \$2,675,524.94 passed through the Kenai Peninsula Borough; and,

WHEREAS, unlike most federal grants which are reimbursable, the City received the CARES Act grant funds in advance; and,

WHEREAS, federal regulations require any interest earning received on advanced federal funds to be spent as if an increase to the grant award amount; and,

WHEREAS, through October 30, 2020, the City has received \$286.26 in investment earnings on advanced CARES Act grant funds, including \$200.37 received in FY2020, which now resides in the CARES Act Recovery Special Revenue Fund's Fund Balance; and,

WHEREAS, additional investment earnings of up to \$213.74 are expected prior to disbursement of the remaining grant funds; and,

WHEREAS, appropriation of the investment earnings in compliance with federal regulations and use of the earnings for expenses related to the City's COVID-19 response 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 by the actual amount of investment earnings received on CARES Act grant funds prior to their disbursement but not to exceed \$500.00:

CARES Act Recovery Special Revenue Fund:	
Increase Estimated Revenues –	
Appropriation of Fund Balance	\$200.37
Investment Earnings	<u>299.63</u>
	<u>\$500.00</u>

Increase Appropriations –  
First Responder and Incident Management  
Team Payroll - Contingency \$500.00

**Section 2.** That the City Manager is authorized to expend the funds in compliance with United States Treasury Guidance and this Ordinance.

**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 16<sup>th</sup> day of December, 2020.

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

ATTEST:

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

Approved by Finance: 

Introduced: December 2, 2020  
Enacted: December 16, 2020  
Effective: December 16, 2020



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Terry Eubank, Finance Director

**DATE:** November 5, 2020

**SUBJECT:** **Ordinance 3167-2020 Appropriating Investment Earnings on United States Treasury Coronavirus Relief and Economic Security (CARES) Act Grant Funds**

---

The purpose of this memo is to recommend the adoption of Ordinance 3167-2020 that will appropriate investment earning the City has received on United States Treasury Coronavirus Relief and Economic Security (CARES) Act grant funds advanced to the City.

The City has been awarded \$10,376,356.66 in CARES Act grant funds, including \$7,700,831.72 passed through the State of Alaska and \$2,675,524.94 passed through the Kenai Peninsula Borough. Grant funds passed through the State of Alaska were advanced to the City in three tranches, \$4,140,355.22 received on June 9, 2020, \$1,780,238.25 received on July 20, 2020, and \$1,780,238.25 received on October 7, 2020. Grant funds passed through the Kenai Peninsula Borough were received on \$2,675,524.94.

To date, the City has expended \$8,192,189.80 of these funds and received investment earnings of \$286.26 on undistributed funds, of which \$200.37 was received in FY20 and now resides in CARES Act Recovery Special Revenue Fund, fund balance. It is anticipated the City could receive an additional \$213.74 in investment earnings prior to distributing all grant funds.

Federal regulation requires investment earning on advance grant funds to be expended within the program as if an increase to the grant award amount. Enactment of Ordinance 3167-2020 will appropriate the actual investment earnings received, up to a maximum of \$500, for use in the City's response to the COVID-19 public health emergency. An amount of up to \$500 is being used as actual earnings will not be known until all funds are disbursed. Once known, the actual amount of investment earnings will be authorized for expenditure. An appropriation of up to an amount is a bit unusual but necessary when grant funds are advanced, which is not the norm for federal grants.

Your support for enactment is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI**

**ORDINANCE NO. 3168-2020**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT OPERATIONS FACILITY, AIRPORT SNOW REMOVAL EQUIPMENT, TERMINAL IMPROVEMENT, AIRPORT IMPROVEMENTS, PERSONAL USE FISHERY, ANIMAL CONTROL IMPROVEMENTS, PUBLIC SAFETY IMPROVEMENTS, CITY SHOP IMPROVEMENTS, MUNICIPAL ROADWAY IMPROVEMENTS, WATER AND SEWER IMPROVEMENTS, AND WASTEWATER TREATMENT FACILITY IMPROVEMENTS CAPITAL PROJECT FUNDS TO TRANSFER RESIDUAL BALANCES FROM COMPLETED OR CANCELED PROJECTS BACK TO THEIR ORIGINAL FUNDING SOURCES.

WHEREAS, \$110,600.79 remains in different Airport Capital Project Funds from completed projects including the Fencing Rehabilitation and Gate project, Flight Service Station Improvement Phase 1, 2, & 3 project, 2019 Airfield Crack Sealing and Pavement Repair Project, the Airport Terminal Parking Lot Expansion Project, the Airport Operations Center Dry Sprinkler Repair Project, and various other completed projects; and,

WHEREAS, transfer of the residual \$105,650.57 to the Airport Special Revenue Fund, the fund from which the funds originated, will allow future appropriation of the funds for operations or future capital projects and is in the best interest of the City; and,

WHEREAS, \$2,215.24 remains in the Personal Use Fishery Improvements Capital Project fund after completion of the South Spruce Street Widening and Utility Installation project; and,

WHEREAS, transfer of the residual \$2,215.24 to the Personal Use Fishery Special Revenue Fund, the fund from which the funds originated, will allow future appropriation of the funds for operations or future capital projects and is in the best interest of the City; and,

WHEREAS, \$42,392.62 remains in the Animal Control Improvement, Public Safety Capital Project, City Shop Improvements, and Municipal Roadway Improvements Capital Project Funds from completed capital projects, including the Animal Shelter Floor Refinishing Project, the Fire Department Kitchen Remodel Project, the City Shop Pad Expansion Project, and the Ryan's Creek Outflow Culvert Repair Project; and,

WHEREAS, transfer of the residual \$42,392.62 to the General Fund, the fund from which the funds originated, will allow future appropriation of the funds for operations or future capital projects and is in the best interest of the City; and,

WHEREAS, \$23,495.89 remains in the Water & Sewer Improvement and Wastewater Treatment Facility Improvements Capital Project Funds after completion of Inlet Woods Lift Station Improvement Project and the Wastewater Treatment Aeration Basin Blower Project; and,



Ordinance No. 3168-2020

Page 2 of 4

WHEREAS, transfer of the residual \$23,495.89 to the Water & Sewer Special Revenue Fund, the fund from which the funds originated, will allow future appropriation of the funds for operations or future capital projects and 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 Operations Facility Capital Project Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$13,538.00</u>

Increase Appropriations –	
Transfer to Airport Special Revenue Fund	<u>\$13,538.00</u>

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

Airport Snow Removal Equipment Capital Project Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$1,403.19</u>

Increase Appropriations –	
Transfer to Airport Special Revenue Fund	<u>\$1,403.19</u>

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

Terminal Improvement Capital Project Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$25,000.00</u>

Increase Appropriations –	
Transfer to Airport Special Revenue Fund	<u>\$25,000.00</u>

**Section 4.** That the estimated revenues and appropriations be increased as follows:

Airport Improvements Capital Project Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$65,709.38</u>

Increase Appropriations –	
Transfer to Airport Special Revenue Fund	<u>\$65,709.38</u>

**Section 5.** That the estimated revenues and appropriations be increased as follows:

Personal Use Fishery Capital Project Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$2,215.24</u>

Increase Appropriations –  
 Transfer to Personal Use Fishery Special Revenue Fund      \$2,215.24

**Section 6.** That the estimated revenues and appropriations be increased as follows:

Animal Control Improvement Capital Project Fund:

Increase Estimated Revenues –  
 Appropriation of Fund Balance      \$4,089.85

Increase Appropriations –  
 Transfer to General Fund      \$4,089.85

**Section 7.** That the estimated revenues and appropriations be increased as follows:

Public Safety Improvements Capital Project Fund:

Increase Estimated Revenues –  
 Appropriation of Fund Balance      \$5,712.82

Increase Appropriations –  
 Transfer to General Fund      \$5,712.82

**Section 8.** That the estimated revenues and appropriations be increased as follows:

City Shop Improvements Capital Project Fund:

Increase Estimated Revenues –  
 Appropriation of Fund Balance      \$24,669.01

Increase Appropriations –  
 Transfer to General Fund      \$24,669.01

**Section 9.** That the estimated revenues and appropriations be increased as follows:

Municipal Roadway Improvement Capital Project Fund:

Increase Estimated Revenues –  
 Appropriation of Fund Balance      \$7,920.94

Increase Appropriations –  
 Transfer to General Fund      \$7,920.94

**Section 10.** That the estimated revenues and appropriations be increased as follows:

Water & Sewer Improvements Capital Project Fund:

Increase Estimated Revenues –  
 Appropriation of Fund Balance      \$21,639.00

Increase Appropriations –  
 Transfer to Water & Sewer Special Revenue Fund      \$21,639.00

**Section 11.** That the estimated revenues and appropriations be increased as follows:

Wastewater Treatment Facility Improvements Capital Project Fund:

Ordinance No. 3168-2020

Page 4 of 4

Increase Estimated Revenues –	
Appropriation of Fund Balance	\$ <u>1,856.89</u>

Increase Appropriations –	
Transfer to Water & Sewer Special Revenue Fund	\$ <u>1,856.89</u>

**Section 12. 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 13. 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 16<sup>th</sup> day of December, 2020.

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

ATTEST:

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

Approved by Finance: 

Introduced: December 2, 2020  
Enacted: December 16, 2020  
Effective: December 16, 2020



# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Terry Eubank, Finance Director

**DATE:** November 6, 2020

**SUBJECT:** **Ordinance 3168-2020 Transferring Remaining Funds from Completed Capital Projects back to Original Funding Source**

The purpose of this memo is to recommend the enactment of Ordinance 3168-2020 that will transfer remaining balances from completed capital projects back to their original funding source. These transfers will allow the residual funds to be appropriated for operations or new capital projects in the future.

In total, \$105,650.57 will be returned to the Airport Special Revenue Fund from these completed capital projects:

1. Fencing Rehabilitation Project, \$6,981.27.
2. Flight Service Station Phase 3 Improvements, 8,632.97.
3. 2019 Airfield Crack Sealing & Pavement Repair, \$15,784.51.
4. Terminal Parking Lot Expansion, \$25,000.00.
5. Airport Ops Dry Sprinkler Repair, \$13,538.00
6. \$35,713.82 from various other completed capital projects.

\$2,215.24 will be returned to the Personal Use Fishery Special Revenue Fund from the completed South Spruce Street Widening and Utility Location Project.

\$42,392.62 will be returned to the General Fund from these completed capital projects:

1. Animal Control Improvements, \$4,089.85.
2. Fire Department Kitchen Remodel, \$5,712.82.
3. City Shop Pad Expansion, \$24,669.01.
4. Ryan's Creek Outflow Culvert Repair, \$7,920.94.

\$23,495.89 will be returned to the Water & Sewer Special Revenue Fund from these completed capital projects:

1. Inlet Woods Lift Station Upgrades, \$21,639.00.
2. Wastewater Treatment Plant Aeration Blower Project, \$1,856.89.

With the enactment of Ordinance 3168-2020, these funds will be returned to their original funding source, where they will reside in fund balance until the passage of future ordinances appropriating the funds for operations or other capital projects. No authorization to spend is created by this appropriation, rather only the authority to transfer between funds is being provided.

Your support for the enactment of Ordinance 3168-2020 is respectfully requested.





Sponsored by: Administration

**CITY OF KENAI**

**ORDINANCE NO. 3169-2020**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND, FINANCE DEPARTMENT FOR THE PAYMENT OF FEES IN CONNECTION WITH THE COLLECTION OF REMOTE SELLER SALES TAX BY THE ALASKA REMOTE SELLER SALES TAX COMMISSION ON BEHALF OF THE CITY OF KENAI.

WHEREAS, Resolution 2020-09 authorized the Alaska Remote Seller Sales Tax Commission (Commission) to implement, administer, and enforce the provisions of Kenai Peninsula Borough Code section 5.19, Uniform Remote Seller Sales Tax Code on behalf of the City; and,

WHEREAS, the Commission began collection of remote seller sales tax on behalf of the City in March 2020; and,

WHEREAS, fees for collection by the Commission are on a sliding scale based on total collection by the Commission for all participating municipalities and average 19.10%; and,

WHEREAS, the FY2021 Budget included estimated revenues from remote seller sales tax of \$250,000 net of collection fees; and,

WHEREAS, in consultation with the City’s independent auditors, it was discovered that governmental accounting standards prohibit the reporting of revenues net of fees; and,

WHEREAS, governmental accounting standards require the reporting of remote seller sales tax at gross and the fees paid for collection separately; and,

WHEREAS, an amount for the payment of fees was not included in the FY2021 Adopted Budget and is needed to properly account for the City’s collection of remote seller sales tax.

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>\$50,000</u>
 Increase Appropriations –	
Finance - Professional Services	<u>\$50,000</u>

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 16<sup>th</sup> day of December, 2020.

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

ATTEST:

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

Approved by Finance: 

Introduced: December 2, 2020  
Enacted: December 16, 2020  
Effective: December 16, 2020



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Terry Eubank, Finance Director

**DATE:** November 6, 2020

**SUBJECT:** **Ordinance 3169-2020 Appropriating Funds for Collection Fees in Connection with the Collection of Remote Seller Sales Tax**

---

The purpose of this memo is to recommend the enactment of Ordinance 3169-2020 that will appropriate funds for the payment of fees to the Alaska Remote Seller Sales Tax Commission (Commission). Resolution 2020-09 authorized the Commission to implement, administer, and enforce the provisions of Kenai Peninsula Borough Code section 5.19, Uniform Remote Seller Sales Tax Code on behalf of the City.

The adopted FY2020 Budget included net revenue for remote seller sales tax of \$250,000. In consultation with the City's independent auditors, it was discovered that governmental accounting standards prohibit the reporting of revenues net of fees but rather require the reporting of revenues and their associated fees separately at gross. This Ordinance will provide the necessary budget for the payment of the fees for collection. Fees for collection are on a sliding scale dependent upon the amount of remote seller sales tax collected by the Commission for all members and is currently averaging 19.10% of collections.

July and August collection of remote seller sales tax averaged approximately \$19,000 per month with fees of approximately \$3,250 per month. Collections continue to grow but will not likely reach the \$310,000 needed in FY2021 to achieve net revenue of \$250,000. Fund balance is needed to appropriate the FY2021 estimated fees of \$50,000. With continued growth in collections, it is likely the City will achieve gross collection of at least \$310,000 in subsequent years. Gross collections of \$310,000 will provide for the payment of approximately \$60,000 in fees and produce net revenue of \$250,000 from remote seller sales tax.

Your support for the enactment of Ordinance 3169-2020 is respectfully requested.





Sponsored by: Administration

**CITY OF KENAI**

**ORDINANCE NO. 3170-2020**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING A GRANT FROM THE STATE OF ALASKA FOR THE PURCHASE OF LIBRARY BOOKS.

WHEREAS, the City of Kenai received a grant from the State of Alaska, Department of Education and Early Development for the purchase of library books; and,

WHEREAS, it is in the best interest of the City of Kenai to 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 a grant from the State of Alaska, Department of Education and Early Development in the amount of \$7,000 for the purchase of library books and to execute grant agreements 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 – Library—State Grants	<u>\$7,000</u>
Increase Appropriations – Library--Books	<u>\$7,000</u>

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 16<sup>th</sup> day of December, 2020.

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

ATTEST:

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

Approved by Finance: 

Introduced: December 2, 2020  
Enacted: December 16, 2020  
Effective: December 16, 2020



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Katja Wolfe, Library Director

**DATE:** November 18, 2020

**SUBJECT:** **Ordinance 3170-2020 Accepting and Appropriating a Grant from the State of Alaska**

---

The Library has been awarded the annual Public Library Assistance Grant by the State of Alaska, Department of Education and Early Development. As per the grant award, the amount of \$7,000 is to be used for the purchase of books and should be deposited in account 001-440-4666.

The Library Director completes an application each year in order to receive these funds. Certain minimum standards must be met in order to receive this grant. These include reporting requirements on expenditures and collection statistics, the number of hours that the library is open to the public, minimum educational requirements for the Library Director and continuing education requirements.

Your consideration is appreciated.



Sponsored by: Administration

**CITY OF KENAI**

**ORDINANCE NO. 3171-2020**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING A STATE OF ALASKA GRANT PASSED THROUGH THE SOUTHERN REGION EMS COUNCIL, INC., FOR TWO AUTOMATIC EXTERNAL DEFIBRILLATOR (AED) TRAINERS AND ONE ADVANCED LIFE SUPPORT (ALS) SKILLS TRAINING MANNEQUIN.

WHEREAS, the Kenai Fire Department has been awarded a Code Blue Phase 20 Grant from the Southern Region EMS Council (EMS Council), Inc.; and,

WHEREAS, the EMS Council will provide the City with two AED trainers and one ALS skills training mannequin; and,

WHEREAS, the cost for the AED trainers is \$948 and the ALS skill training mannequin is \$10,929 of which the Fire Department will provide 10% matching funds from its operating budget to the EMS Council; and,

WHEREAS, the Fire Department has within its budget, the funds available to meet the required 10% matching funds: and,

WHEREAS, it is in the best interest of the City to accept grant funding to purchase this equipment.

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

**Section 1.** That the City Manager is authorized to accept a grant in the amount of \$10,689 from the State of Alaska passed through the Southern Regions EMS Council, Inc. for two AED trainers and one ALS skills training mannequin.

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

General Fund:

Increase Estimated Revenues –	
State Grants - Fire	<u>\$10,689</u>
Increase Appropriations – Fire Department	
Small Tools	\$ 853
Machinery and Equipment	<u>9,836</u>
	<u>\$10,689</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 16<sup>th</sup> day of December, 2020.

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

ATTEST:

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

Approved by Finance: 

Introduced: December 2, 2020  
Enacted: December 16, 2020  
Effective: December 16, 2020



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Tony Prior, Fire Chief

**DATE:** November 19, 2020

**SUBJECT:** **Ordinance 3171-2020 Southern Region EMS Council Code Blue Grant**

---

City of Kenai Fire Department was successful in receiving a grant from the State of Alaska Southern Region EMS Council for their Code Blue, Phase 20 cycle. We applied for a grant to purchase training equipment that will be used to train our staff, along with other City employees who need CPR/AED training. We submitted to purchase two AED trainers as well as an Advanced Life Support (ALS) mannequin for our expanded scope EMS training. This mannequin will allow us to have live interactive scenarios through the mannequin with advanced cardiac rhythms. We will be able to do IV's on the mannequin, defibrillate appropriate cardiac rhythms, assess breathing as it is will be customized in real-time by the instructor. This is an advanced piece of training equipment that will greatly increase our EMS training in-house.

The grant total was for \$10,689.00, with a 10% match requirement for a total expenditure of \$11,877.00. We have within our budget the funds available to provide the 10% match to purchase these items, and we are requesting approval to accept this grant.

Your consideration of accepting this grant is greatly appreciated.



Sponsored by: Administration

## CITY OF KENAI

### ORDINANCE NO. 3172-2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, WAIVING THE \$5,000 LIMITATION IN KMC 7.25.020 (A) FOR ALLOCATING CARES ACT FUNDS TO ALLOW THE CITY MANAGER TO ALLOCATE THE FUNDS TO THE PROPER ACCOUNT AS NEEDS ARISE AND TIME TO UTILIZE THE FUNDS EXPIRES, AND DECLARING AN EMERGENCY.

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, in response to the COVID-19 pandemic, on March 18, 2020, the City Manager declared a local disaster emergency that was extended the same day by the City Council; and,

WHEREAS, emergency declarations on the state and local level have been extended through at least December 31, 2020; and,

WHEREAS, the City has received federal funding through the CARES Act to help offset impacts from COVID-19 to our local community; and,

WHEREAS, the City Council has approved funding and allocated CARES Act funds to help offset impacts from COVID-19 to meet food and shelter needs, assist businesses and nonprofits, provide mental health services, and cover payroll for incident managers and first responders; and,

WHEREAS, one of the limitations of the CARES Act funding under current federal guidance is that it must be utilized by December 31, 2020; and,

WHEREAS, Kenai Municipal Code 7.25.020 – City Budget Control, limits the City Manager’s authority to allocate funds in amounts \$5,000 or greater; and,

WHEREAS, the City Manager needs increased authority beyond the previously authorized authority of \$20,000 approved by Ordinance 3130-2020 to allocate CARES Act funds between Council approved programs as the December 31, 2020 deadline for expenditure of CARES Act funds draws nearer, and some programs need further funding while others are less utilized; and,

WHEREAS, increasing the City Manager’s authority will provide the flexibility to ensure CARES Act funds are fully utilized to maximum benefit for the City of Kenai and its residents, businesses and nonprofits; and,

WHEREAS, pursuant to KMC 1.15.70(f) an emergency ordinance may go into effect immediately upon passage; and,

WHEREAS, state law and City Charter allow for emergency ordinances when necessary to preserve public, peace health and safety and this Ordinance is needed to ensure maximum CARES Act resources are available to meet the needs of City Residents, business, non-profits, incident management and first responders.

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

**Section 1.** Classification: that this Ordinance is not of a general and permanent nature and shall not be codified.

**Section 2.** Declaration of Emergency: That the COVID-19 public health emergency has created an emergency recognized on the federal, state and local level and that this Ordinance is necessary to immediately preserve public peace, health and safety.

**Section 3.** That the limitation of transferring less than \$5,000 within each department in KMC 7.25.020 is waived to allow the City Manager to allocate funds to the correct accounts as expenditures arise. Further, the limitation in KMC 7.25.020 to move less than \$5,000 between departments is increased to \$100,000 with transfers of more than \$100,000 requiring a resolution by the City Council.

**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 16<sup>th</sup> day of December, 2020.

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

ATTEST:

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

Introduced: December 2, 2020  
Enacted: December 16, 2020  
Effective: December 16, 2020





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**FROM:** Paul Ostrander, City Manager  
**DATE:** November 24, 2020  
**SUBJECT:** Ordinance No. 3172-2020 – Waiving the \$5000 Fund Transfer Limit

---

As we near the deadline of December 31, 2020 for the expenditure of CARES Act funds, administration is closely tracking the utilization of the funds in the various accounts that have been authorized by Council. Any funds that are not expended by December 31, 2020 must be returned to the granting agency.

There is still uncertainty regarding the amount of funds that will be needed in several of the accounts, including the AHFC program providing rental and mortgage relief, the PCHS Mental Health Services Program, and the CARES Act Administration and Non-Payroll account. Additionally, administration estimates that an additional \$94,000 would need to be allocated to the First Responder and Incident Management Team Payroll to fully cover those costs through the end of 2020. The authority to re-allocate these funds is necessary to facilitate transfers that likely will exceed \$20,000 between accounts during the last several weeks of 2020 to assure that all of the CARES Act funds are utilized appropriately and to the maximum benefit of the City.

Your consideration is appreciated.



Sponsored by: Administration

**CITY OF KENAI**

**RESOLUTION NO. 2020 - 93**

A RESOLUTION OF THE CITY OF KENAI, ALASKA, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT FOR 2021 FIRE SYSTEMS TESTING, INSPECTION & MONITORING.

WHEREAS, on November 20, 2020 a formal Invitation to Bid was released for the 2021 Fire Systems Testing, Inspection & Monitoring project with Bids due on December 8, 2020; and,

WHEREAS, the following Bids were received:

Contractor	Bid
Yukon Fire Protection	\$74,373
North Star Fire Protection	\$78,340
Johnson Controls Fire Protection	\$99,934
Taylor Fire	\$138,400
Siemens Industry, Inc	\$139,033
ATS Alaska	\$174,345
Northern Support Services	\$188,000

; and,

WHEREAS, Yukon Fire Protection was found to be the lowest responsive and responsible Bidder and award to Yukon Fire Protection is in the best interest of the City; and,

WHEREAS, this project provides professional testing, inspection, & monitoring services for City Facilities and is a five year term agreement subject to annual appropriation of funds by Council; and,

WHEREAS, funding for this project is included within each affected department's FY21 Budget, and will continue to be included in future annual budgets.

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

**Section 1.** That the Kenai City Council authorizes the City Manager to execute a Professional Services Agreement with Yukon Fire Equipment for the 2021 Fire Systems Testing, Inspection & Monitoring project with the total anticipated five year cost of \$74,373 and this fiscal year's cost of \$14,847.60.

**Section 2.** That this Resolution takes effect immediately upon adoption.

ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 16th day of December, 2020.


---

Resolution No. 2020-93  
Page 2 of 2

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

ATTEST:

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

Approved by Finance: 



## MEMORANDUM

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

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Scott Curtin

**DATE:** December 9, 2020

**SUBJECT:** **Resolution 2020-93 – 2021 Fire Systems Testing, Inspection and Monitoring**

---

The Fire Systems Testing, Inspection & Monitoring Contract is up for renewal. It is generally a five year term agreement. This year we had quite a bit of interest in our Invitation to Bid which was released on November 20, 2020 with Bids due on December 8, 2020. Seven firms provided bids with Yukon Fire Protection being the lowest responsive responsible bidder with a bid of \$74,373.

This work provides for annual testing of fire alarm systems, annual inspection of fire protection equipment including items like sensors, extinguishers, etc., and system monitoring services for when an event arises that triggers an alarm staff and emergency services are notified.

The \$74,373 covers all five years of service. Each year these services will be included during the normal budgeting process and are subject to appropriation of funds by Council. Funds reside within the current year's budget to cover this year's portion at \$14,847.60.

Completion of this agreement allows for the continued protection of our City facilities and award to Yukon Fire Protection is in the best interest of the City.

Council's support is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI**

**RESOLUTION NO. 2020-94**

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED RESTAURANT CONCESSION AGREEMENT AT THE KENAI MUNICIPAL AIRPORT WITH BROTHERS CAFE.

WHEREAS, on August 1, 2018, Council passed Resolution 2018-42 authorizing the City Manager to enter into a restaurant concession agreement with the Brothers' Café; and,

WHEREAS, for the rights and privileges granted under the agreement, the Brothers' Café paid a monthly percentage of 5% of gross receipts plus applicable sales tax for August and September of 2018 and 10% plus applicable sales tax for all months after September 2018; and,

WHEREAS, on March 6, 2019 Council passed Resolution 2019-14 authorizing the City Manager to enter into and amended concession agreement with the Brothers' Café recognizing decreased business due to the terminal rehabilitation project that allowed forgiveness of the monthly payment due the City; and,

WHEREAS, based on that authorization, between March of 2019 and July of 2020, when the terminal rehabilitation project was completed, Brothers Café was required to make either a reduced payment of 5% or no payments to the City based on gross receipts; and,

WHEREAS, the Brothers' Café is experiencing a continued decrease in their business primarily due to the substantial reduction in the numbers of the traveling public as a result of the RAVN Alaska bankruptcy and the COVID-19 pandemic and is requesting continued rent relief for the months of August 2020 through June of 2021, when their contract with the City is eligible for renewal; and,

WHEREAS, City Administration has reviewed their financial data and determined that the request is reasonable due to continued impacts as a result of the COVID-19 pandemic.

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

**Section 1.** That the City Manager is authorized to execute an amendment to the concession contract with the Brothers' Café to amend the monthly percentage fee they pay to the City in a range from 0% to 10% of gross receipts plus applicable sales tax until June of 2021 based on a review of the gross receipts as reported monthly by the Brothers' Café, in compliance with applicable FAA requirements.

**Section 2.** That this resolution is retroactive to payments due in August of 2020.

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

---

Resolution No. 2020-94  
Page 2 of 2

ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 16<sup>th</sup> day of December, 2020.

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

ATTEST:

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

\_\_\_\_\_



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Paul Ostrander, City Manager

**DATE:** December 8, 2020

**SUBJECT:** **Resolution 2020-94 – Airport Restaurant Contract Amendment**

---

In August of 2018 the Council passed Resolution 2018-42 authorizing the City Manager to enter into a restaurant concession agreement with the Brothers' Café for a two-year term with an opportunity to extend for three successive one-year terms. They have been operating out of the Kenai Municipal Airport since that time. The original agreement anticipated that the Café would pay 5% of their monthly gross receipts over the first several months of the Agreement and 10% of monthly gross receipts over the remaining term of the Agreement. The Café has been impacted by several events outside of their control, initially by the Airport Terminal Rehabilitation Project, and more recently by the COVID-19 pandemic and the accompanying decrease in the number of travelling public exacerbated by the RAVN bankruptcy.

Council approved rent relief to the Café during the Terminal Rehabilitation Project due to impacts during the construction period. This resulted in the Café paying either 5% of monthly gross receipts or no monthly payment from March of 2019 to July of 2020, when the project ended.

This resolution would authorize the City Manager to execute an amendment to the concession contract with the Brothers' Café that would provide the possibility of further rent relief beginning in August of 2020 through June of 2021. The City Manager would be authorized to set the monthly payment in a range from 0% to 10% with justification based on the gross receipts as reported monthly by the Café.



Sponsored by: Administration

**CITY OF KENAI**

**RESOLUTION NO. 2020 - 95**

A RESOLUTION OF THE CITY OF KENAI, ALASKA, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT FOR THE KENAI WASTE WATER TREATMENT PLANT (WWTP) SLUDGE PRESS REPLACEMENT PROJECT.

WHEREAS, HDL Engineering was awarded a term service agreement with the City of Kenai after the successful completion of the Request for Proposal (RFP) process and as approved by Council through passage of Resolution 2020-24 at the May 6, 2020 Council Meeting; and,

WHEREAS, the Sludge Press Replacement is identified as Task 4 under this agreement; and,

WHEREAS, this project, after conducting Master Planning Site Inspections with the HDL Engineers and Administration this past summer, is considered the highest priority project for the Waste Water Plant; and,

WHEREAS, while the FY20 Budget has \$500,000 slated for this project, and these funds will be sufficient to cover this initial design effort, administration anticipates the total project cost for this work will likely be in the \$1,000,000 - \$1,100,000 range; and,

WHEREAS, at the completion of the design phase a more complete and accurate cost estimate will be provided to the City, and at that time administration will provide an ordinance to Council for consideration that would appropriate the remaining required funds; and,

WHEREAS, sufficient funding resides in the Water & Sewer Fund to accomplish this project; and,

WHEREAS, this piece of equipment is essential to operations at the facility to remain within DEC compliance, and will replace 40+ year old equipment that has been out of production for more than ten years; and,

WHEREAS, administration supports this project, and completion of this work is in the best interest of the City.

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

**Section 1.** That the Kenai City Council authorizes the City Manager to execute a Professional Services Agreement with HDL Engineering for the completion of Construction Documents for a Replacement Sludge Press for the Waste Water Treatment Plant in the amount of \$169,125.

**Section 2.** That this Resolution takes effect immediately upon adoption.

ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 16th day of December, 2020.

---



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

ATTEST:

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

Approved by Finance: *T. Lub*



# 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:** Scott Curtin

**DATE:** December 9, 2020

**SUBJECT:** **Resolution 2020-95 – Kenai Waste Water Treatment Plant Sludge Press Replacement Project**

---

The Waste Water Treatment Plant continues to move forward with needed improvements. HDL Engineering was brought under contract in the Spring of 2020. We have been working on APDES Permit renewal with DEC and Master Planning. This Sludge Press Replacement is the highest current priority project for the plant coming out of the preliminary Master Plan.

The plant is currently operated with one 40+ year old belt press that is very difficult to acquire replacement parts for. This is a critical piece of equipment within our operational process, this press is used to dewater sludge from the digester prior to loading onto trucks and taking to their final destination of the process, the landfill.

Without this piece of equipment operating correctly Central Peninsula Landfill cannot accept the sludge if it is not dewatered correctly due to environmental hazardous regulations.

In the FY20 Budget \$500,000 was slated for development of this project. After more thoroughly vetting out the project with the design team it is anticipated the final overall project cost of this work will be around the \$1,000,000 range. The Professional Services Agreement being approved with this Resolution in the amount of \$169,125 will provide bid ready construction documents and will come with a more detailed cost estimate. At that time an ordinance will be provided to Council for consideration that would appropriate the remaining funds needed to complete the project.

Sufficient funds reside in the existing Water & Sewer Fund to complete the overall project. This project is of great importance to staff to allow them to continue to safely operate the facility within permitted requirements. Photos below show a potential candidate for a new press as well as the existing press staff has been living with.

Council's support is respectfully requested.





Sponsored by: Administration

## CITY OF KENAI

### RESOLUTION NO. 2020 - 96

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, FURTHER EXTENDING THE DISASTER EMERGENCY DECLARATION FOR THE CITY OF KENAI MADE ON MARCH 18, 2020 IN RESPONSE TO THE COVID-19 HEALTH EMERGENCY.

WHEREAS, pursuant to AS 26.23.140 the City Manager, as the principal executive officer of the City, issued a Disaster Emergency Declaration on March 18, 2020 for a period not to exceed seven days in response to the COVID-19 public health emergency; and,

WHEREAS, that same day, the City Council extended the Disaster Emergency Declaration for 90 days, which expired on June 16, 2020; and,

WHEREAS, on June 3, 2020, the City Council passed Resolution 2020-40, extending the Disaster Emergency Declaration for 90 days, with an expiration date of September 15, 2020; and,

WHEREAS, on September 2, 2020, the City Council passed Resolution 2020-73, again extending the Disaster Emergency Declaration to December 31, 2020; and,

WHEREAS, while the City, State and Nation move towards reopening business and resuming certain activities the City Council expects that the continued impact of COVID-19, including public health risks, restrictions on travel, and economic impacts will be of a severity and magnitude that is beyond the authority and capacity of the City to provide an effective response without assistance; and,

WHEREAS, many public and private facilities remain closed or only partially opened, gatherings and other events remain cancelled or postponed in order to prevent the transmission of COVID-19; and,

WHEREAS, these events continue to have a significant impact on business, commerce, and the local economy now and likely in the future, as there is still uncertainty regarding when a vaccine will become widely available and impacts from restrictions imposed to reduce transmission will impact the City through the winter; and,

WHEREAS, it is in the best interest of the City to further extend the Disaster Emergency Declaration emergency issued by the City Manager for 90 days, until March 31, 2021.

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

**Section 1.** That the City Council of the City of Kenai further extends, until March 31, 2021, or until repealed sooner, the Disaster Emergency Declaration issued by the City Manager on March 18, 2020 pursuant to AS 26.23.140, and subsequently previously extended by this Council, due to the current and expected imminent impacts of the COVID-19 health emergency.

**Section 2.** That the City requests that the State of Alaska provide disaster assistance to the City by making available resources as needed in the ongoing response and recovery from the current and potential impacts of this health emergency, to provide individual assistance for affected businesses and individuals, and to provide technical expertise and guidance, to help the City in its response and recovery from this event.

**Section 3.** That the City additionally requests assistance from federal agencies where state capability is not adequate.

**Section 4.** That a copy of this declaration will be promptly filed with the Alaska Division of Homeland Security and Emergency Management.

**Section 5.** That this resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 16<sup>th</sup> day of December, 2020.

---

BRIAN GABRIEL, SR., MAYOR

ATTEST:

---

Jamie Heinz, CMC, 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:** Paul Ostrander, City Manager

**DATE:** December 9, 2020

**SUBJECT:** **Resolution 2020-96 – Extending the Disaster Emergency Declaration**

---

The Disaster Emergency Declaration issued on March 18, 2020 and extended by the City Council, is set to expire on December 31, 2020. Based on the continued impact of the COVID-19 public health emergency, an extension until March 31, 2021 is warranted.

Extending the emergency declaration will extend:

1. Temporary leave to employees to address COVID-19 related illness, emergency closures of facilities, and transmission reduction.
2. City Moratorium on penalty and interest for water and sewer accounts.
3. City Moratorium on water and sewer disconnect for non-payment.

An extension of the Disaster Emergency Declaration will also allow the Mayor or other current Presiding Officer authority to waive certain provisions of Code related to scheduling, teleconference participation, public participation, and other related provisions of code related to meetings of the Council and other advisory and adjudicatory bodies, if deemed necessary.

An extension will additionally provide to the City Manager the authority to take emergency actions that may be necessary to protect critical functions of the City and protect the health and safety of City employees and the public.

As Administration looks toward the recovery aspect of this public health emergency, we look forward to taking actions to resume regular operations and services and support the restoration of businesses and the community while balancing the need to return to normalcy with the health and safety of City employees and the public.

Your consideration is appreciated.

**KENAI CITY COUNCIL – SPECIAL MEETING  
NOVEMBER 23, 2020 – 6:00 P.M.  
MAYOR BRIAN GABRIEL, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Special Meeting of the Kenai City Council was held virtually on November 23, 2020. Mayor Gabriel called the meeting to order at 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

Robert Molloy  
Tea 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 C.1.                    **Resolution No. 2020-89**
  - Amendment Memo

**MOTION:**

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

Council Member Glendening objected to the unanimous consent and requested to **DIVIDE THE QUESTION**, separating item D.1 from the rest of the agenda.

**VOTE TO APPROVE AGENDA, EXCLUDING D.1:**

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

**MOTION PASSED UNANIMOUSLY.****VOTE TO APPROVE D.1 ON THE AGENDA:**

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

**MOTION FAILED.****B. PUBLIC COMMENT (Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)**

Tim Redder recounted the experience of his father, “Grandpa Jim,” who suffered from a rapid decline in health from COVID-19 and eventually passed. He requested that the Council implement a mask requirement in all public places within the City of Kenai, in order to protect our citizens, and especially those like his father whose underlying health conditions leave them vulnerable to public spread.

Craig Wortham, General Manager of Alyeska Tire, implored that the Council initiate a City-wide mask mandate, particularly within local businesses. He discussed issues that his business has been faced with, including: having to shut two stores during what is normally a highly profitable quarter, due to exposures outside their control; how the resulting loss of revenue has been exacerbated by increased operating costs (purchases of PPE and post-exposure sanitation services); the passing of an employee from the virus; and ongoing harassment faced by employees from people who resist the stores’ mask-wearing policy. Mr. Wortham explained that a City-wide mandate would alleviate some of the hardship felt by individual businesses who are currently responsible for implementing their own mask policies, thereby lessening the overall economic toll.

Jerry Wortham, owner of Alyeska Tire, clarified that they initiated their in-store mask policy at the beginning of the pandemic. He reiterated Craig Wortham’s statements about the hardships their business has faced, and supported his appeal to the Council to take pressure off of small local businesses by implementing a mask mandate for the City.

**C. PUBLIC HEARING**

1. **Resolution No. 2020-89** - Opposing Alternative 4 Proposed to the North Pacific Fishery Management Council that would Close All Federal Waters in Cook Inlet to Commercial Salmon Fishing. (Mayor Gabriel)

**MOTION:**

Vice Mayor Molloy **MOVED** to adopt Resolution No. 2020-89 and Council Member Knackstedt **SECONDED** the motion.

Mayor Gabriel opened for public hearing.

Teague Vanek, urged Council to oppose Alternative 4 and pass the Resolution. As someone who frequently does business in the Kenai area, he can attest that if Alternative 4 passed he would have less to contribute to the local economy.



Roland Maw expressed gratitude for the expediency with which the Council came forward to respond to this issue, especially considering Alternative 4 and its related documents were made public on very short notice and allowed only a limited time for public comment. Expressed concern that if Alternative 4 is passed, fish-processing plants could be closed entirely and long-running businesses shut down. Urged the Council to oppose Alternative 4.

John McCombs expressed frustration at state and federal government inaction and non-compliance, and stated his opposition to all four Alternatives. He asserted that the Alternatives do not comply with national standards of the Magnuson-Stevens Act, nor were they written by fishermen. He explained that has seen how non-compliance has damaged the local economy and community. He expressed gratitude to the Council for addressing this issue.

Steve Vanek agreed with the statements made by John McCombs, and discussed the common confusion fishermen have over the demarcation of federal waters. He stated that Alternative 4 would be a death knell for the fishery, and noted that the local community could be substantially affected if they lose income from the raw fish tax. Thanked the Council for addressing the matter and encouraged them to pass this Resolution.

David Martin thanked the Council for their timeliness in addressing the issue of Alternative 4, and voiced his wholehearted support for the Resolution. He noted several issues, including: that some people used to fish mainly, and often exclusively, in the waters 3 miles beyond shore before State management placed restrictions there; that the number of fish harvested in this area is an indicator of run strength, so without commercial fisheries operating there the statistical data on fish in Cook Inlet would be limited; that this area is also where the highest quality salmon is harvested, and most fish harvested from Cook Inlet go to a fresh market where they demand a higher price; and that this is the only area where drift fleet can harvest other species of salmon in the Inlet. Reiterated that Alternative 4 is not compliant with the Magnuson-Stevens Act.

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

Mayor Gabriel passed the gavel to Vice Mayor Molloy in order to speak on the Resolution that he sponsored. Noted that this is a complex issue, and referenced a 2016 ruling that ordered that the State of Alaska to bring their fisheries management plan into compliance with the Magnuson-Stevens Act. Explained that Alternative 4 was a last-minute addition that has not been given adequate time for public consideration, and that one reason Alternatives 1 through 3 have not been discussed by Council is that they were proposed much earlier. Noted that, under National Standard #8 in the Magnuson-Stevens Act, it is the City of Kenai's responsibility to stand up and make their voices heard when there is a measure that will adversely affect our community.

Local fishermen and members of the public were thanked for coming forward to speak on this issue. It was noted that just because this Resolution does not include the other Alternatives that does not mean the Council supports them.

It was explained that the success of the local fishing industry affects many other businesses in the community and further noted that the community doesn't need an Alternative that would shut down commercial fishing in an already difficult economic time.

Clarification was provided that this discussion was not just about one user group, but that all user groups in the Cook Inlet Drainage are important.

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend Resolution No. 2020-89 by adding a new Section 2 as follows: "That the City Council has not considered which of the remaining alternatives should be adopted by the NPFMC." Vice Mayor Molloy **SECONDED** the motion. Council Member Knackstedt requested **UNANIMOUS CONSENT**.

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

Mayor Gabriel requested that all Council Members sign the Resolution as amended.

It was pointed out that this Resolution was consistent with past Resolutions passed by Council which supported science-based decisions for issues affecting all user groups in the fishing industry.

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

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

NAY:

**MOTION PASSED UNANIMOUSLY.**

**E.        ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at 7:03 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of November 23, 2020.

---

Jamie Heinz, CMC  
City Clerk

**KENAI CITY COUNCIL WORK SESSION  
COUNCIL CANDIDATE INTERVIEWS  
DECEMBER 2, 2020 – 4:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
MAYOR BRIAN GABRIEL, PRESIDING**

**NOTES**

Council present: B. Gabriel, H. Knackstedt, B. Molloy, T. Winger J. Glendening, G. Pettey

Others present: City Manager P. Ostrander, City Attorney S. Bloom, City Clerk J. Heinz

**A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Brian Gabriel called the work session to order at approximately 4:00 p.m. and led those assembled in the Pledge of Allegiance.

**B. INTRODUCTION**

1. Introductory Memo from City Clerk.

Clarification was provided that this seat was vacated by former Council Member Peterkin when he resigned, and the seat would be filled by an appointee chosen by the remaining City Council members until the term expires in October, 2021.

**C. DISCUSSION ITEMS**

Mayor Gabriel welcomed those persons submitting letters of interest and resumes to be considered for appointment to the vacant City Council seat. Those candidates were interviewed in the order listed below:

1. Timothy Navarre
2. Michael Boyle
3. Victoria Askin
4. Shelby Oden
5. Sovala Kisena
6. Brad Brown
7. Alex Douthit
8. Matt Brown

The interview process began with each candidate giving a five-minute amount of time in which to introduce themselves and give a statement of their interest. Then, Council Members were given time to question the candidate.

After the interview session was completed, Mayor Gabriel explained the Council would hold an election for the appointment during the Council meeting which would begin at 6:00 pm in the Council Chambers.

**D. PUBLIC COMMENT**

*(limited to 3 minutes per speaker; 20 minutes aggregated)*

Borough Assembly Member Richard Derkevorkian expressed his desire to see the seat filled by a conservative candidate.

**E. ADJOURNMENT**

The work session adjourned at approximately 5:59 p.m.

Notes were prepared by:

---

Jamie Heinz, CMC  
City Clerk

**KENAI CITY COUNCIL – REGULAR MEETING  
DECEMBER 2, 2020 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
MAYOR BRIAN GABRIEL, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai City Council was held on December 2, 2020, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:00 p.m.

**1. Pledge of Allegiance**

Mayor Gabriel led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Brian Gabriel, Mayor	Robert Molloy
Henry Knackstedt	Teea Winger
Jim Glendening	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 H.11 | <b>Discussion – Response to COVID-19</b>   |
| Add to item J.1  | <b>City Manager’s Report</b>   |
|                  | <ul style="list-style-type: none"> <li>• Third Quarter 2020 Sales Tax Information</li> </ul> |

**MOTION:**

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

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

#### 4. Consent Agenda

##### **MOTION:**

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

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

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

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

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

**B. SCHEDULED PUBLIC COMMENTS** – None.

**C. UNSCHEDULED PUBLIC COMMENTS**

Borough Assembly President Brent Hibbert reported on the recent Borough Assembly meeting. He provided an update on the North Road Extension project and status of CARES Act money for Borough residents.

A letter from Bob Peters was read, expressing support for Tim Navarre to be appointed to fill the vacant Council seat.

**D. COUNCIL APPOINTMENT**

1. Selection of Appointee with the Continuation of Interviews if Needed.  
[Clerk's Note: Council May Convene into Executive Session to Discuss this Agenda Item which May be a Subject that Tends to Prejudice the Reputation and Character of the Candidates for the Vacant City Council Seat (AS 44.62.310(C)(2))]

Mayor Gabriel thanked the candidates for participating in the interviews held in the prior work session, and their interest in serving the City of Kenai. The voting process was explained, in which Council Members would be voting by secret ballot. In the first round, Council Members vote for two candidates, and the six candidates that receive the most votes proceed to the next round of voting. In the second round, Council Members again vote for two candidates, and the top four candidates proceed to the next round of voting. This process repeats until two candidates remain, at which time Council Members vote for one candidate, and the candidate that receives four or more votes during this round would be appointed. At any time during the voting process there is a tie or are unable to break the tie after two or more votes, the tie would be broken by lot. If there is more than a two-way tie, straws would be drawn to eliminate one; in a two-way tie a coin would be flipped. Votes would be tabulated by the City Clerk.

**MOTION:**

Vice Mayor Molloy **MOVED** to begin voting on the selection of an appointee by secret ballot. Council Member Pettet **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

**FIRST VOTE:**

Navarre	M. Brown	Boyle	Askin	Oden	Kisena	B. Brown	Douthit
2	1	1	4	0	1	1	2

**SECOND VOTE:**

Navarre	M. Brown	Boyle	Askin	Kisena	B. Brown	Douthit
2	1	1	5	1	1	1

Boyle voluntarily withdrew from the race at this time. Straws were drawn between M. Brown, Kisena, B. Brown and Douthit. M. Brown and Kisena were able to proceed to the next round of voting along with Navarre and Askin.

**THIRD VOTE:**

Navarre	M. Brown	Askin	Kisena
2	2	6	2

Straws were drawn between Navarre, M. Brown, and Kisena. M. Brown was able to proceed to the next round of voting.

**FOURTH VOTE:**

M. Brown	Askin
2	4

**MOTION:**

Council Member Knackstedt **MOVED** to appoint Victoria Askin to Council and requested **UNANIMOUS CONSENT**. Vice Mayor Molloy **SECONDED** the motion.

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

The candidates were thanked for their interest, and were reminded that there were still vacant seats on various commissions and committees for which they are encouraged to apply.

**2. Appointee Oath of Office**

Mayor Gabriel administered the oath of office to Victoria Askin, and Council Member Askin took her seat on the dais.

## **E. PUBLIC HEARINGS**

1. **Ordinance No. 3166-2020** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing a Professional Services Agreement to Develop Condition Assessments for the Airfield Drainage Safety Area and Asphalt Runway Areas of the Kenai Municipal Airport.

### **MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3166-2020 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.

It was clarified that the asphalt replacement is for the entire runway. This project has been on the airport's improvement plan for a number of years as the pavement degradation is advancing much quicker than expected. This will be a project of significant size as the asphalt is about 8 inches thick; preliminary estimates put the total cost of the project at about \$18 million. This project assessment would be the first step in getting the design done for that project and could happen as early as 2023. The project would primarily be relying on discretionary funding from FAA; clarified that runway improvement project is separate from the drainage project.

### **VOTE:**

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

NAY:

### **MOTION PASSED UNANIMOUSLY.**

2. **Resolution No. 2020-90** - Approving the Use of the Fleet Replacement Fund for the Purchase of Three Police Department Trucks Utilizing the State of Alaska Equipment Fleet Contract.

### **MOTION:**

Vice Mayor Molloy **MOVED** to adopt Resolution No. 2020-90 and Council Member Knackstedt **SECONDED** the motion.

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

Police Chief Ross explained that a fleet replacement plan was adopted last year and part of it involved transitioning from the use of smaller cars to four-wheel drive pickup trucks. This Resolution authorizes the purchase of three pickup trucks this year. He explained that one benefit of the switch will be that, after the vehicle is retired from the Emergency Services fleet, it will be more usable to other departments such as Parks and Recreation or Public Works than smaller vehicles would. Clarified that the equipment put in the new vehicles will be a combination of new and used equipment. It was noted that larger four-wheel drive vehicles would be better suited to responding to certain calls, such as a moose hit on the road.



**UNANIMOUS CONSENT** was requested.

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

3. **Resolution No. 2020-91** - Authorizing a Budget Transfer in the COVID-19 CARES Act Recovery Fund to Increase Funding for Housing Assistance, Food Assistance, and First Responder Payroll.

**MOTION:**

Vice Mayor Molloy **MOVED** to adopt Resolution No. 2020-91 and Council Member Knackstedt **SECONDED** the motion.

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

City Manager Ostrander explained that prior to the December 31, 2020 deadline, when all the CARES Act funds need to be expended, Administration aims to reallocate some funds to other areas in order for them to be more efficiently used; clarified that this Resolution would remove left over funds from nonprofit and business grants, commercial fishermen's grants, and small business marketing grants and noted it would increase expenditures for first responder and incident management team payroll, food assistance services, and rental and mortgage relief.

It was noted that other cities on the Kenai Peninsula may not use all of their CARES Act funds and the City of Kenai likely will, so there is a possibility that if we have unmet needs we may get some funds from other cities in Kenai Peninsula Borough. It was clarified that the deadline for individuals to apply for housing grants was on November 30, 2020.

It was suggested that some of the funds from the business grants could be used to implement a voucher shopping program like the City of Soldotna has done. The City Manager explained that while Administration is considering doing a program like this, they are proposing using general fund money in early 2021 instead of using CARES Act funds. It was clarified that because first responder and incident management team payroll is already covered by the general fund, if we used CARES Act funds to cover it instead, that frees up that money in the general fund to use for other programs like the voucher program.

Clarification was provided that the budget spreadsheet provided shows two grants (to Alaska Municipal League and Challenger Learning Center) which haven't been processed yet. It was also noted the Alaska Housing Finance Corporation is committed to funding applications beyond what City is provided, because they had money around.

**UNANIMOUS CONSENT** was requested.

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

4. **Resolution No. 2020-92** - Adopting an Alternative Allocation Method for the FY21 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in FMA 14: Cook Inlet.

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-92 and Council Member Pettey **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.

Finance Director Eubank clarified that, as opposed to the alternative allocation method this Resolution would adopt, the other method would cost more and would require every community to file an impact statement to justify their share of the funds; noted that since the inception of this program, every one of these members has passed a similar resolution because the other route is more laborious and not worth the effort to split hairs.

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

**F. MINUTES**

1. \*Regular Meeting of November 4, 2020. (City Clerk)

Approved by the consent agenda.

**G. UNFINISHED BUSINESS****H. NEW BUSINESS**

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

Approved by the consent agenda.

2. \***Ordinance No. 3167-2020** - Increasing Estimated Revenues and Appropriations in the Cares Act Recovery Special Revenue Fund.

Introduced by the consent agenda and Public Hearing set for December 16, 2020.

3. \***Ordinance No. 3168-2020** - Increasing Estimated Revenues and Appropriations in the Airport Operations Facility, Airport Snow Removal Equipment, Terminal Improvement, Airport Improvements, Personal Use Fishery, Animal Control Improvements, Public Safety Improvements, City Shop Improvements, Municipal Roadway Improvements, Water and Sewer Improvements, and Wastewater Treatment Facility Improvements Capital Project Funds to Transfer Residual Balances from Completed or Canceled Projects Back to their Original Funding Sources.

Introduced by the consent agenda and Public Hearing set for December 16, 2020.

3. \***Ordinance No. 3169-2020** - Increasing Estimated Revenues and Appropriations in the General Fund, Finance Department for the Payment of Fees in Connection with

the Collection of Remote Seller Sales Tax by the Alaska Remote Seller Sales Tax Commission on Behalf of the City of Kenai.

Introduced by the consent agenda and Public Hearing set for December 16, 2020.

4. **\*Ordinance No. 3170-2020** - Accepting and Appropriating a Grant from the State of Alaska for the Purchase of Library Books.

Introduced by the consent agenda and Public Hearing set for December 16, 2020.

5. **\*Ordinance No. 3171-2020** - Accepting and Appropriating a State of Alaska Grant Passed through the Southern Region EMS Council, Inc. for Two Automatic External Defibrillator (AED) Trainers and One Advanced Life Support (ALS) Skills Training Mannequin.

Introduced by the consent agenda and Public Hearing set for December 16, 2020.

6. **\*Ordinance No. 3172-2020** - Waiving the \$5,000 Limitation in KMC 7.25.020 (A) for Allocating CARES Act Funds to Allow the City Manager to Allocate the Funds to the Proper Account as Needs Arise and Time to Utilize the Funds Expires, and Declaring an Emergency.

Introduced by the consent agenda and Public Hearing set for December 16, 2020.

7. **Action/Approval** - Amendment to a Special Use Permit to RAVN for Additional Space of Warm Storage.

Council Member Knackstedt **MOVED** to amend the Special Use Permit for RAVN and requested **UNANIMOUS CONSENT**. Vice Mayor Molloy **SECONDED** the motion.

It clarified that this would double their square footage, from 600 to 1200 square feet.

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

9. **Action/Approval** - Council Confirmation of Mayoral Nominations to the City's Commissions and Committee.

Vice Mayor Molloy **MOVED** to confirm Commission appointments. Council Member Glendening **SECONDED** the motion.

Appreciation for committee reappointments was expressed. Noted that a lot of these are reappointments, and Council is glad to see people continuing their service.

**UNANIMOUS CONSENT** was requested.

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

10. **Discussion** - Future Council and Commission Meeting Format.

Clarification was provided that this was a response to Dunleavy's request to try to mitigate spread by meeting remotely as much as possible. It was announced that on Wednesday, December 9<sup>th</sup>, there would be a work session with Dr. Anne Zink in which she would present a Zoom webinar on COVID-19.

Council discussed their views on how Council Meetings should proceed in light of Governor Dunleavy's request. There was general agreement that Council Members feel comfortable with the current social distancing precautions taken during hybrid in-person/Zoom meetings. It was reiterated, especially for new Council Members, that all meeting attendees who don't feel comfortable meeting in person should feel welcome to participate by Zoom, and doing so will not count against your attendance record. Some council members voiced strong preference for in-person attendance, especially for some department heads, but acknowledged that may not be necessary for everyone. It was reminded that if any attendees are feeling at all unwell, they are highly encouraged to participate via Zoon.

### **11. Discussion – Response to COVID-19**

Despite the fifth City of Kenai employee testing positively, business operations have not been significantly affected.

New CDC regulations were released, shortening close-contact quarantine time from 14 days to 10 days, or 7 with testing.

City Hall closure has been extended to the end of the year, with exception for City Council and Commission meetings taking place in Council Chambers. Library closure allowing for curbside pickup has been extended to the end of the year.

The number of cases, case rate and hospitalizations were provided.

Update on coming COVID-19 vaccines, estimating that the Pfizer mRNA vaccine will likely become available in about two weeks. Described the proposed stages in which the vaccine will be released, noting which groups of people will be offered the vaccine before it is available to the general public. It was noted that some people might have apprehension about taking the vaccine, and because it is an Emergency Order vaccine, it cannot be mandated or required.

Emergency Declaration expires at the end of the year, and a resolution will be proposed at the next City Council meeting to extend it.

## **I. COMMISSION / COMMITTEE REPORTS**

6. Beautification Committee – No report; next meeting January 12, 2021.

### **MOTION:**

Council Member Knackstedt **MOVED** to appoint Council Member Askin to the Beautification Committee as Council Liaison, and requested **UNANIMOUS CONSENT**. Vice Mayor Molloy **SECONDED** the motion.

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

1. Council on Aging – Council Member Pettey reported the next meeting will provide an update on the Senior Center, grants they have in place, new Senior Center employees, and planning for March for Meals Madness. Next meeting December 10, 2020.
2. Airport Commission – No report; next meeting December 10, 2020.
3. Harbor Commission – No report; next meeting February 8, 2021.
4. Parks and Recreation Commission – Council Member Winger gave an update on the proposed improvements to Leif Hansen Memorial Park, including brickwork and a possible winter fountain display. Update on ice at Daubenspeck Park. Next meeting December 3, 2020.
5. Planning and Zoning Commission – No report; next meeting December 9, 2020.
7. Mini-Grant Steering Committee – No report.

#### **J. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Thanked Vice Mayor Molloy for filling in for him at the Christmas Comes to Kenai parade and fireworks. He saw a video of some of the events, and was glad to see so many people coming out to enjoy them;
- Recognized that the traditional Thanksgiving event did not take place at the Senior Center as usual;
- Attended Council of Mayors with Alaska Municipal League via Zoom, but experienced some difficulty due to a poor internet connection;
- Welcomed Council Member Askin to the Council.

#### **K. ADMINISTRATION REPORTS**

1. City Manager - City Manager P. Ostrander reported on the following:
  - 3<sup>rd</sup> Quarter Sales Tax Reports: There was a significant increase in sales tax income from Q3 2020 as compared to Q3 2019, as well as from 2018. No other jurisdictions in the Borough experienced a third quarter increase, possibly because our residents are shopping more locally. These do not include the numbers from online sales tax;
  - Work has commenced on the FY 21 Budget;
  - Marketing firm Divining Point was going to come up to present their Kenai Peninsula Economic Development District deal in-person, but cancelled trip due to quarantine restrictions. They might be presenting via Zoom during the January Council Meeting, and plan to reschedule their trip for March;
  - Ravn Airlines has started flying Kenai to Anchorage, 6 flights per day, 7 days a week. This is great news for the airport, as this is a requirement for maintaining Part-139 certification;
  - Bluff Project RFP Package for the project design is currently being assembled. Next week there will be a meeting with the Army Corps to go over it. Will be looking to hire a design firm afterwards;

- Continuing to look at land sale. Recently received the 5<sup>th</sup> draft of that land management plan, which needs to be reviewed. Progress is being made and will be brought to Council when it is ready, but is currently needs more refinement;
  - Ryan Foster's first day as Planning Director will be December 21<sup>st</sup>.
2. City Attorney reported that he will be working with the Finance Director to acquire online sales tax report for next Council meeting.
  3. City Clerk – City Clerk J. Heinz reported on the following:
    - A document shred was conducted on November 12, 2020;
    - Commission/committee applications are held year round, and can be applied for throughout the year. When seats are being appointed, the Clerk's office will touch base with the applicant to confirm they are still interested in the appointment;
    - City Council appointment processes, from the past and from other cities, were researched in order to plan for the voting at tonight's meeting. Suggested creating a policy for this process to use for future Council appointments.

#### **L. ADDITIONAL PUBLIC COMMENT**

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

Council Member Knackstedt welcomed Council Member Askin and noticed she will be missed on the Planning & Zoning Commission. Noted the improvements to the road conditions on Beaver Loop, and thanked the City Manager and the maintenance staff.

Vice Mayor Molloy reported that he has heard from many members of the public and business owners about their opinions on implementing a mask mandate in the City of Kenai, with many people being in support and many people being against it. Is looking forward to the work session next week with Dr. Zink. Wants to encourage people to voluntarily wear a mask, and respect businesses' mask policies without berating or harassing the employees.

Council Member Winger reported that she took a training for newly elected officials through the Alaska Municipal League, and attended their conference. She also attended the Christmas Comes to Kenai event, and noted that she was told by many people it was a welcome break from quarantine. Discussed the serious mental health effects of lockdown in our community. Mentioned upcoming community events such as the Kenai Chamber of Commerce Christmas Raffle and the annual Boys & Girls Club Gala. Expressed her hope that no more community events will be cancelled due to COVID-19 concerns. Explained that she has gotten a number of calls from people in the community expressing their opinions on a possible mask mandate, including calls from people who have recovered from COVID-19.

Council Member Pettey reported that she also attended the Christmas comes to Kenai parade and bonfire and enjoyed herself. Welcomed Council Member Askin to the Council. Related that she had also heard from members of the community regarding masks, and expressed that she strongly believes in protecting each individual's responsibility. Encouraged people to voice their opinions

at the next City Council meeting. Thanked the City Clerk for orchestrating the work session and voting process today.

Council Member Glendening welcomed Council Member Askin to the Council. Said he has also received a large volume of calls from community members voicing their concerns over masking, to whom he explained the alternative plans of service that have been implemented by City Hall, the library, and the Chamber of Commerce. Expressed his belief that the spirit of Christmas in Kenai is challenged this year, but alive and well. Stated that he is looking forward to the meeting next week with Dr. Zink, and expressed optimism that life will return to normalcy in the new year.

Council Member Askin stated that she looks forward to working with the Council this next year. Noted that, like other Council Members who have voiced their opinions on masking, she believes it is a matter of mutual respect.

**M. EXECUTIVE SESSION** – None.

**N. PENDING ITEMS** – None.

**O. ADJOURNMENT**

**P. INFORMATION ITEMS**

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

There being no further business before the Council, the meeting was adjourned at 8:34 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of December 2, 2020.

---

Jamie Heinz, CMC  
City Clerk

**KENAI CITY COUNCIL WORK SESSION  
COVID-19 UPDATE WITH ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
DECEMBER 9, 2020 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
MAYOR BRIAN GABRIEL, PRESIDING**

**NOTES**

Council present: B. Gabriel, H. Knackstedt, B. Molloy, T. Winger J. Glendening, G. Pettey, V. Askin

Others present: City Manager P. Ostrander, City Attorney S. Bloom, City Clerk J. Heinz, Police Chief D. Ross, Fire Chief T. Prior, Human Resources Director S. Brown, Finance Director T. Eubank

**A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Brian Gabriel called the work session to order at approximately 6:00 p.m. and led those assembled in the Pledge of Allegiance.

**B. INTRODUCTION**

Mayor Gabriel introduced the Council Members and staff on the webinar.

**C. SPECIAL GUEST PRESENTERS**

Mayor Gabriel welcomed the special guest presenters, Dr. Anne Zink and Dr. Coleman Cutchins. Doctors Zink and Cutchins provided an update regarding the COVID-19 disease, its transmission, how it affected different age groups, and how it differed from other viruses or the cold. They also reviewed guidance for quarantine after illness or exposure, ongoing efforts for monitoring the seasonal flu, and websites created for tracking the testing and hospital data.

Doctors Zink and Cutchins provided an overview of the vaccines coming out, their efficacy, the phases for vaccinating residents, and targets for herd immunity.

**D. COUNCIL COMMENTS**

The City Council members thanked Dr. Zink and her team for presenting and answering the questions brought forth.

**E. PUBLIC COMMENT**

*(limited to 3 minutes per speaker; 20 minutes aggregated)*

None.

**F. ADJOURNMENT**



The work session adjourned at approximately 7:40 p.m.

Notes were prepared by:

---

Jamie Heinz, CMC  
City Clerk

**PAYMENTS OVER \$15,000.00 WHICH NEED COUNCIL RATIFICATION  
COUNCIL MEETING OF: DECEMBER 16, 2020**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPARTMENT</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
PERS	PERS	VARIOUS	LIABILITY	106,571.26
REBORN AGAIN JANITORIAL	NOVEMBER SERVICES	AIRPORT	REPAIR & MAINTENANCE	4,231.25
PREMERA BLUE CROSS	DECEMBER PREMIUM	VARIOUS	INSURANCE	219,191.83
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	107,055.83

**INVESTMENTS**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>MATURITY DATE</b>	<b>AMOUNT</b>	<b>Effect. Int.</b>
PIPER JAFFRAY	U.S. AGENCY SECURITY	12/1/2023	645,304.71	0.78%
PIPER JAFFRAY	U.S. AGENCY SECURITY	12/1/2024	857,956.81	0.75%
PIPER JAFFRAY	U.S. AGENCY SECURITY	10/1/2023	299,717.88	0.58%
PIPER JAFFRAY	U.S. AGENCY SECURITY	2/25/2025	607,762.92	0.38%

**PURCHASE ORDERS OVER \$15,000.00 WHICH NEED COUNCIL APPROVAL  
COUNCIL MEETING OF: DECEMBER 16, 2020**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPT.</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
ZONES	DELL EQUIPMENT	VARIOUS	SMALL TOOLS	31,744.93
EN POINTE TECHNOLOGIES	MICROSOFT SOFTWARE	VARIOUS	SOFTWARE	26,383.44

**INCREASE OF EXISTING PURCHASE ORDER**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>P.O. # - DEPT.</b>	<b>REASON</b>	<b>AMOUNT</b>	<b>TOTAL PO AMT</b>
FOSTER CONSTRUCTION	PENINSULA AVE BLUFF EROSION REPAIR PROJECT	120884 - KENAI BLUFF EROSION	C/O #1	10,975.00	105,645.00



# 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:** Dan Castimore, IT Manager

**DATE:** December 10, 2020

**SUBJECT:** **Purchase Order over \$15,000 – Zones Inc.**

The purpose of this memo is to request approval to purchase computer equipment for the Computer Replacement Plan. This plan replaces computers and monitors on a 5 and 10 year basis respectively. This plan is funded on annually with the cost shared amongst funds based on the number of computers in each fund.

This purchase will replace 20 computers, 8 laptops, and 22 monitors as specified in the plan.

Pricing for this equipment was requested from 4 vendors with 2 responding. The list of vendors and their responses is provide below.

Dell Marketing	\$34,526.13
Zones Inc.	\$31,744.93
GCS IT	N/A
CDW Government	N/A

I respectfully request that you approve the purchase to Zones Inc. for the amount of \$31,744.93.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Dan Castimore, IT Manager

**DATE:** December 10, 2020

**SUBJECT:** **Purchase Order over \$15,000 – EnPointe Technologies**

---

The purpose of this memo is to request approval to purchase Microsoft Software from EnPointe Technologies.

The city licenses a number of software products from Microsoft including Microsoft Office, Windows, SQL Server, and Windows Server. The lowest cost option for acquiring this software is through a Microsoft Enterprise Agreement (MSEA) which is a multi-year contract. In FY19 council approved entering into a three-year contract with EnPointe Technologies as the retailer to provide the MSEA. At that time, pricing was provided from three retailers with EnPointe being the lowest.

I respectfully request that you approve the purchase to Zones Inc. for the amount of \$26,383.45.



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin  
**DATE:** December 9, 2020  
**SUBJECT:** **Purchase Order Exceeding \$15,000**

---

The purpose of this memo is to request approval of increasing Purchase Order 120884 to Foster's Construction from \$94,670 to \$105,645 an increase of \$10,975 for the Peninsula Avenue Bluff Erosion Project.

This is a unit price job, meaning we are paying for actual quantities used within the project per the Contractors Bid Schedule. We have currently expended \$90,946 of the current purchase order and we have topsoil and hydro-seeding work remaining to take place in the spring.

The project has had \$10,975 in changes to scope of work, primarily focused around managing the ground water while the work was taking place. \$8,200 of the changes provided for a large French drain to direct the water while stabilizing the sloped area of bluff, as well as a rap lined ditch to the new storm drain, photos below.

We are anticipating the final project cost will be just under \$100,000 and are requesting the increase of the full amount of changes of \$10,975 to allow for some contingency in the spring to address any erosion that may result without having seed yet established.

The project has proceeded very well, and completion of this work has safeguarded Peninsula Avenue from erosion concerns.

Council's support is respectfully requested.





# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**FROM:** Jamie Heinz, City Clerk  
**DATE:** December 10, 2020  
**SUBJECT:** **Liquor License Renewals**

---

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

- Griffin Golf, LLC D/B/A Kenai Golf Course
- AK, Inc. D/B/A 2 Go Mart

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 12/1/2020 6:43:55 PM (Form Submission)

Approve

by Jeremy Hamilton 12/2/2020 9:04:05 AM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: December 10, 2020 5:00 PM 12/1/2020 6:43 PM

Approve

by Michael Wesson 12/2/2020 9:39:27 AM (Building Official Review)

- The task was assigned to Michael Wesson. The due date is: December 10, 2020 5:00 PM 12/1/2020 6:43 PM

Approve

by David Ross 12/2/2020 10:41:58 AM (Police Department Review)

- David Ross assigned the task to David Ross 12/2/2020 10:41 AM
- The task was assigned to Jamie Heinz, David Ross. The due date is: December 10, 2020 5:00 PM 12/1/2020 6:43 PM

Approve

by Tina Williamson 12/8/2020 9:54:01 AM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: December 10, 2020 5:00 PM 12/1/2020 6:43 PM

Approve

by Cindy Herr 12/1/2020 6:53:55 PM (Legal Asst Review)

■ *No monies owed for restitution or unpaid citations.*

- The task was assigned to Cindy Herr. The due date is: December 10, 2020 5:00 PM 12/1/2020 6:43 PM

Approve

by Wilma Anderson 12/3/2020 5:08:59 PM (Lands Review)

- The task was assigned to Wilma Anderson. The due date is: December 10, 2020 5:00 PM 12/1/2020 6:43 PM

Approve

by Terry Eubank 12/8/2020 10:30:39 AM (Finance Review)

- The task was assigned to Terry Eubank. The due date is: December 17, 2020 5:00 PM 12/8/2020 9:54 AM

Approve

by Scott Bloom 12/8/2020 12:14:43 PM (Legal Review)

- The task was assigned to Scott Bloom. The due date is: December 17, 2020 5:00 PM 12/8/2020 9:54 AM

Approve

by Paul Ostrander 12/9/2020 11:13:26 AM (P&amp;Z Department Review)

- The task was assigned to Paul Ostrander. The due date is: December 17, 2020 5:00 PM 12/8/2020 9:54 AM

**Date**

12/1/2020

**Establishment Information**

---

**License Type**

Golf Course - Seasonal Liquor License

**Licensee**

Griffin Golf, LLC

**Doing Business As**

Kenai Golf Course

**Premises Address**

1500 Lawton Drive

**City, State**

Kenai, AK

**Contact Information**

---

**Contact Licensee**

Lara Griffin

**Contact Phone No.**

907-398-5215

**Contact Email**

griffingolf2019@gmail.com

**Additional Contact Information**

---

**Name**

Mark Griffin

**Phone No.**

907-690-1398

**Email**

**Documents**

---

**File Upload**

5788 Kenai Golf Course CRA GC SEASONAL.PDF

2.4MB

5788 LGB Notice - City of Kenai in KP B 112720.pdf

647.87KB



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Commerce,  
Community,  
and Economic Development

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

November 27, 2020

City of Kenai

Kenai Peninsula Borough

Via Email: [jblankenship@kpb.us](mailto:jblankenship@kpb.us) ; [JRodgers@kpb.us](mailto:JRodgers@kpb.us) ; [SNess@kpb.us](mailto:SNess@kpb.us) ;  
[tshassetz@kpb.us](mailto:tshassetz@kpb.us) ; [jheinz@kenai.city](mailto:jheinz@kenai.city) ; [btaylor@kpb.us](mailto:btaylor@kpb.us) ;

**Re: Notice of Liquor License Renewal Application**

License Numb	DBA	Type	City	Borough	Community Council
5788	Kenai Golf Course	Golf Course – Seasonal	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](mailto:amco.localgovernmentonly@alaska.gov)



Alaska Alcoholic Beverage Control Board

**Master Checklist: Renewal Liquor License Application**

Doing Business As:	2 Go Mart	License Number:	4544
License Type:	Package Store		
Examiner:	Randi	Transaction #:	1375317

Document	Received	Completed	Notes
AB-17: Renewal Application	11/16	11/19	
App and License Fees	11/16	11/16	

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			
COI / COC / 5 Star			
FP Cards & Fees / AB-08a			
Late Fee			

Names on FP Cards:	
--------------------	--

	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:**

**LGB 2 Response:**

Waive   
  Protest   
  Lapsed   
  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):	Griffin Golf, LLC	License #:	5788
License Type:	Golf Course - Seasonal		
Doing Business As:	Kenai Golf Course		
Premises Address:	1500 Lawton Drive		
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:	P.O. Box 289				
City:	Kenai	State:	AK	ZIP:	99611

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:	Lara Griffin	Contact Phone:	907-398-5215
Contact Email:	Griffingolf2019@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:	Mark Griffin	Contact Phone:	907 690 1398
Contact Email:			

Name of Contact:		Contact Phone:	
Contact Email:			

Name of Contact:		Contact Phone:	
Contact Email:			



# 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 #:	10095955
-----------------------	----------

**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:	Mark A. Griffin			
Title(s):	Member	Phone:	907-690-1398	% Owned: 50
Mailing Address:	47083 Belmont Ct.			
City:	Kenai	State:	AK	ZIP: 99611

Name of Official:	Lara J. Griffin			
Title(s):	Member	Phone:	907-398-5215	% Owned: 50
Mailing Address:	47083 Belmont Ct.			
City:	Kenai	State:	AK	ZIP: 99611

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



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

This individual is an:  Applicant  Affiliate

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
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 type="checkbox"/>            | <input type="checkbox"/>            |
| 2. The license was only operated during a specific season each year. (Seasonal)<br><i>If your operation dates have changed, list them below:</i><br>_____ to _____  | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.<br><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

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 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.

*Lara J. Griffin*  
Signature of licensee



*Michelle McGlasson*  
Signature of Notary Public

Lara J. Griffin  
Printed name of licensee

Notary Public in and for the State of: Alaska

My commission expires: 8/1/2021

Subscribed and sworn to before me this 2 day of November, 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:	\$ 200.00	Application Fee:	\$ 300.00	Misc. Fee:	\$
<b>Total Fees Due:</b>					<b>\$ 500.00</b>



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	Griffin Golf, LLC

**Entity Type:** Limited Liability Company

**Entity #:** 10095955

**Status:** Good Standing

**AK Formed Date:** 12/11/2018

**Duration/Expiration:** Perpetual

**Home State:** ALASKA

**Next Biennial Report Due:** 1/2/2022

**Entity Mailing Address:** P.O. BOX 289, KENAI, AK 99611

**Entity Physical Address:** 1500 LAWTON DRIVE, KENAI, AK 99611

### Registered Agent

**Agent Name:** Mark Griffin

**Registered Mailing Address:** 47083 BELMONT COURT, KENAI, AK 99611

**Registered Physical Address:** 47083 BELMONT COURT, KENAI, AK 99611

### Officials

Show Former

AK Entity #	Name	Titles	Owned
	Lara Griffin	Member	50.00
	Mark Griffin	Member	50.00

## Filed Documents

Date Filed	Type	Filing	Certificate
12/11/2018	Creation Filing	<a href="#">Click to View</a>	<a href="#">Click to View</a>
12/11/2018	Initial Report	<a href="#">Click to View</a>	
4/09/2019	Certificate of Compliance		<a href="#">Click to View</a>
1/01/2020	Biennial Report	<a href="#">Click to View</a>	

**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

**KENAI GOLF COURSE**

P.O. BOX 289, KENAI, AK 99611

owned by

GRIFFIN GOLF, LLC

is licensed by the department to conduct business for the period

October 30, 2020 to December 31, 2022  
for the following line(s) of business:

71 - Arts, Entertainment and Recreation



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



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

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

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600  
Anchorage, AK 99501  
Main: 907.269.0350

November 23, 2020

Griffin Golf, LLC  
DBA: Kenai Golf Course  
Via Email: [griffingolf2019@gmail.com](mailto:griffingolf2019@gmail.com)

Re: Golf Course – Seasonal License #5788 DBA: Kenai Golf Course

Dear Applicant:

I have received your application for renewal of your liquor license. Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to your local governing body, your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body will have 60 days to protest the renewal of your license or waive protest.


Your application will be scheduled for the January 2021 board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the [alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov) email address if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Olivia Frank", written over a white rectangular background.

Olivia Frank  
Occupational Licensing Examiner

- Submit** by Jamie Heinz 11/23/2020 3:12:18 PM (Form Submission)
- Approve** by Jeremy Hamilton 12/2/2020 9:04:20 AM (Fire Marshall Review)
- The task was assigned to Jeremy Hamilton. The due date is: December 2, 2020 5:00 PM 11/23/2020 3:12 PM
- Approve** by Michael Wesson 11/24/2020 12:23:56 PM (Building Official Review)
- The task was assigned to Michael Wesson. The due date is: December 2, 2020 5:00 PM 11/23/2020 3:12 PM
- Approve** by David Ross 11/23/2020 3:22:27 PM (Police Department Review)
- David Ross assigned the task to David Ross 11/23/2020 3:22 PM
  - The task was assigned to Jamie Heinz, David Ross. The due date is: December 2, 2020 5:00 PM 11/23/2020 3:12 PM
- Approve** by Tina Williamson 11/23/2020 5:35:32 PM (Finance Asst Review)
- The task was assigned to Tina Williamson. The due date is: December 2, 2020 5:00 PM 11/23/2020 3:12 PM
- Approve** by Cindy Herr 11/23/2020 3:42:09 PM (Legal Asst Review)
-  *No monies owed for citations or legal restitution.*
  - The task was assigned to Cindy Herr. The due date is: December 2, 2020 5:00 PM 11/23/2020 3:12 PM
- Approve** by Wilma Anderson 12/4/2020 10:49:37 AM (Lands Review)
- The task was assigned to Wilma Anderson. The due date is: December 2, 2020 5:00 PM 11/23/2020 3:12 PM
- Approve** by Terry Eubank 12/4/2020 12:35:19 PM (Finance Review)
- The task was assigned to Terry Eubank. The due date is: December 15, 2020 5:00 PM 12/4/2020 10:49 AM
- Approve** by Scott Bloom 12/8/2020 12:14:54 PM (Legal Review)
- The task was assigned to Scott Bloom. The due date is: December 15, 2020 5:00 PM 12/4/2020 10:49 AM
- Approve** by Paul Ostrander 12/9/2020 11:13:06 AM (P&Z Department Review)
- The task was assigned to Paul Ostrander. The due date is: December 15, 2020 5:00 PM 12/4/2020 10:49 AM

**Date**

11/23/2020

**Establishment Information**

---

**License Type**

Package Liquor Store

**Licensee**

AK, Inc.

**Doing Business As**

2 Go Mart

**Premises Address**

11120 Kenai Spur Highway

**City, State**

Kenai, AK

**Contact Information**

---

**Contact Licensee**

Rawa Anabi

**Contact Phone No.**

909-394-4728

**Contact Email**

licensing@carenterprises.net

**Additional Contact Information**

---

**Name**

**Phone No.**

**Email**

**Documents**

---

**File Upload**

4544 2 Go Mart CRA PS.PDF

2.95MB

4544 LGB Notice - City of Kenai in KPB 112020.pdf

566.18KB



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

November 20, 2020

City of Kenai

Kenai Peninsula Borough

Via Email: jblankenship@kpb.us ; Dhenry@kpb.us ; JRodgers@kpb.us ; SNess@kpb.us ; joanne@borough.kenai.ak.us ; tshassetz@kpb.us ; jheinz@kenai.city

Re: Notice of Liquor License Renewal Application

Table with 6 columns: License Number, DBA, Type, City, Borough, Community Council. Row 1: 4544, 2 Go Mart, 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,

[Handwritten signature of Glen Klinkhart]

Glen Klinkhart, Director amco.localgovernmentonly@alaska.gov



Alaska Alcoholic Beverage Control Board

# Master Checklist: Renewal Liquor License Application

Doing Business As:	2 Go Mart	License Number:	4544
License Type:	Package Store		
Examiner:	Randi	Transaction #:	1375317

Document	Received	Completed	Notes
AB-17: Renewal Application	11/16	11/19	
App and License Fees	11/16	11/16	

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			
COI / COC / 5 Star			
FP Cards & Fees / AB-08a			
Late Fee			

Names on FP Cards:	
--------------------	--

	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 type="checkbox"/>	<input checked="" type="checkbox"/>
In "Good Standing" with CBPL (skip this and next question for sole proprietor)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**LGB 1 Response:**

Waive     Protest     Lapsed

**LGB 2 Response:**

Waive     Protest     Lapsed





FORM OUT OF 12/21

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):	AK, Inc	License #:	4544
License Type:	Package Store		
Doing Business As:	2 Go Mart # 206		
Premises Address:	11120 Kenai Spur Hwy Kenai, AK 99611		
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:	1450 N Benson Ave Unit A		
City:	Upland	State:	CA
ZIP:	91786		

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:	Rawa Anabi	Contact Phone:	(909)394-4728
Contact Email:	licensing@carenterprises.net		

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:			

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 #:	10024884
-----------------------	----------

**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:	Rawa Anabi				
Title(s):	Director, Secretary	Phone:	909)394-4728	% Owned:	
Mailing Address:	1450 N Benson Ave., Unit A				
City:	Upland	State:	CA	ZIP:	91786

Name of Official:	Rawa Anabi as Trustee of the Sammer and Rawa Anabi Family Trust				
Title(s):	Shareholder	Phone:	909)394-4728	% Owned:	51
Mailing Address:	1450 N Benson Ave., Unit A				
City:	Upland	State:	CA	ZIP:	91786

Name of Official:	Sammir Anabi				
Title(s):	Director, Pres., Treasurer	Phone:	909)394-4728	% Owned:	
Mailing Address:	1450 N Benson Ave., Unit A				
City:	Upland	State:	CA	ZIP:	91786



# 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 #:	10024884
-----------------------	----------

**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.**

Sammer I. Anabi as Trustee of the Sammer and Rawa Anabi Family Trust\*

Name of Official:	Sammer I. Anabi as Trustee of the Sammer and Rawa Family Trust			
Title(s):	Shareholder	Phone:	909)394-4728	% Owned: 49
Mailing Address:	1450 N. Benson Ave., Unit A			
City:	Upland	State:	CA	ZIP: 91786

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 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:	<input type="checkbox"/> Applicant	<input type="checkbox"/> Affiliate	
Name:		Contact Phone:	
Mailing Address:			
City:		State:	
Email:		ZIP:	

This individual is an:	<input type="checkbox"/> Applicant	<input type="checkbox"/> Affiliate	
Name:		Contact Phone:	
Mailing Address:			
City:		State:	
Email:		ZIP:	

## Section 5 – 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)<br><i>If your operation dates have changed, list them below:</i>  | <input type="checkbox"/>            | <input type="checkbox"/>            |
| _____ to _____  |                                     |                                     |
| 3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.<br><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 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(o)(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.

*Sammer Anabi*

Signature of licensee

Sammer Anabi  
Printed name of licensee

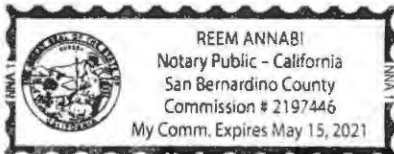
*R Annabi*

Signature of Notary Public

Notary Public in and for the State of: California

My commission expires: May 15, 2021

Subscribed and sworn to before me this 9<sup>th</sup> day of November, 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>1500</u>	Application Fee:	\$ 300.00	Misc. Fee:	\$
<b>Total Fees Due:</b>					\$ <u>1800</u>

AMCO

NOV 16 2020

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	AK, Inc.

**Entity Type:** Business Corporation

**Entity #:** 10024884

**Status:** Good Standing

**AK Formed Date:** 11/4/2014

**Duration/Expiration:** Perpetual

**Home State:** ALASKA

**Next Biennial Report Due:** 1/2/2022

**Entity Mailing Address:** 1450 NORTH BENSON AVE UNIT A, UPLAND, CA 91786

**Entity Physical Address:** 3085 MOUNTAINWOOD CIRCLE, JUNEAU, AK 99801

### Registered Agent

**Agent Name:** PARACORP INCORPORATED

**Registered Mailing Address:** PO BOX 33735, JUNEAU, AK 99803

**Registered Physical Address:** 3085 MOUNTAINWOOD CIR, JUNEAU, AK 99801

### Officials

Show Former (None on file)

AK Entity			
#	Name	Titles	Owned
	Rawa Anabi	Director, Secretary	

AK Entity			Page 87
#	Name	Titles	Owned
	Rawa Anabi as Trustee of the Sammer and Rawa Anabi Family Trust	Shareholder	51.00
	Sammer I. Anabi as Trustee of the Sammer and Rawa Anabi Family Trust	Shareholder	49.00
	Sammir Anabi	Director, President, Treasurer	

## Filed Documents

Date Filed	Type	Filing	Certificate
11/04/2014	Creation Filing	<a href="#">Click to View</a>	<a href="#">Click to View</a>
12/05/2014	Initial Report	<a href="#">Click to View</a>	
11/17/2015	Certificate of Compliance		<a href="#">Click to View</a>
12/17/2015	Certificate of Compliance		<a href="#">Click to View</a>
12/31/2015	Biennial Report	<a href="#">Click to View</a>	
12/12/2017	Biennial Report	<a href="#">Click to View</a>	
10/25/2018	Entity Address Change	<a href="#">Click to View</a>	
10/29/2018	Change of Officials	<a href="#">Click to View</a>	
12/12/2018	Certificate of Compliance		<a href="#">Click to View</a>
10/22/2019	Biennial Report	<a href="#">Click to View</a>	



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Commerce,  
Community,  
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600  
Anchorage, AK 99501  
Main: 907.269.0350

November 17, 2020

Owner: Ak, Inc

DBA: 2 Go Mart # 54, 53, 62, 55, 201, 112, 3, 114, 111, 7, 10, 2, 203, 78, 71, 73, 15

2 Go Mart, 2 Go Mart Tesoro

Via email: [licensing@carenterprises.net](mailto:licensing@carenterprises.net)

Re: Liquor Licenses # 1664, 1329, 1568, 1596, 2225, 2227, 2278, 2512, 2546, 2553, 2614, 2803, 3262, 3465, 3732, 3991, 4054, 4216, 4544, 4565

Dear Applicant:

I have received your application for renewal of your liquor license. Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to your local governing body, your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body will have 60 days to protest the renewal of your license or waive protest.

Your application will be scheduled for the **January 2021** board meeting for Alcoholic Beverage Control Board consideration.

The Zoom link and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us via email at [alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov) if you have any questions.

Sincerely,

A handwritten signature in purple ink, appearing to read "D. Parker".

Occupational Licensing Examiner





## MEMORANDUM

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

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Willie Anderson, Planning Assistant

**DATE:** December 9, 2020

**SUBJECT:** **Action Approval for Schilling Alaska, Inc. – Special Use Permit for Snow Storage**

---

The Uptown Motel is located on property owned by Schilling Alaska, Incorporated (Schilling). Schilling obtained special use permits for the Uptown Motel to store snow on 7,500 square feet of City property in 2018, 2019, and 2020, and has requested a similar permit for 2021. The permit fee is proposed to be \$450.00 for the six-month period covering the months of January, February, March, April, November, and December, 2021.

The permit fee of \$450.00 was based upon a fair market value estimate of \$1.50/square foot multiplied by eight percent and is the same fee that was charged in 2018, 2019, and 2020 for special use permits issued for the same location and use to Schilling. As in past years, Schilling would be required to carry adequate insurance, use the premises only for snow storage, store snow in a manner that would not limit sight lines for drivers or impact City snow clearing, and remove any trash or debris remaining after the snow has melted such that the premises are returned to their initial condition. Schilling was compliant with the terms of their special use permits during 2018, 2019, and 2020. Schilling has submitted a special use permit application for 2021 and paid the corresponding application fee.

If City Council approves, City Administration would execute the special use permit attached to this memorandum. Thank you for your consideration.

## SPECIAL USE PERMIT

The **CITY OF KENAI** (City), for the consideration, and pursuant to the conditions set out below, hereby grants to **SCHILLING ALASKA, INC.** (PERMITTEE) the non-exclusive right to use 7,500 square feet of area as described below:

T5N R11W SEC 5 SEWARD MERIDIAN KN PORTION OF GOVT LOT 5 LYING NORTH OF FAA TRACT PER SPUR SUB SENIOR CITIZEN ADDN & LYING SOUTH OF FRONTAGE RD 7 LYING WEST OF DAUBENSPECK PROPERTY SUB TRACT C & LYING EAST OF SPUR VIEW DR

and as further shown in the attached Exhibit A.

1. **TERM.** This special use permit shall be for approximately six (6) months from January 1, 2021 to April 30, 2021, and from November 1, 2021 to December 31, 2021.
2. **PERMIT FEES.** The Permittee shall be charged a permit fee of \$450.00 plus applicable sales tax.

The Permittee shall pay the City the permit fee on or before January 1, 2021.

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

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

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

adjacent and contiguous lands or facilities. Use of the Premises is subject to the following conditions:

- A. Permittee shall use the Premises only for snow storage.
  - B. Snow must be stored in a manner that will not limit sight lines or create other unsafe driving conditions on adjacent right-of-ways.
  - C. The premises shall be returned to its current condition prior to the end of the term of this Special Use Permit. This shall include the removal of any trash or debris that remains after the snow has melted in the spring. Failure to do so will result in Permittee being ineligible for future Special Use Permits for snow storage.
  - D. Snow must be stored in a manner that will not impact any City snow clearing or moving activities.
4. **INSURANCE.** Permittee shall secure and keep in force adequate insurance, as stated below, to protect City and Permittee. Where specific limits are stated, the limits are the minimum acceptable limits. If Permittee's insurance policy contains higher limits, the City is entitled to coverage to the extent of the higher limits.
- A. Garage Liability or Commercial General Liability Insurance, including Premises, all operations, property damage, personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit. The policy must name the City as an additional insured.
  - B. Worker's Compensation Insurance with coverage for all employees engaged in work under this Permit or at the Premises as required by AS 23.30.045. Permittee is further responsible to provide Worker's Compensation Insurance for any subcontractor who directly or indirectly provides services to Permittee under this Permit.
  - C. Commercial Automobile Coverage with not less than \$1,000,000 combined single limit per occurrence. This insurance must cover all owned, hired, and non-owned motor vehicles the Permittee uses for snow moving and storage activities to, from, or on the Premises. The policy must name the City as an additional insured.
  - D. All insurance required must meet the following additional requirements:
    - i. All policies will be by a company/corporation currently rated "A-" or better by A.M. Best.
    - ii. Permittee shall submit to the City proof of continuous insurance coverage in the form of insurance policies, certificates, endorsements, or a combination thereof, and signed by a person authorized by the insurer to bind coverage on its behalf.

- iii. Permittee shall request a waiver of subrogation against City from Permittee's insurer and the waiver of subrogation, where possible, shall be provided at no cost to City.
  - iv. Provide the City with notification at least 30 days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.
  - v. Evidence of insurance coverage must be submitted to City by January 1, 2021. The effective date of the insurance shall be no later than January 17, 2021.
  - vi. This insurance shall be primary and exclusive of any other insurance carried by the City of Kenai. This insurance shall be without limitation on the time within which the resulting loss, damage, or injury is actually sustained.
5. **INDEMNITY, DEFEND, AND HOLD HARMLESS AGREEMENT.** The Permittee shall fully indemnify, hold harmless, and defend the City of Kenai, its officers, agents, employees, and volunteers at its own expense from and against any and all actions, damages, costs, liability, claims, losses, judgments, penalties, including reasonable Attorney's fees of or for liability for any wrongful or negligent acts, errors, or omissions of the Permittee, its officers, agents or employees, or any subcontractor under this Permit. The Permittee shall not be required to defend or indemnify the City for any claims of or liability for any wrongful or negligent act, error, or omission solely due to the independent negligence of the City. If there is a claim of or liability for the joint negligence of the Permittee and the independent negligence of the City, the indemnification and hold harmless obligation shall be apportioned on a comparative fault basis. Apportionment shall be established upon final determination of the percentage of fault. If any such determination is by settlement, the percentage of fault attributed to each party for purposes of this indemnification provision shall only be binding upon the parties included in the settlement agreement. "Permittee" and "City" as used in this article include the employees, agents, officers, directors, and other contractors who are directly responsible, respectively, for each party. The term "independent negligence of the City" is negligence other than in the City's selection, administration, monitoring, or controlling of the Permittee.
6. **PERMITTEE'S OBLIGATION TO PREVENT AND REMOVE LIENS.** Permittee will not permit any liens, including mechanic's, laborer's, construction, supplier's, mining, or any other liens obtainable or available under existing law, to stand against the Premises or improvements on the Premises for any labor or material furnished to Permittee or to any related entity or claimed entity. The Permittee shall have the right to provide a bond as contemplated by State of Alaska law and contest the validity or amount of any such lien or claimed lien. Upon the final determination of the lien or claim for lien, the Permittee will immediately pay any judgment rendered with all proper costs and charges and shall have such lien released or judgment satisfied at Permittee's own expense.
7. **PERSONALTY.** Permittee shall remove any and all personal property, including all vehicles, from the Premises at the termination of this Permit. Personal property placed or used upon the Premises and not removed upon termination of this Permit will be removed and/or impounded by the City. Property removed or impounded by the City may be

redeemed by the owner thereof only upon the payment to the City of the costs of removal plus a storage fee of \$25 per day. The City of Kenai is not responsible for any damage to or theft of any personalty of Permittee or its customers.

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

**CITY OF KENAI**

**SCHILLING ALASKA, INC.**

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

By: \_\_\_\_\_  
David Schilling  
President

**ACKNOWLEDGMENTS**

STATE OF ALASKA                    )  
  ) ss  
THIRD JUDICIAL DISTRICT        )

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

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

STATE OF ALASKA                    )  
  ) ss  
THIRD JUDICIAL DISTRICT        )

THIS IS TO CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the foregoing instrument was acknowledged before me by David Schilling, President of Schilling Alaska, Inc., an Alaska limited liability company, on behalf of the company.

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

ATTEST:

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

SEAL:

APPROVED AS TO FORM:

\_\_\_\_\_  
Scott Bloom, City Attorney

### Exhibit A



T5N R11W SEC 5 SEWARD MERIDIAN KN PORTION OF GOVT LOT 5 LYING NORTH OF FAA TRACT PER SPUR SUB SENIOR CITIZEN ADDN & LYING SOUTH OF FRONTAGE RD 7 LYING WEST OF DAUBENSPECK PROPERTY SUB TRACT C & LYING EAST OF SPUR VIEW DR



**Legend**

- City-Owned
- Subject Parcel
- Outline



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

Date: 12/9/2020





Sponsored by: Administration

**CITY OF KENAI**

**ORDINANCE NO. 3173-2020**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING ASSET FORFEITURE SHARING FUNDS FOR THE POLICE DEPARTMENT FOR THE PURPOSE OF PURCHASING LAW ENFORCEMENT EQUIPMENT.

WHEREAS, in November of 2020 the Kenai Police Department received asset forfeiture sharing funds in the amount of \$4,035.15 from the United States Drug Enforcement Administration (DEA); and,

WHEREAS the Police Department, pursuant to conditions of acceptance, will utilize the forfeiture funds to purchase law enforcement equipment for use by the Police Department.

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

**Section 1.** That the City Manager is authorized to accept these Equitable Sharing Funds in the amount of \$4,035.15 and to expend those 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 – Forfeitures	<u>\$4,035.15</u>
Increase Appropriations – Police – Small Tools	<u>\$4,035.15</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 6<sup>th</sup> day of January, 2021.

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

ATTEST:

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

Approved by Finance: 

Introduced: December 16, 2020  
Enacted: January 6, 2021  
Effective: January 6, 2021



## MEMORANDUM

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

**THROUGH:** Paul Ostrander, City Manager

**FROM:** David Ross, Police Chief

**DATE:** December 7, 2020

**SUBJECT:** Ordinance No. 3173-2020, Accepting Drug Forfeiture Funds

---

The Kenai Police Department received \$4,035.15 in asset forfeiture sharing funds from the United States Drug Enforcement Administration (DEA). Those funds were shared with the Kenai Police Department after being forfeited to the DEA and are subject to federal "Equitable Sharing" requirements to be used for Law Enforcement. The funds were forfeited in connection with drug investigation cases, for which the regional drug task force (including the Kenai Police Department) was involved.

I am respectfully requesting consideration of the ordinance appropriating \$4035.15 into the General Fund – Police Small Tools account to pay for law enforcement equipment.



Sponsored by: Administration

**CITY OF KENAI**

**ORDINANCE NO 3174-2020**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING A FM GLOBAL FIRE PREVENTION GRANT FOR THE PURCHASE OF TWO IPADS AND ACCESSORIES TO BE USED TOWARD FIRE PREVENTION EFFORTS.

WHEREAS, the Kenai Fire Department has been awarded a Fire Prevention Grant from FM Global; and,

WHEREAS, the Fire Department submitted a grant application to purchase two iPads and accessories to be used for Pre-Fire planning; and,

WHEREAS, the cost to purchase these items is \$3,158 with no required match from the Fire Department; and,

WHEREAS, it is in the best interest of the City to accept the grant for the purchase of this equipment.

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

**Section 1.** That the City Manager is authorized to accept a grant in the amount of \$3,158 from FM Global for two Apple iPads and accessories, to execute any required grant agreement, and to expend the grant in compliance with grant conditions and this ordinance.

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

General Fund:	
Increase Estimated Revenues –	
Other Grants	<u>\$3,158</u>
Increase Appropriations – Fire Department	
Small Tools/Minor Equipment	<u>\$3,158</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.

Ordinance No. 3174-2020  
Page 2 of 2


**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 6<sup>th</sup> day of January, 2021.

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

ATTEST:

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

Approved by Finance: 

Introduced: December 16, 2020  
Enacted: January 6, 2021  
Effective: January 6, 2021



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Tony Prior, Fire Chief

**DATE:** December 7, 2020

**SUBJECT:** **Ordinance 3174-2020 FM Global Grant**

---

City of Kenai Fire Department was successful in receiving a grant from FM Global (<https://www.fmglobal.com/about-us/our-business>) to purchase 2 iPads and accessories to be used in our Fire Prevention efforts. As we continue to improve and enhance our Pre-Fire plans, we identified aspects of our current plans and equipment that could be improved. We are able to attach photos, upload GIS information, customize diagrams and share these with our neighboring departments. The newer iPads have much better cameras for taking photos that can be uploaded onto Pre-Fire Plans as well as photos taken during investigations of fire incidents. Currently our Fire Marshal Hamilton is using an iPad from one of our Engines to do his daily work.

These 2 new iPads will be placed on our new utility trucks and will be used by the Fire Marshal and crews when adding and updating Pre-Fire Plans. The Fire Marshal will also be using these iPads daily during his annual inspections of businesses within the City. As an additional benefit, these iPads will be tied into our 911 response program (CrewForce). We currently use iPads on our apparatus when responding to emergencies. We see the nature of the call, enter in accurate response times, access GIS mapping of calls, access pre-fire plans, and can see the location of additional units responding to the call.

The grant was submitted for \$3,158 to cover the cost of 2 iPads with cases, mounting equipment, software/licensing, and requires no match by our agency.

Your consideration of accepting this grant is greatly appreciated.



Sponsored by: Administration

**CITY OF KENAI**

**ORDINANCE NO. 3175-2020**

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

WHEREAS, the Alaska Regional Fire Training Facility Equipment Rehabilitation Project, in coordination with the Federal Aviation Administration, was formally released for Invitation to Bid on August 1, 2019 with bids due on August 29, 2019; and,

WHEREAS, Kirila Fire Training Facilities, Inc, was found to be the lowest responsive responsible bidder with a successful bid of \$1,993,000; and,

WHEREAS, this work provided for the rehab of the fire training props, associated control systems, and propane gas systems, which allow the facility to effectively perform the training scenarios they were originally intended to; and,

WHEREAS, on February 20, 2020 Change Order 1 was executed in the amount of \$120,000 utilizing previously approved contingency funds through passage of Ordinance 3079-2019, this work added three (3) fireplace control assemblies not included in the original design documents; and,

WHEREAS, the approved contingency funds to start the project were \$150,000, and Change Order 1 is eligible for Federal Aviation Administration grant reimbursement with the FAA contributing \$112,500 / 93.75% and the City's local share of \$7,500 / 6.25%; and,

WHEREAS, the Contractor successfully reached substantial completion on March 13, 2020; and,

WHEREAS, Beacon staff has been utilizing the equipment through the warranty period and additional items have been identified for repairs that were not included in the original scope of work on the project and negotiations on remaining change order work has now been resolved; and

WHEREAS, three pending Change Orders are awaiting final approval by the City:

- Change Order 2 - \$22,764.37 concrete ramp modifications
- Change Order 3 - \$26,392.50 numerous propane valves & burner assemblies
- Change Order 4 - \$102,407.50 propane tank repairs, vault valves, & ignitors; and,

WHEREAS, total pending change orders 2 through 4 costs are \$151,564.37 and these change orders are eligible for FAA reimbursement with the FAA contributing \$142,091 / 93.75% and the City's local share of \$9,473.37; and,

WHEREAS, this will bring total change orders to date of \$271,564.37 with the FAA contributing \$254,591 / 93.75% and the City's combined local share of \$16,973.37 / 6.25%; and,

WHEREAS, total Change Orders to date total approximately 13.6% of the Original Contract.

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

**Section 1.** The City Manager is authorized to execute change orders 2 through 4 in the combined total amount \$151,564.37 and increase Purchase Order No. 119055 by \$146,564.37 which will provide \$25,000 of contingency to complete the project.

**Section 2.** The City Manager is authorized to accept grant reimbursement funds from the FAA in the total combined amount for change orders 1 through 4 of \$254,591.

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

Airport Improvement Capital Project Fund:

Increase Estimated Revenues –  
FAA Grant \$254,591

Increase Appropriations:  
Construction \$254,591

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 6th day of January, 2021.

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

ATTEST:

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

Approved by Finance: 

Introduced: December 16, 2020  
Enacted: January 6, 2021  
Effective: January 6, 2021





## MEMORANDUM

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

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Scott Curtin

**DATE:** December 9, 2020

**SUBJECT:** **Ordinance 3175-2020 – Increase to Construction Purchase Order to Kirila Fire Co.**

---

The Alaska Regional Fire Training (ARFT) Facility has undergone extensive renovations this past year. As Council may recall, in coordination with the Federal Aviation Administration (FAA), the City has one grant which is covering the purchase of new Aircraft Rescue Fire Fighting (ARFF) Trucks, Renovations to the Building at ARFT under a Contract with Orion Construction, and Renovations to the Fire Training Props and Equipment under a Contract with Kirila Fire.

COVID has created some challenges with coordinating contractors coming in from out of state to complete work, as well as delays to Beacon starting and conducting their training.

This ordinance is appropriating additional funds for the processing of change orders to Kirila Fire to correct additional items identified during use of the new equipment. This project was a renovation project and it did not cover complete replacement of all components. As staff has continued to use the equipment, items that were not included within the project have caused some issues which made locating and diagnosing them much easier than preconstruction.

This facility is twenty years old, much of the equipment is outdoors and as one would expect the condition of valves, sensors, etc. do not work as smoothly as newer devices typically do. Staff in coordination with the Contractor and Beacon are taking steps to identify and resolve these issues to ensure the City receives the full benefit of the new equipment that has been installed.

The project started with \$150,000 in contingency funding, change orders 1 through 4 shall total \$271,564.37 with the FAA contributing \$254,591 / 93.75% and the City's combined local share of \$16,973.37 / 6.25 %. Sufficient funding resides within the project to allow these costs.

Council's support is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI**

**ORDINANCE NO. 3176-2020**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT SPECIAL REVENUE AND THE AIRPORT SNOW REMOVAL EQUIPMENT CAPITAL PROJECT FUNDS TO PROVIDE SUPPLEMENTAL FUNDING FOR THE PROJECT, AND AUTHORIZING A PURCHASE AGREEMENT FOR THE PURCHASE OF A REPLACEMENT WIDE-AREA TRACTOR & MOWER.

WHEREAS, on November 20, 2020 a formal invitation to bid was released for the purchase of a replacement tractor & mower for the Airport with bids due on December 8, 2020; and,

WHEREAS, the following Bids were received:

Contractor	Bid
Craig Taylor Equipment	\$159,997.00
Yukon Equipment	\$185,869.29

; and,

WHEREAS, funding for this project is included in the FY21 Budget and was Project Priority No. 5 within the current Capital Improvement Plan for the Airport Fund; and,

WHEREAS, current funding within the Capital Plan for this project totals \$131,000 and an additional \$28,997 will need to be appropriated to allow staff to complete the purchase; and,

WHEREAS, the original estimate for this purchase was inaccurate and was based on a model of tractor that is no longer available today as well as the clarification in some required components that were not detailed and included within the original estimate; and,

WHEREAS, this tractor and mower is essential equipment to airfield maintenance operations; and,

WHEREAS, sufficient funds are available within Airport Special Revenue Fund to complete the purchase; and,

WHEREAS, the Administration agrees that this purchase is appropriate and in the best interest of the City.

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

**Section 1.** The City Manager is authorized to execute a Purchase Agreement and issue a Purchase Order in the same amount of \$159,997 to Craig Taylor Equipment for the purchase of a replacement tractor and mower.

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

Airport Special Revenue Fund:

Increase Estimated Revenues – Appropriation of Fund Balance	<u>\$28,997</u>
--	-----------------

Increase Appropriations – Transfer to Airport Improvement Capital Project Fund	<u>\$28,997</u>
---	-----------------

Airport Snow Removal Capital Project Fund:

Increase Estimated Revenues – Transfer from Airport Special Revenue Fund	<u>\$28,997</u>
---	-----------------

Increase Appropriations: Machinery & Equipment	<u>\$28,997</u>
---	-----------------

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 6th day of January, 2021.

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

ATTEST:

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

Approved by Finance: 

Introduced: December 16, 2020  
Enacted: January 6, 2021  
Effective: January 6, 2021



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin  
**DATE:** December 9, 2020  
**SUBJECT:** **Ordinance 3176-2020 – Purchase Agreement for the Purchase of a Replacement Wide-Area Tractor and Mower**

---

The Kenai Municipal Airport (KMA) in support of Airfield Operations Maintenance is in the process of purchasing a replacement tractor and mower. Craig Taylor Equipment was the lowest responsive responsible bidder with a bid of \$159,997 received on December 8, 2020.

An Ordinance is required because the bids came in higher than the \$131,000 budgeted last year and an appropriation of an additional \$28,997 is needed to complete the purchase. This piece of equipment is integral to maintaining safe cleared areas adjacent to the runways and taxiways.

Staff will work on providing more accurate estimates in the future.

Council's support is respectfully requested.





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**FROM:** Jamie Heinz, City Clerk  
**DATE:** December 10, 2020  
**SUBJECT:** **Planning & Zoning Commission Vacancy**

---

The Planning & Zoning Commission has a vacancy due to Ms. Askin's appointment to City Council and will have two additional vacancies as of December 31, 2020 due to terms ending. All requirements pursuant to Code have been met to fill these vacancies. Applications received for consideration are attached to this correspondence.

Pursuant to KMC 14.05.015 (b), "... the Mayor shall make nominations only from the list of persons who timely submitted an application..." and, as per KMC 14.15.015 (c), "... The Kenai City Council shall review the Mayor's nomination no later than the next regular Council meeting following the meeting in which the Mayor made the nomination..."

Mayor Gabriel has nominated Gary Greenberg and Joe Halstead for reappointment to the Planning and Zoning Commission. Additionally, Mayor Gabriel has nominated Alex Douthit as a new appointment. Council shall consider confirmation of the Mayor's nominations no later than the January 6 meeting.

Attachments

**Meghan Thibodeau**

---

**From:** Gary Greenberh via Kenai, Alaska <webmaster@kenai.city>  
**Sent:** Sunday, December 6, 2020 8:39 PM  
**To:** City Clerk  
**Subject:** Form submission from: Commission/Committee Application

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

Submitted on Sunday, December 6, 2020 - 8:39pm Submitted by anonymous user: 24.237.250.180 Submitted values are:

Date: Tue, 12/08/2020

Name: Gary Greenberh

Resident of City of Kenai? Yes

If resident, how long? 11 Years

Residence Address: 307 Hutto St

Mailing Address: 307 Hutto St

Home Telephone: 9072834627

Home Fax:

Business Telephone:

Business Fax:

Email address: ggreenberg@akmapco.com

May we include your contact information on our website? Yes If not all, what may we include?

Employer: Alaska Map Company

Job Title: Owner

Name of Spouse:

Current Membership Organization: Planning and zoning Past organizational memberships: Harbor Committees or commissions in which you are interested: Planning and zoning comission Why do you want to be involved with this commission or committee? I enjoy being able to support the planning and development of my community.

What background, experience, or credentials do you possess to bring the board, commission, or committee membership? As an existing planning commission member, I feel I am experienced and knowledgeable about the planning process and it's value to a vibrant community. Additionally I work professionally with many small communities and have a understanding of best practices in local government.

The results of this submission may be viewed at:

<https://www.kenai.city/node/2601/submission/6821>

**Meghan Thibodeau**

---

**From:** Joseph Halstead via Kenai, Alaska <webmaster@kenai.city>  
**Sent:** Thursday, December 3, 2020 2:10 PM  
**To:** City Clerk  
**Subject:** Form submission from: Commission/Committee Application

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

Submitted on Thursday, December 3, 2020 - 2:10pm Submitted by anonymous user: 65.74.15.130 Submitted values are:

Date: Thu, 12/03/2020  
Name: Joseph Halstead  
Resident of City of Kenai? Yes  
If resident, how long? 45 Years  
Residence Address: 510 Hemlock Avenue  
Mailing Address: 510 Hemlock Avenue  
Home Telephone: 9073981255  
Home Fax:  
Business Telephone:  
Business Fax:  
Email address: joe@digitsak.com  
May we include your contact information on our website? Yes If not all, what may we include?  
Employer: Homer Electric Association, Inc.  
Job Title: Information Services Analyst  
Name of Spouse: Samantha  
Current Membership Organization: Planning and Zoning Commissioner Past organizational memberships:  
Committees or commissions in which you are interested: Planning and Zoning Why do you want to be involved with this commission or committee? I want to help my community grow in a positive way What background, experience, or credentials do you possess to bring the board, commission, or committee membership? Previous term commissioner

The results of this submission may be viewed at:  
<https://www.kenai.city/node/2601/submission/6731>

**Jamie Heinz**

---

**From:** Alexander Douthit via Kenai, Alaska <webmaster@kenai.city>  
**Sent:** Thursday, December 3, 2020 11:18 AM  
**To:** City Clerk  
**Subject:** Form submission from: Commission/Committee Application

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

Submitted on Thursday, December 3, 2020 - 11:17am Submitted by anonymous user: 209.193.22.187 Submitted values are:

Date: Thu, 12/03/2020

Name: Alexander Douthit

Resident of City of Kenai? Yes

If resident, how long? 11.5 years

Residence Address: 1104 Leeward Dr

Mailing Address: 1104 Leeward Dr

Home Telephone: 907-398-2080

Home Fax:

Business Telephone:

Business Fax:

Email address: alex@douthits.com

May we include your contact information on our website? Yes, but not all (specify below) If not all, what may we include? Please do not include physical/ mailing address.

Employer: Kenai Peninsula Driving Instruction Job Title: Owner/Instructor Name of Spouse: Sarah Douthit Current

Membership Organization: Kenai Chamber of Commerce, Soldotna Chamber of Commerce Past organizational

memberships: Kenai River Professional Guide Association Committees or commissions in which you are interested:

Planning and Zoning Why do you want to be involved with this commission or committee? As a citizen of Kenai I would like to be more involved in my community and land use is an important topic. I would like to see Kenai continue to grow and offer more opportunities to local businesses, citizens and increase community events.

What background, experience, or credentials do you possess to bring the board, commission, or committee membership? As a second generation Alaskan I have spent nearly my whole life in Kenai and watched it grow. My family and I reside in Kenai and our business is also in Kenai. I previously held a position of leadership with the Kenai River Professional Guide Association and have also been part of the commercial fishing industry in the past. I've been involved in many government and private sectors through out my career.

The results of this submission may be viewed at:

<https://www.kenai.city/node/2601/submission/6721>





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**FROM:** Jamie Heinz, City Clerk  
**DATE:** December 10, 2020  
**SUBJECT:** **Nomination and Confirmation of Applicants for Reappointment to Commissions**

---

Pursuant to Kenai Municipal Code (KMC) 1.90.010 & 1.90.040, the Mayor has nominated the following individual to be confirmed by City Council to a three-year term ending December 31, 2023:

**Council on Aging:** Roy Williams (reappointment)

**Parks & Recreation Commission:** Michael Bernard (reappointment)

KMC requires Council confirmation of nominations presented by the Mayor. Your consideration is appreciated.



### COMMITTEE/COMMISSION APPLICATION

RECEIVED  
DEC 03 2020  
CITY OF KENAI  
KENAI CLERKS OFFICE

City of Kenai  
210 Fidalgo Avenue  
Kenai, AK 99611  
Phone: 283-8231  
Fax: 283-5068  
Email: [cityclerk@kenai.city](mailto:cityclerk@kenai.city)

#### Personal Information

Name: <i>Roy D. Williams</i>	Date: <i>11-18-2020</i>
Resident of the City of Kenai? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	How Long? <i>43 years</i>
Name of Spouse: <i>Ozella Williams</i>	
Employer: <i>Ret</i>	Job Title:

#### Contact Information

Residence Address: <i>381 Sr. Court apt. 208</i>	
Mailing Address: <i>381 Sr. Court apt 208</i>	Email Address:
Home Phone No.: <i>907-395-0396</i>	Home Fax No.:
Business Phone No.:	Business Fax No.:

May we include your contact information on our webpage?  Yes  No  Yes, but not all

Please specify what we can include on our webpage:  
*as needed*

#### Affiliations

Current membership in organizations:  
*Council on Ageing*

Past organizational memberships:  
*Pastor for 40 years - Dir. of missions for 10 years*

City committee or commission in which you are interested:  
*Council on ageing*

Why do you want to be involved with this Committee or Commission?  
*would like to continue to help to meet needs of Sr.*

What background, experience, or credentials do you possess to bring to the commission or committee membership?  
*Pastor - Past President of AK Baptist convention*

FOR CITY USE ONLY  
ROUTING:  Clerk's Office  
DISTRIBUTION:  City Council  File

**Jamie Heinz**

---

**From:** Michael Bernard via Kenai, Alaska <webmaster@kenai.city>  
**Sent:** Wednesday, November 25, 2020 7:30 PM  
**To:** City Clerk  
**Subject:** Form submission from: Commission/Committee Application

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

Submitted on Wednesday, November 25, 2020 - 7:30pm Submitted by anonymous user: 24.237.251.7 Submitted values are:

Date: Wed, 11/25/2020

Name: Michael Bernard

Resident of City of Kenai? Yes

If resident, how long? 4 years

Residence Address:

Mailing Address:

Home Telephone:

Home Fax:

Business Telephone:

Business Fax:

Email address:

May we include your contact information on our website? No If not all, what may we include?

Employer: Century 21 Realty Solutions

Job Title: Sales Associate

Name of Spouse: Diane Bernard

Current Membership Organization: Kenai Peninsula Association of Realtors Past organizational memberships: Former board member of the Kenai Peninsula Tourism Marketing Council Committees or commissions in which you are interested: Parks and Recreation Commission Why do you want to be involved with this commission or committee? As a resident of Kenai I have an appreciation of the value that parks bring to our quality of life. I am happy to serve our community by helping to make decisions about our parks and recreation areas.

What background, experience, or credentials do you possess to bring the board, commission, or committee membership? Current member of the City of Kenai Parks and Recreation Committee as well as the Mini Grant Committee. I have a background in landscape design and maintenance. Current user of our local parks.

The results of this submission may be viewed at:

<https://www.kenai.city/node/2601/submission/6711>



# 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:** December 10, 2020  
**SUBJECT:** **Cook Inlet Regional Citizens Advisory Council – Kenai Seat Nomination**

---

On December 7, the City received a letter from the Cook Inlet Regional Citizens Advisory Council notifying us that the seat representing the City of Kenai on its Board of Directors was set to expire April 2021. The Mayor has nominated John Williams for reappointment to the seat.

Your consideration regarding confirmation is appreciated.



*“The mission of the Council is to represent the citizens of Cook Inlet in promoting environmental safe marine transportation and oil facility operations in Cook Inlet.”*

*Members*

December 7, 2020

*Tourism Group*

The Honorable Brian Gabriel  
Mayor – City of Kenai  
210 Fidalgo Avenue  
Kenai, AK 99611

*Alaska Native Group*

Mayor Gabriel:

*Environmental Group*

I am writing to advise you that the current term of the seat representing the City of Kenai on the Cook Inlet Regional Citizens Advisory Council (CIRCAC) Board of Directors is set to expire in April 2021 at the CIRCAC Annual Meeting.

*Recreation Group*

The Oil Pollution Act of 1990 identifies stakeholder groups to be represented on the Council, and our Policies define a procedure for conducting the specific stakeholder group election or appointment process. This letter of notification is part of that process. The seat is currently filled by Mr. John Williams; it is our understanding at this time that Mr. Williams would like to retain his seat on the Board.

*Aquaculture Associations*

*Commercial Fishing Group*

We would like to receive formal notification of Kenai’s appointment by no later than March 1, 2021. Please don’t hesitate to reach out should you have any questions or comments regarding this process; please contact me by email ([jerryrombach@circac.org](mailto:jerryrombach@circac.org)) or cell phone – 907-398-6210.

*City of Kodiak*

*City of Kenai*

Speaking on behalf of the Board and staff, we value and appreciate your engagement in this important process, and your commitment to the mission of CIRCAC.

*City of Seldovia*

*City of Homer*

Sincerely,

*Kodiak Island Borough*

Jerry Rombach  
Director of Administration

*Kenai Peninsula Borough*

*Municipality of Anchorage*



# 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:** December 10, 2020  
**SUBJECT:** **Supervisory Subcommittee Nomination**

---

Pursuant to Council Policy 2017-02, The Supervisory Sub-Committee will consist of three Councilmembers, including the Mayor, Vice Mayor, and a third Councilmember appointed by the Mayor and confirmed by the Council. The appointment of the third member shall occur at the same Council Meeting that committee and commission liaisons are appointed and confirmed or as soon thereafter as practicable.

The nomination of the third member of the Supervisory Sub-Committee was inadvertently omitted from previous meetings and needs to be nominated. Your consideration is appreciated.

Supervisory Sub-Committee	Council Member Henry Knackstedt
---------------------------	---------------------------------



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**FROM:** Scott Bloom  
**DATE:** December 8, 2020  
**SUBJECT:** Alaska Remote Sellers Sales Tax Collections

---

In early 2020, the City Council authorized the City to enter into an intergovernmental agreement and join the Alaska Remote Sellers Sales Tax Commission (ARSSTC) for the purpose of collecting local sales tax from remote sellers meeting threshold criteria, such as Amazon. While this sales tax is not new, it expanded the City's ability to collect from certain vendors located outside the City selling goods and services into the City for the first time. This action followed a landmark U.S. Supreme Court Case allowing for state and local governments to collect sales tax from remote sellers without the previously required traditional physical connection to the taxing jurisdiction as long as certain safeguards were in place. With the help of the Alaska Municipal League, various municipalities in the State created the ARSSTC to facilitate the collection of sales tax from remote sellers. ARSSTC contracted with software vendors to develop the products needed for the endeavor and entered into an agreement with AML to provide staff and other support. ARSSTC developed a uniform remote sellers sales tax collection code as well as policies to enable streamlined collection and comply with the requirements of the US Supreme Court's decision. Our situation in Alaska is unique in that we do not have a state sales tax and the participating communities had to agree to amend individual tax codes to comply with required standard provisions.

As you can see on the attached spreadsheet, since March of 2020 when the program went live and the City began receiving sales tax from remote sellers, the City has received a total net revenue of \$80,033.89 and gross sales tax of \$97,663. In approximately the same time period the ARSSTC has collected approximately \$3,785,000 statewide. As opposed to paying for the software development and management primarily upfront, the ARSSTC structured the agreements to pay a percentage of the collected taxes. The ARSSTC also pays a percentage to AML for staff and support. The contracts are structured to allow for percentage fees to decrease if certain revenue milestones are accomplished. There is also opportunity to renegotiate after a number of years. These collections are less than initially anticipated, but should continue to grow as more jurisdictions participate, more sellers are registered to collect taxes and economic pressure from the pandemic eases. Notably the collection does not include Anchorage which does not have a local sales tax, though it does have an alcohol tax. You can see month to month on the attached spreadsheet collections continue to grow.

Currently, the ARSSTC has 711 sellers registered to collect and remit sales tax. The following municipalities have joined the ARSSTC:

- City and Borough of Juneau (Effective 2.3.2020)
- City of Wasilla (Effective 2.24.2020)
- Kenai Peninsula Borough (Effective 2.24.2020)
- City of Kenai (Effective 2.24.2020)
- City of Seldovia (Effective 2.24.2020)
- City of Homer (Effective 2.24.2020)
- City of Soldotna (Effective 2.24.2020)
- City of Seward (Effective 2.24.2020)
- City and Borough of Wrangell (Effective 3.1.2020)
- City of Nome (Effective 3.9.2020)
- Haines Borough/City (Effective 3.10.2020)
- City of Adak (Effective 3.17.2020)
- City of Palmer (Effective 3.24.2020)
- City of Cordova (Effective 4.1.2020)
- Petersburg Borough (Effective 4.6.2020)
- City of Gustavus (Effective 4.13.2020)
- City of Kodiak (Effective 4.18.2020)
- City of Unalaska (Effective 4.28.2020)
- City and Borough of Sitka (Effective 4.29.2020)
- City of Dillingham (Effective 5.8.2020)
- City and Borough of Yakutat (Effective 5.11.2020)
- City of Craig (Effective 5.21.2020)
- City of Tenakee Springs (Effective 5.28.2020)
- City of Mountain Village (Effective 6.9.2020)
- City of Saint Paul (Effective 6.11.2020)
- City of Togiak (Effective 6.24.2020)
- City of Toksook Bay (Effective 6.28.2020)
- Ketchikan Gateway Borough (Effective 7.20.2020)
- City of Thorne Bay (Effective 7.21.2020)
- City of Bethel (Effective 8.1.2020)
- City of Houston (Effective 8.13.2020)





- City of Ketchikan (Effective 8.20.2020)
- City of Saxman (Effective 10.01.2020)
- City of Aleknagik
- City of Aniak
- City of Chevak
- City of Elim
- City of King Cove
- City of Kotzebue

I am happy to answer any questions you may have.



**City of Kenai  
Remote Seller Sales Tax Collected and Fees Paid  
Inception thru October 2020**

<u>Period</u>	<u>Sales Tax Collected</u>	<u>Fees</u>				<u>Total Fees - 17.25 - 19.10%</u>	<u>Net Revenue</u>
		<u>Collection Software Fee - 12%</u>	<u>Mapping Software Fee - 1.25%</u>	<u>Commission Administration Fee 4.00 - 5.85%</u>	<u>AML Start-up Fee</u>		
March-20	\$ 860.00	\$ 103.20	\$ 10.75	\$ 50.31	\$ 430.00	\$ 594.26	\$ 265.74
April-20	10,746.00	1,289.52	134.33	628.64	570.00	2,622.49	8,123.51
May-20	13,510.00	1,621.20	168.87	791.95	-	2,582.02	10,927.98
June-20	16,813.00	2,017.56	210.16	984.37	-	3,212.09	13,600.91
Total FY20	\$ 41,929.00	\$ 5,031.48	\$ 524.11	\$ 2,455.27	\$ 1,000.00	\$ 9,010.86	\$ 32,918.14
July-20	\$ 17,698.00	\$ 2,123.76	\$ 221.23	\$ 709.57	\$ -	\$ 3,054.56	\$ 14,643.44
August-20	19,757.00	2,370.84	246.96	790.28	-	3,408.08	16,348.92
September-20	18,279.00	2,193.48	228.49	733.64	(1,000.00)	2,155.61	16,123.39
October-20	19,065.13	2,287.82	238.31	787.62	-	3,313.75	15,751.38
Total FY21 To Date	\$ 74,799.13	\$ 8,975.90	\$ 934.99	\$ 3,021.11	\$ (1,000.00)	\$ 11,932.00	\$ 62,867.13
Total Since Inception	\$ 116,728.13	\$ 14,007.38	\$ 1,459.10	\$ 5,476.38	\$ -	\$ 20,942.86	\$ 95,785.27

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
DECEMBER 09, 2020 – 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, R. Springer, D. Fikes, J. Halstead, G. Greenberg, T. McIntyre,

Commissioners absent:

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

A quorum was present.

**3. Agenda Approval**

**MOTION:**

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

**4. Consent Agenda**

**MOTION:**

Vice Chair Fikes **MOVED** to approve the consent agenda and Commissioner Halstead **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. \*October 28, 2020

The minutes were approved by the Consent Agenda.

**C. SCHEDULED PUBLIC COMMENT** – None.

**D. UNSCHEDULED PUBLIC COMMENT** – None.

**E. CONSIDERATION OF PLATS**

- 1. **Resolution PZ2020-36** – Preliminary Subdivision Plat of Integrity Plaza II, submitted by Cliff Baker, Surveyor, 201 Barrow Street, Unit 202, Anchorage, AK 99501, on behalf of Cliff Baker, 201 Barrow Street, Unit 202, Anchorage, AK 99501

Planning Assistant Anderson reviewed the staff report provided in packet noting the preliminary plat vacates property lines creating a larger tract and City staff recommends approval subject to the following condition:

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

**MOTION:**

Vice Chair Fikes **MOVED** to approve Resolution No. PZ2020-36 and Commissioner Halstead **SECONDED** the motion.

**MOTION TO AMEND:**

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

**VOTE:**

YEA: Twait, Springer, Halstead, Fikes, Greenberg, McIntyre

NAY:

**MOTION PASSED UNANIMOUSLY.**

**F. PUBLIC HEARINGS**

- 1. **Resolution PZ2020-35** – Application for a Conditional Use Permit for seven zero lot line/townhouse dwellings, on Tract A, Kenai Landing Cottages, and located at 2101 Bowpicker Lane. The application was submitted by Kenai Landing, Inc., 2101 Bowpicker Lane, Kenai, AK 99611.

City Attorney Bloom reviewed the staff report provided in packet noting the conditional use permit would permit the construction of zero lot line/townhouse dwellings in the Heavy Industrial Zone.



**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 November 4, November 23, and December 2 City Council meetings.
2. **Borough Planning** – Vice Chair Fikes reported on the actions of the Borough Planning Commission meetings of November 9 and November 30.
3. **City Administration** – City Manager Ostrander reported on the following:
  - Developing a Request for Proposals for the Design Phase of the Bluff Erosion Project;
  - Reviewed details of a recent work session regarding COVID-19 with Alaska Department of Health and Social Services staff.

**K. ADDITIONAL PUBLIC COMMENT**

1. Citizens Comments – None.

**L. INFORMATIONAL ITEMS**

**M. NEXT MEETING ATTENDANCE NOTIFICATION**

1. December 23, 2020
2. January 13, 2021

**N. COMMISSION COMMENTS & QUESTIONS** – None.

**O. ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 8:27 p.m.

Minutes prepared and submitted by:

---

Meghan Thibodeau  
Deputy City Clerk



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Mary Bondurant, Airport Manager  
**DATE:** December 7, 2020  
**SUBJECT:** **Airport Mid-Month Report December 2020**

---

2018 Terminal Rehabilitation Project – Construction: The project has reached the closeout stage. The ribbon cutting ceremony has been postponed due to the COVID pandemic.

2019 Alaska Fire Training Facility Rehabilitation & Acquire Aircraft Rescue and Firefighting Trucks (ARFF) – This project has reached the closeout stage. The two ARFF vehicles are on-order with OSHKOSH with a delivery date of June 2021.

2020 Acquire SRE (Loader) – The City received the FAA grant offer on September 2, 2020 for \$266,100 which is 100% of the allowable costs instead of the 93.75%. A possible delivery date is the end of 2020.

2020 Sand/SRE Storage Building – This project is in winter shutdown.

2020 Land Acquisition – The William Brogen parcel has been purchased and the closeout process has begun.

Ravn Alaska - Ravn Alaska received US DOT approval for scheduled service and started service into Kenai on Monday, November 30, 2020. For reservations and information, please contact RAVN Alaska Reservations at 800-866-8394.

### In-house Activities:

Airport Administration – Administration Office is closed; however staff is available Monday-Friday, 8am to 5pm for customer service.

Airport Manager participated in a Kenai Middle School Video Interview with Brian Lyke's 8<sup>th</sup> grade language art class. The interview consisted of "how to conduct interviews" and what has changed for the Airport in the year 2020. A link follows that shows the video walk-through of the Airport that was viewed during the ZOOM meeting: <https://youtu.be/oJR4ldlMCiU>. The link will be shared to the Airport's Facebook page.

Airport Administration continues to monitor the FY21 budget and prepare for the FY22 budget; developing a scope of work for the terminal building landscaping, preparing the Invitation to Bid for the Airport Security Services, developing the Airports Capital Improvement Plan for FY2022-FY2024; and preparing updates to Exhibit A and the property maps that are part of the Airport Layout Plan.

Airport Operations has been dealing with extreme snow, ice, and rain conditions so far this winter. This combination creates continuous monitoring and attention for the safe movement of aircraft and vehicles. There has been no interruption to aircraft schedules due to poor airfield conditions.

*The Airport would like to take this opportunity to wish you and your families' safe holidays!*







## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Terry Eubank, Finance Director

**DATE:** December 10, 2020

**SUBJECT:** **Finance Department Mid-Month Report – December 2020**

---

The fiscal year 2020 Comprehensive Annual Financial Report (CAFR) has been completed with the assistance of many departments but especially the staff in the finance department. The City's auditors are awaiting release of federal audit guidelines for CARES Act funding the City received and cannot issue the final document until they are released and the required steps are performed on the City's CARES Act expenditures.

CARES Act financial reporting is being reviewed weekly to assure the City expends all funds by the December 30, 2020 deadline. The IT Department is nearing completion of the CARES Act occupancy counter project.

The FY22 Budget is now a major focus of the department with information being compiled for department heads to assist them with their budget preparation. Information for budget preparation will be distributed to City Departments in January. The Council is schedule to receive its first draft of the FY2022 budget in April. The budget calendar is being discussed and finalized this month. There is much work to be done by all City departments over the next couple of months.

The department is also preparing for a portfolio review of the Airport Land Sale and General Land Sale Permanent funds. Representatives from Alaska Permanent Capital will be scheduled to present a portfolio review in January or early February. The review will included a summary of 2020 performance, the allowable transfer amount for each permanent fund, and a recommendation for establishment of 2021 asset allocations and evaluation benchmarks.



# 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:** Tony Prior, Fire Chief

**DATE:** December 4, 2020

**SUBJECT:** Fire Department Mid-Month Report – November

November calls for service were consistent with numbers from last year. KFD responded to 4 suspected, 3 confirmed and 25 unknown COVID patients. Total calls for service are as follows:

Year	2019	2020	% change
November total	107	105	-1.9%
EMS	85	82	-3.5%
All Other	22	23	4.5%
Year total	1404	1188	-15.4%

Pete Coots, Scott Summers and Ben Nabinger taught Advanced Cardiac Life Support (ACLS) and Pediatric Advanced Life Support (PALS) to our department members in November for recertification. State Recertification of Paramedics and EMT's has been modified as it pertains to Continued Medical Education (CME's) hours and we are working with Southern Region EMS to monitor changes and take advantage of virtual training. We started our second round of Paramedic Student Internship with 2 students assigned to us for 7 weeks.

Fire Department utility trucks are in Anchorage and in the process of getting lighting, radios, and reflective graphics installed on them. We are currently working on budget items for next FY and updating our capital improvement projects.

We have been coordinating with the State of Alaska Vaccination task force to plan for upcoming vaccinations of our personnel. Our department will be in the first round of vaccinations that are available and will be partnering with local agencies that have agreed to be enrolled partners with the State.

Merry Christmas!



## MEMORANDUM

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

**THROUGH:** Paul Ostrander, City Manager





**FROM:** Katja Wolfe, Library Director

**DATE:** December 7, 2020

**SUBJECT:** **Library Mid-Month Report November 2020**

The Kenai Community Library temporarily closed to the public on November 14, 2020 in light of Governor Dunleavy asking Alaskans to take immediate action to slow the spread of COVID-19. However, library staff are busy filling curbside pickup orders, answering reference questions, creating virtual programs, and working on the collection. For more information on the services we provide while closed, please visit our website at <https://www.kenai.city/library>.

### November 2020 at a Glance

<b>Checkouts</b>		<b>Nov-19</b>	<b>Nov-20</b>	<b>2020 YTD</b>
Physical		7,249	3,913	49,008
Digital		1,134	1,572	15,660
<b>Visits</b>				
Number of Visitors		6,574	1,190	26,115
New Library Cards		33	28	295
Room Use		179	n/a	396
<b>Programs</b>				
Number of Programs		28	16	236
Program Attendance		404	n/a	n/a
Volunteer Hours		19	n/a	94
<b>Technology Sessions</b>				
Computer Sessions		606	185	3,753
iPad Sessions		157	n/a	203
WiFi Sessions		n/a	2,614	20,575
Early Literacy Station Sessions		314	n/a	786

### November 2020 programming highlights

- Programs in November 2020 were virtual (Facebook, YouTube, and Zoom)
  - Weekly Lego® challenge (324 views)
  - Weekly virtual story times (18 participants)
  - Zoom class visit (15 participants)
  - Oil painting demonstration for adults (477 views)
  - Let's Draw Zombies for kids (59 views)
  - Digital literacy class
  - Social Security 101
  - 162 Thanksgiving activity packs were provided
  - 48 Stained Glass (Earth) packs were provided

### November 2020 library services highlights

- Average of 20 curbside pickups per day since we closed (221 total)
- Transits:
  - We loaned 606 items to member libraries of the Alaska Library Catalog
  - We borrowed 633 items from member libraries of the Alaska Library Catalog
- 2,614 Wi-Fi sessions by 405 unique users were registered.
- We started offering a virtual meeting space through Zoom (<https://www.kenai.city/library/webform/virtual-meeting-rooms>)
- We started offering Discovery (STEAM) kits for checkout (<https://www.kenai.city/library/page/discovery-kits>)





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Robert J. Frates, Parks & Recreation Director  
**DATE:** December 7, 2020  
**SUBJECT:** **Mid-month Report – November 2020**

---

A total of 172.25 hours of ice were sold for the month of November. This is up 44.5 hours over November 2019. The increase in hours is due to the temporary closure at the Soldotna Regional Sports Complex. The Kenai Peninsula Hockey Association continues to be the largest user group with 110.25 hours rented for the month of November followed by Rusty Blades and Hockey Club Alaska.

The department has been working with Dr. Peter Hansen on a winter static display for the Leif Hansen Memorial Park. The vision is to have a metal tree (approximately 24' tall) with LED lights fabricated sometime this spring. The tree would be installed on the fountain throughout the winter months next year.

Staff started hanging and installing winter decorations in November and are nearly finished with that project. The department received a total of 6 community service hours in November.

The outdoor skating pond at Daubenspeck Family Park was cleared off and opened for skating on November 19. Additionally, grooming efforts at the Kenai Nordic Trails started November 11.

Staff recorded 13.25 hours cleaning restrooms and removing trash during the month of November. An estimated 500 lbs. of trash was collected and disposed of.

A total of 4 Tree Removal Permits for City of Kenai Lands have been requested. To date, only 2 of these permits have been returned for processing.

One of two flower plug orders have been placed. This order is expected to be delivered mid-March.

One (1) memorial bench was purchased and the family has requested it be installed at Eric Hansen Scout Park.



## MEMORANDUM

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

**THROUGH:** Paul Ostrander, City Manager

**FROM:** David Ross, Police Chief

**DATE:** December 4, 2020

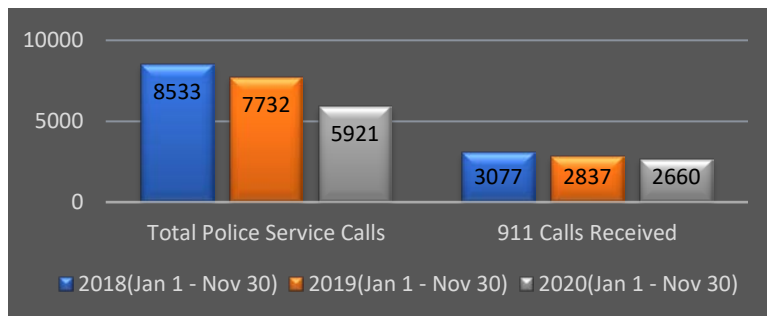
**SUBJECT:** **Police & Communications Department Activity – November 2020**

Police handled 472 calls for service in November. Dispatch received 217 9-1-1 calls. Officers made 24 arrests. Traffic enforcement resulted in 139 traffic contacts and 50 traffic citations. There were 4 DUI arrests. Officer investigations were conducted on 11 motor vehicle crashes, in addition to 2 collisions involving moose. There were no collisions involving drugs or alcohol.

One new officer completed the 16 week public safety academy in Sitka and has started his field training program. Seven officers started a 40 hour virtual First Line Supervisor Class. One dispatcher attended a virtual emergency medical quality assurance course. Two dispatchers started a virtual Communications Training Officer Certification program. One new lateral officer started work in Kenai, and has started his field training program.

The School Resource Officer (SRO) was out of the schools in November due to the schools not operating with students in the classroom. Even while out of session, the SRO has helped KCHS and KMS with police related matters that have come up. The SRO met with Kenai principals, counselors, nurses, and KPBSD mental health staff in regards to suicide awareness.

The last remaining police vacancy is anticipated to be filled in December.





# 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  
**THROUGH:** Dave Ross, Police Chief  
**FROM:** Jessica “JJ” Hendrickson, Animal Control Chief  
**DATE:** December 2, 2020  
**SUBJECT:** **November 2020 Monthly Report**

This month the Kenai Animal Shelter took in **48** animals. Animal intake and disposition:

DOGS:				
	INTAKE	27	DISPOSITION	22
	Waiver	3	Adopted	12
	Stray	11	Euthanized	2
	Impound	1	Claimed	8
	Protective Custody	1	Field Release	0
	Quarantine	1	Transferred	0
	Other Intakes	10	Other Dispositions	0
CATS:				
	INTAKE	19	DISPOSITION	23
	Waiver	2	Adopted	17
	Stray	17	Euthanized	0
	Impound	0	Claimed	0
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	6
	Other Intakes	0	Other Dispositions	0

OTHER ANIMALS:				
INTAKE	2	DISPOSITION	2	
Chinchilla	2	Chinchilla	2	
Rabbit	0	Rabbit	0	
Other	0	Guinea Pig	0	
DOA:	10	OTHER STATISTICS:		
Dog	5	Licenses (City of Kenai Dog Licenses)	11	
Cat	5	Microchips (Dog and Cat)	9	

- 5 Animal dropped with After Hours (days we are closed but cleaning and with KPD)
- 24 Animals are *known* borough animals
- 16 Animals are *known* City of Kenai
- 5 Animals are *known* City of Soldotna
- 4 Animals from unknown location
- 27 Field Investigations & patrols
- 0 Volunteer Hours Logged
- 1 Citations
- 0 Educational Outreach

Statistical Data:

- 765 2018 YTD Intakes
- 860 2019 YTD Intakes
- 646 2020 YTD Intakes







# 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:** Scott Curtin, Public Works Director  
**DATE:** December 2020  
**SUBJECT:** **Mid-Month Report; Public Works / Capital Projects**

- 
- Terminal Building Rehabilitation Project – The project reached Substantial Completion on March 27, 2020! Project is in closeout. Grand Opening was canceled due to COVID. Project will continue through Warranty phase through March 2021.
  - Alaska Regional Fire Training Facility Building Rehabilitation Project – The project reached Substantial Completion on June 2, 2020 *and Fire Training successfully took place this summer. Staff continues to work with the FAA on project closeout. Project will continue through Warranty phase through June 2021.*
  - Alaska Regional Fire Training Facility Equipment Rehabilitation Project - The project reached Substantial Completion on March 13, 2020 and Fire Training successfully took place this summer. The Contractor did return to complete Punch list items in September, a propane tank inspection was conducted at that time and did identify deficiencies within that part of the equipment. These repairs will take place in the spring coinciding with the next round of training, so the Contractor will be onsite in the event of any operational issues. Legislation will be put forward in December to providing funding for that trip in the spring. *Ordinance 3175-2020 is being introduced at the December 16, 2020 Council Meeting.*
  - Kenai Municipal Airport Wheeled Loader Replacement – An Invitation to Bid was released on May 20, 2020 with bids due on June 10, 2020. Two bids were received with Yukon Equipment, Inc. providing the lowest responsive bid for 2020 Case model 621G and associated attachments. Total cost of loader with all attachments as well as some minor administrative costs equal \$270,000. An FAA grant will be covering 100% of the costs. Contract was executed on September 4, 2020 and the Loader has now been ordered. Currently anticipating delivery in February 2021.



- Kenai Municipal Airport Sand Storage Facility – The City executed a design agreement to HDL Engineering on April 17, 2020 for a new Sand Storage Facility. On August 7, 2020 Final Design Documents were received and a Formal Invitation to Bid was released on August 10<sup>th</sup> with Bids due on August 31<sup>st</sup>, 2020. Orion Construction was the successful bidder with a low bid of \$2,289,000. The City successfully executed a grant with the FAA on September 25, 2020 in the amount of \$1,954,101, a second grant is anticipated for next Spring, May 2021, to cover the remaining costs on a total project cost of \$2,835,263. A Notice to Proceed for Construction was issued for October 14, 2020, and the schedule will run 365 days. The Contractor successfully mobilized to the site, cleared the area for the new building and brought in structural fill where required by Contract. Project is now winterized and will start back up in spring. Submittals will be completed over the winter months.
- Dock repair – An Invitation to Bid was released on May 29, 2020 with Bids due on June 19, 2020. No bids were received. On July 10, 2020 the project was re-advertised for bids with bids due on July 27, 2020. The City received one Bid from Endries Company in the amount of \$298,365. Ordinance 3154-2020 was introduced on August 5, 2020 *and approved on August 19, 2020*. Formal contract was executed with Endries Company on August 31, 2020 with a formal Notice to Proceed provided on the same day. *Work associated with the Cathodic Protection is now complete. The remaining Work will need to wait until warmer temperatures arrive in the spring. Anticipated final completion June 1, 2021.*
- Peninsula Avenue Bluff Erosion 2020 – An Invitation to Bid was released on May 31, 2020 with Bids due on June 19, 2020. Four bids were received with Foster Construction being the lowest responsive responsible bidder at \$94,670. Council approved the project through passage of Resolution 2020-57 at the July 1, 2020 meeting. Contractor has completed submittals with the Engineers, and is anticipated to mobilize to the site on September 11, 2020 and begin moving dirt the week of the 14th. As of October 13<sup>th</sup> the project is nearly complete. The project was successful and will require installation of top soil and grass seed in the spring. *The December 16, 2020 Council Packet includes a Purchase Order increase request, to Foster's Construction to account additional necessary measures taken to control ground water and runoff during construction, details within the included Memo.* The Department would like to thank Fosters Construction and Larsen Engineering for their efforts on the project.
- Vault Restrooms – 100% Design documents were received on June 10, 2020 from Nelson Engineering. An Invitation to Bid was released on June 14, 2020 with Bids due on June 29, 2020. Four bids were received with Polar North Construction being the lowest responsive responsible bidder at \$359,850. Council approved the project through passage of Resolution 2020-58 at the July 1, 2020 meeting. Contract documents were executed on July 23, 2020. *Construction is nearing completion, all four structures are up with roofs framed and trimmed. December 9, 2020 exterior doors were being installed. The PWD is requesting the contractor hold off on final painting until warmer weather in the springs, project will shut down for much of January through April. Photos below from December 9<sup>th</sup>.*





- Waste Water Treatment Plant Master Plan – HDL Engineering Consultants will be beginning to assist the Public Works Department in development of a new Master Plan for the facility. The last one was completed in March 2004. Resolution 2020-48 was approved at the June 17, 2020 Council meeting allowing this work to proceed. On July 2, 2020 HDL staff and consultants spent the day on the property going through all systems of the plant, it is anticipated that these services will take place throughout the summer months. On August 31, 2020 the first draft assessment was received. Staff continues to work with HDL to develop plans for the facility in preparation of updates to the Capital Plan. HDL also continues to assist the department with the renewal of our APDES Permit which expires every five years.
- Waste Water Treatment Plant WAS Pumps – Polar North was awarded a Contract on September 22, 2020 in the amount of \$79,703 to demo and replace 40 year old pumps. *Currently both pumps are now installed with final piping connections to take place in late December. Additional Air Release Valves have been ordered to improve the pumps performance as discovered during initial startup. Project is proceeding well on time and on budget.*
- Waste Water Treatment Plant Replacement Sludge Press – Resolution 2020-95 is being presented to Council at the December 16, 2020 meeting to begin Design Development of this Project with HDL Engineering.
- USACE Bluff Erosion – See City Manager’s report. Director’s Report from the Army Corp of Engineers was signed April 10, 2019. On June 17, 2020 Council authorized the City Manager to sign the MOU received from the Corp. PED Agreement arrived on September 2, 2020. The City mailed a check in the amount of \$350,000 on September 18, 2020 to cover the City’s initial share of PED costs. Meetings have begun with the City Manager and Public Works Director with the ACOE. RFP Docs to obtain Professional Engineering Services are beginning to be developed. *Draft RFP Docs were sent to ACOE Staff for comment on December 8,*



2020 during phone conference with ACOE, City Manager and PWD. Comments were received back on December 9<sup>th</sup>. Next scheduled meeting with Corp is for December 17, 2020 to continue with Development of the documents.

- Multi-purpose Facility – The Building Maintenance Department went through the Ice Rink and pressure washed all of the algae that has been growing on the steel beams. Nelson Engineering was also able to come out and assess the structure and condition of the rusting. Formal report was received on October 6, 2020. *Work will continue in the spring.*
- Recreation Center – The Building Maintenance Department and Streets Department are performing repairs with in house personnel. Repairs to a drainage issue on the west side of building are being completed, as well as pressure washing of the building and new exterior staining. Photos below. *Work will continue into the spring as weather warms back up.*
- Kenai Municipal Airport (KMA) Tractor & Mower – Invitations to Bid were released on November 20, 2020 with Bids Due on December 8, 2020. This project is in support of Airfield Maintenance Operations and is identified as Project No. 5 for the Airport Fund in the City's current Capital Improvement Plan. Council can expect to see legislation in December in relation to this Project. *Ordinance 3176-2020 is up for introduction at the December 16<sup>th</sup>, 2020 Council Meeting with an Award to Craig Taylor Equipment in the amount of \$159,997.*



- Fire Sprinkler Testing, Inspection & Monitoring – Invitations to Bid were released on November 20, 2020 with Bids Due on December 8, 2020. This will be for up to a five year term service agreement for all City Facilities. Council can expect to see legislation in December in relation to this Project. *Resolution 2020-93 with a Contract Award to Yukon Fire Protection is included in Councils Packet for the December 16, 2020 meeting. Total contract for five years services totals \$74,373.*





# 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:** Kathy Romain, Senior Center Director

**DATE:** December 7, 2020

**SUBJECT:** **November 2020 Monthly Report**

---

Home Delivered Meals	1320
Home Delivered Meals – COVID-19	1422
Pick Up Meals – COVID-19	169
Grocery Shopping Assistance	5
Vintage Pointe Meals – COVID-19	377

Though closed to the public, the Senior Center continues to provide services to our senior population. During this crisis we have been able to offer the following:

- Home delivered meals, served Monday – Friday to over 100 individuals in the greater Kenai area.
- Shopping and delivery assistance through Country Foods.
- Prescription pickups and delivery.
- Low income food box delivery.
- Information on COVID19, State of Alaska benefits, and the newest scams surrounding the current crisis.

In addition to this, the staff has been working on various projects including:

- Telephone counseling for Medicare Open Enrollment Part D
- Open recruitment for Activity & Volunteer Coordinator position

During the first week of November, Soldotna Senior Center was closed due to COVID19. Our Senior Center was able to provide the home meals while employees from area agencies participated in delivery to Soldotna’s senior population. This was a wonderful collaboration for the benefit of the clients we all serve.

The remodeling of the Game Room/Library started this month as well as the Occupancy Monitoring Project with completion of both expected by mid-December.

**PURCHASE ORDERS BETWEEN \$2,500.00 AND \$15,000.00 FOR COUNCIL REVIEW**  
**COUNCIL MEETING OF: DECEMBER 16, 2020**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPT.</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
WEST COAST PAPER	COVID-19 SUPPLIES	ADMIN, COMPLIANCE	MACHINERY & EQUIPMENT	3,600.00
KACHEMAK ELECTRIC	INSTALL ALERTING EQUIPMENT	PUBLIC SAFETY CAP PROJ	MACHINERY & EQUIPMENT	14,854.00
COMMERCIAL KITCHEN SOLUTIONS	VISITOR CENTER REFRIGERATOR	BUILDINGS	REPAIR & MAINTENANCE	4,145.00
AIRSIDE SOLUTIONS	TAXIWAY LIGHTS	AIRPORT	OPERATING SUPPLIES	5,286.72
KACHEMAK ELECTRIC	TERMINAL ACCESS SYSTEM TRAINING	AIRPORT	REPAIR & MAINTENANCE	4,025.00



---

**Marathon Pipe Line LLC**

539 South Main Street  
Findlay, OH 45840  
Tel: 1.855.888.8056  
[www.marathonpipeline.com](http://www.marathonpipeline.com)

November 13, 2020

Dear Emergency and Public Officials,

Recently, Marathon Pipe Line LLC (MPL) assumed operatorship of the Middle Ground Shoals and Tesoro Alaska Pipeline (TAPL) systems, which run through your community. These systems were previously operated by Tesoro Logistics Operations LLC. Ownership has not changed. The Middle Ground Shoals pipeline system is 12 inches in diameter and transports crude oil from Hilcorp Alaska LLC's facility on Wik Road to Kenai Pipeline Company's Terminal off Kenai Spur Highway. TAPL is 10 inches in diameter and transports petroleum products from Kenai to Anchorage.

MPL transports and controls the flow of crude oil, petroleum products, and natural gas through approximately 10,000 miles of underground pipelines in 25 states. The flow through the Middle Ground Shoals and TAPL systems is controlled and monitored 24 hours a day, seven days a week at our operations center in Findlay, Ohio.

If you have questions or would like additional information, please contact the representative listed below:

**Gerald Warrick – Emergency Preparedness Coordinator**

Phone: 907.776.3590

[gtwarrick@marathonpetroleum.com](mailto:gtwarrick@marathonpetroleum.com)

**In case of a pipeline emergency, please contact MPL's 24/7 emergency phone number, 1.833.MPL.1234 (1.833.675.1234).** To view an interactive map of MPL-operated pipeline systems, as well as products transported, diameter and operating pressure, download the FREE Marathon Pipeline Finder app from the App Store or Google Play Store, or visit [www.marathonpipeline.com](http://www.marathonpipeline.com).

Sincerely,

A handwritten signature in cursive script that reads "Duane DeBoo".

Duane DeBoo

Safety and Environmental Manager



**“Connecting Businesses  
On the Kenai since 1954”**

December 2, 2020

City of Kenai  
Jamie Heinz  
210 Fidalgo Ste. 200  
Kenai AK 99611

Dear Ms. Heinz,

On behalf of the Kenai Chamber of Commerce Board of Directors and staff, I'd like to thank you for contributing to the success of Christmas Comes to Kenai 2020!

Covid-19 had us re-think the ways in which we could celebrate Christmas Comes to Kenai safely and although we had to eliminate photos with Santa at the Visitor Center, the outdoor activities came together wonderfully! We had hundreds of people from our community join us for this special event to make it something that seemed... a bit more like normal these days.

We would not be able to put on this event each year without the help of our volunteers and sponsors. We hope each one of you knows how much your contribution was appreciated, not only by us but by the whole community!

As we finish out this year, please remember to support one another, look to shop small first and know that together, we can make it through these tough times.

Once again, thank you for your contribution and we look forward to working with you again next year.

Thank you,

*Gloria*

Gloria Ungrue, Events Coordinator  
Kenai Chamber of Commerce & Visitor Center

2020 Board of Directors

Chairman of the Board  
Al Hull

\*

Vice Chairman  
Jake Arness  
Udelhoven OSS

\*

Treasurer  
Mike Dye  
Northrim Bank

\*

Secretary  
Penny Furnish  
Stewart Title

\*

Directors

\*

Fred Braun  
Jack White Real Estate - Kenai

\*

Dennis Swarner  
Kenai Vision Center

\*

Gregory D. Stein  
Baldwin & Butler, LLC

\*

Ryan Tunseth  
East Rip

\*

Cameron Hunt  
Marathon Petroleum Corp

Staff

Brittany Brown  
Executive Director

Gloria Ungrue  
Events Coordinator

Kimberly Sparacio  
Programs & Facility Coordinator

Michelle Walker  
Membership & Sales Coordinator





## Update from the Board of Directors Cook Inlet Regional Citizens Advisory Council

John Williams, President, representing the City of Kenai

As with our previous council meetings this year, the December 4<sup>th</sup> CIRCAC Board of Directors meeting was held via video conference. We will continue to conduct Council business remotely to ensure the safety of CIRCAC directors, staff and our industry and government colleagues.

We were happy to be able to meet with two new Ex-Officio members of our board; United States Coast Guard Sector Anchorage Capt. Leanne Lusk, who will represent USCG and Anthony Strupulis who will represent the State Pipeline Coordinator's Office.

Alaska Department of Environmental Conservation Commissioner Jason Brune attended the meeting and gave another update on ADEC's review of state statutes and regulations regarding oil spill contingency plans. This review was announced in October of 2019 and Brune said ADEC staff is still working through the review, but anticipates recommendations to be made public later this year.

As we have stated since this process began, it is our position that any changes to state statute regarding oil spill preparedness and prevention laws should only strengthen current protections. While we respect the Dunleavy administration's wish to market Alaska as 'open for business', our focus will continue to be ensuring that no shortcuts are taken that could increase oil spill risks to Cook Inlet's sensitive resources. We look forward to seeing the Governor's proposed budget later this month, which will indicate the administration's priorities for the state's Spill Prevention and Response (SPAR) program. ADEC's budget has been cut by nearly half in just eight years and we support an increase in the state's fuel surcharge to help rebuild the SPAR budget to safeguard against spill risk.

Our other main agenda item for this meeting was to review and approve CIRCAC's five-year strategic plan. This evolving document identifies Council priorities and provides guidance for CIRCAC staff, committees and the Board when developing annual work plans and budgets. A list of Council priorities, which can carry over from one five-year period to the next, elevates particular goals, ensuring focused attention by the organization. Looking ahead to 2021-2026, the Council identified and approved two new priorities.

The first aims to develop an understanding of current and planned activities associated with Outer Continental Shelf (OCS) areas in lower Cook Inlet. Much of CIRCAC's work over the past 30 years has focused on oil industry operations and transportation in the upper Inlet. However, over the past few years there has been a significant increase in activity in lower Cook Inlet. We seek to identify risks and potential consequences associated with OCS areas in lower Cook Inlet and outline our main concerns or

potential recommendations for input on Draft Environmental Impact Statements, Seismic Permit Applications, Drilling Plans, Environmental Monitoring Plans and more.

Another new priority approved by the Board is compilation of a comprehensive library of Cook Inlet oil industry and activities. We feel CIRCAC should serve as a clearinghouse for relevant information regarding things like facility history, ownership, modifications, current status and activities associated with each platform and facility in Cook Inlet. Web-based data tools and applications are finally making a project of this scale possible and the information would be summarized annually as part of a State of the Inlet report and be made available to the public.

Overall, despite the inherent difficulties of working remotely, CIRCAC continues to fulfill its mission on behalf of the residents of Cook Inlet. Like everyone, we are very much looking forward to a return to normal, but we have refined our operations to meet these challenges for the foreseeable future.

Moving ahead, we will soon be launching our election and appointment process and our annual scholarship program.

Our 2021 meeting schedule will include the Annual Meeting on April 9<sup>th</sup> in Kenai and regular meetings on September 10<sup>th</sup> in Seldovia and December 2-3 in Anchorage, with locations subject to change based on public health conditions.

On behalf of the Cook Inlet Regional Citizens Advisory Council, I'd like to wish you a healthy and safe holiday season.

