



Kenai City Council - Regular Meeting

January 06, 2021 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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. **Jodi Stuart** - Annual update of Project Homeless Connect.
2. **Coy West** - City of Kenai Tourism and Marketing Update.

C. UNSCHEDULED PUBLIC COMMENTS

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

D. PUBLIC HEARINGS

1. **Ordinance No. 3173-2020** - Accepting and Appropriating Asset Forfeiture Sharing Funds for the Police Department for the Purpose of Purchasing Law Enforcement Equipment.
2. **Ordinance No. 3174-2020** - Accepting And Appropriating a FM Global Fire Prevention Grant for the Purchase of Two Ipads and Accessories to be Used Toward Fire Prevention Efforts.
3. **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.
4. **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.

- **Substitute Ordinance No. 3176-2020**

E. MINUTES

1. *Regular Meeting of December 16, 2020.

F. UNFINISHED BUSINESS

G. NEW BUSINESS

1. *Action/Approval - Bills to be Ratified.
2. *Action/Approval - Purchase Orders Over \$15,000.
3. *Ordinance No. 3177-2021 - Authorizing a Shop Local Economic Stimulus Program to Benefit Kenai Small Businesses And Award of a Professional Services Agreement to the Kenai Chamber of Commerce and Visitor Center for Administration of the Program.
4. *Ordinance No. 3178-2021 - Accepting and Appropriating a COVID Cares Act for Older Adults and Their Caregivers 2021 Grant Passed Through the State of Alaska for Kenai Senior Center Expenditures in Support of its Response to the COVID-19 Public Health Emergency.
5. Discussion - COVID-19 Response.

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging
2. Airport Commission
3. Harbor Commission
4. Parks & Recreation Commission
5. Planning & Zoning Commission
6. Beautification Committee
7. Mini-Grant Steering Committee

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

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

K. ADDITIONAL PUBLIC COMMENT

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

L. **EXECUTIVE SESSION**

M. **PENDING ITEMS**

N. **ADJOURNMENT**

O. **INFORMATION ITEMS**

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

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

Join Zoom Meeting

<https://us02web.zoom.us/j/81091666825>

Meeting ID: 810 9166 6825 **Passcode:** 941200

OR

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

Meeting ID: 810 9166 6825 **Passcode:** 941200



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Kenai City Council
FROM: Meghan Thibodeau, Deputy City Clerk
DATE: December 23, 2020
SUBJECT: **Divining Point Video Presentation**

Divining Point LLC, a marketing agency contracted by the City to provide tourism and marketing services, has created a video entitled “How Do You Alaska 1” to promote tourism within the City of Kenai. This video will be presented to the Council during Coy West’s scheduled public comments on January 6, 2021.

Due to the potential for loss of audio quality, this video will not be streamed directly through the City Council Meeting livestream on YouTube, or within the Zoom meeting. Instead, it will be shown in Council Chambers during the meeting, and you and members of the public may access the video separately by using the link below:

https://youtu.be/6s5PO_9PfHU

Thank you for your consideration.



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 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



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: 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 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 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



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: **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>
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Increase Appropriations – Transfer to Airport Improvement Capital Project Fund	<u>\$28,997</u>
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Airport Snow Removal Capital Project Fund:

Increase Estimated Revenues – Transfer from Airport Special Revenue Fund	<u>\$28,997</u>
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Increase Appropriations: Machinery & Equipment	<u>\$28,997</u>
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Section 3. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.


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





Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3176-2020 (SUBSTITUTE)

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, staff negotiated removal of items from the proposed tractor provided by Craig Taylor Equipment that were in excess of requested requirements that resulted in a \$8,261 reduction in Bid Cost bringing the tractor closer to budget requirements with a new total cost of \$151,736; and,

WHEREAS, current funding for this project totals \$131,000 and an additional \$20,736 will need to be appropriated 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 \$151,736 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 \$20,736

Increase Appropriations –
Transfer to Airport Improvement Capital Project Fund \$20,736

Airport Snow Removal Capital Project Fund:

Increase Estimated Revenues –
Transfer from Airport Special Revenue Fund \$20,736

Increase Appropriations:
Machinery & Equipment \$20,736

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 23, 2020
SUBJECT: **SUBSTITUTE Ordinance 3176-2020 – Purchase Agreement for the Purchase of a Replacement Wide-Area Tractor and Mower**

Staff, in coordination with Craig Taylor Equipment, were successful in negotiating the reduction in a few items to reduce the budget deficit on this purchase. The front axle was reduced down to a more basic model selection which removed independent brakes and suspension and an upgraded LED light package included in the proposal was removed. Front fenders and a tool box were also removed, combined they result in a \$7,279 total cost savings to the proposed purchase.

These reductions will not hinder the intended performance of the equipment and the Airport Operators are in support of the changes.

Council's support is respectfully requested.



**KENAI CITY COUNCIL – REGULAR MEETING
DECEMBER 16, 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 16, 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
Henry Knackstedt
Jim Glendering
Victoria Askin

Robert Molloy
Teea Winger
Glenese Pettey

A quorum was present.

Also in attendance were:

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

3. Agenda Approval

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

Add to item D.2. **Ordinance No. 3168-2020**
• Amendment Memo

Add to item D.6. **Ordinance No. 3172-2020**
• Expenditures to Date Memo
• CARES Act Grant Programs Expenditures and Available Balances

Add to item G.14. **Discussion** - Coordinating with Soldotna on a Community Led Campaign Against COVID-19
• Informational Memo

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.

With no objections, Mayor Gabriel delivered a proclamation in honor of James Fisher, recognizing his life of service to his country, the State of Alaska, and the City of Kenai.

B. SCHEDULED PUBLIC COMMENTS

1. **John Williams** - Nomination to Cook Inlet Regional Citizen's Advisory Council Seat, Summer 2021 Events, and Visitor Center Anniversary.

John Williams, former Mayor of the City of Kenai, thanked Mayor Gabriel and the City Council for nominating him for re-appointment to the Cook Inlet Regional Citizen's Advisory Council Board. He briefly reviewed the history of CIRCAC, including its creation, purpose and notable accomplishments. He shared his vision for increased participation in special events in the City of Kenai in the coming year, particularly Fourth of July events, which were cancelled or reduced during 2020 in response to COVID-19. Discussed the 30-year anniversary of the Kenai Visitor Center, and suggested a large-scale anniversary celebration could be a welcome change for the community and mark a transition into the post-COVID-19 future. He also shared stories from the early days of CIRCAC and Kenai Peninsula College.

C. UNSCHEDULED PUBLIC COMMENTS – None.

D. PUBLIC HEARINGS

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

MOTION:

Vice Mayor Molloy **MOVED** to enact Ordinance No. 3167-2020 and Council Member Knackstedt **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.

VOTE:

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

NAY:

MOTION PASSED UNANIMOUSLY.

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.

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3168-2020 and Vice Mayor Molloy **SECONDED** the motion.

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

MOTION TO AMEND:

Council Member Knackstedt **MOVED** to amend Ordinance No. 3168-2020 by revising the amount in the first Whereas to \$105,650.57. Vice Mayor Molloy **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

VOTE ON THE AMENDMENT: There being no objections, **SO ORDERED.**

Appreciation was expressed to Administration for providing a clear amendment memo which was easy to work with. It was also noted that it is great to see unspent project funds be returned to their original sources.

VOTE ON MAIN MOTION AS AMENDED:

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

NAY:

MOTION PASSED UNANIMOUSLY.

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.

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3169-2020 and Vice Mayor Molloy **SECONDED** the motion.

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

Clarification was provided that the fees were high only temporarily, partly due to an agreement with the software development company, and were set to go down in the future as certain milestones were hit. It was Administrations intention to renegotiate these contracts when it is time for them to renew.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

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

MOTION:

Vice Mayor Molloy **MOVED** to enact Ordinance No. 3170-2020 and Council Member Askin **SECONDED** the motion.

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

Appreciation was expressed for the Kenai Library for securing this grant, which would provide valuable new materials for the community.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

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.

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3171-2020 and Council Member Glendening **SECONDED** the motion.

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

Clarification was provided that the amounts for Small Tools and Machinery and Equipment were allocated in accordance with the city's fixed asset policy.

VOTE:

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

NAY:

MOTION PASSED UNANIMOUSLY.

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.

MOTION:

Vice Mayor Molloy **MOVED** to enact Ordinance No. 3172-2020 and Council Member Knackstedt **SECONDED** the motion.

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

MOTION:

Vice Mayor Molloy **MOVED** to amend Section 3 of Ordinance No. 3172-2020 by adding the following sentence: "This authorization will terminate upon final reporting of the city's currently appropriated CARES Act funds to the State of Alaska." Council Member Knackstedt **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

VOTE ON THE AMENDMENT: There being no objections, **SO ORDERED.**

VOTE ON MAIN MOTION AS AMENDED:

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

NAY:

MOTION PASSED UNANIMOUSLY.

7. **Resolution No. 2020-93** - Authorizing the City Manager to Execute a Professional Services Agreement for 2021 Fire Systems Testing, Inspection & Monitoring Project.

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-93 and Vice Mayor Molloy **SECONDED** the motion.

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

It was clarified that this contract would provide professional testing, inspection and monitoring services for all City of Kenai facilities that are in place, including all fire suppression systems. If need for repairs is found, it would be handled outside this contract through normal procurement processes.

UNANIMOUS CONSENT was requested.

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

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.

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-94. Council Member Winger **SECONDED** the motion.

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

It was noted that airport traffic heavily affects the success of an airport restaurant, and the decreased air traffic from the last year has hurt the business. Council was encouraged to support this business. Clarification was provided that the business was eligible for CARES Act funding, although doing so would require FAA concurrence.

UNANIMOUS CONSENT was requested.

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

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.

MOTION:

Council Member Glendening **MOVED** to adopt Resolution No. 2020-95 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.

It was noted that this was another success for the Kenai Waste Water Treatment Plant, and that there would be more to come. Clarification was provided that the wastewater treatment fund has been increasing every year for the last 7-8 years, however it is apparent that the current need at the plant is going to exceed the currently available funds.

UNANIMOUS CONSENT was requested.

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

- 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.

MOTION:

Vice Mayor Molloy **MOVED** to adopt Resolution No. 2020-96 and Council Member Askin **SECONDED** the motion.

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

MOTION TO AMEND:

Council Member Glendening **MOVED** to amend Resolution No. 2020-96 by revising the extension to end after 31 days, on January 31, 2021. Council Member Winger **SECONDED** the motion.

Topics discussed included:

- We are currently receiving CARES Act funding, but that expires December 31, 2020. We don't know what funding will be offered after that or what strings may be attached, therefore a recovery plan for the economy needs to be part of the conversation;
- By the end of January we will have more knowledge about what federal financial aid will be available to us. By renewing the emergency order at that point, we will be able to have a fresh look at the situation in light of this information, and allow for a discussion on how this money should be applied within the community and how we will manage the return to normalcy;
- Other upcoming changes include more information about the vaccine and its effectiveness becoming available, and a new President of the United States;
- Our citizens are tired of living under an emergency order, and this would show them that the Council is looking at and discussing this new information, and reevaluating our response, on a month-to-month basis;
- There is always the option to extend the emergency order each month;
- The intention of this plan is not to throw up roadblocks, but to keep the Council as a body focused on planning for future economic recovery;
- Extending the emergency declaration can be seen as a positive action, while having to repeal it before its expiration it is a negative action.
- There must be an emergency declaration in place in order to receive CARES Act or FEMA funding;
- The emergency declaration allows for temporary COVID-19 leave to employees to address illness, enables the closures of public facilities and transmission reduction, and

extends city moratorium on penalty and interest for nonpayment of water and sewer services;

- It is very unlikely that the situation will evolve to a point that these benefits will not be needed by our citizens before March 31, 2021;
- The Kenai Peninsula Borough extended their emergency order to March 31, 2021. We want to be aligned with the Borough, so the message we are sending by having a different expiration may not be one we want to send;
- There is always the option to repeal the emergency declaration before its expiration;
- It would be better to get to a point in the timeline where we can look at the situation in light of new information, and then decide to repeal the declaration and move on;
- If people are tired of being under an emergency order, they might be given false hope each month as it comes up for expiration, only to have it extended again.

VOTE ON THE AMENDMENT:

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

MOTION PASSED.

UNANIMOUS CONSENT was requested.

VOTE ON MAIN MOTION AS AMENDED: There being no objections, **SO ORDERED.**

E. MINUTES

1. *Special Meeting of November 23, 2020.

Approved by the consent agenda.

2. *Work Session Summary of December 2, 2020.

Approved by the consent agenda.

3. *Regular Meeting of December 2, 2020.

Approved by the consent agenda.

4. *Work Session Summary of December 9, 2020.

Approved by the consent agenda.

F. UNFINISHED BUSINESS

G. NEW BUSINESS

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

Approved by the consent agenda.

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

Approved by the consent agenda.

4. ***Action/Approval** - Non-Objection to Liquor License Renewals for Kenai Golf Course and 2 Go Mart.

Approved by the consent agenda.

4. ***Action/Approval** - Special Use Permit to Schilling Alaska, Inc., d/b/a the Uptown Motel for Snow Storage.

Approved by the consent agenda.

5. ***Ordinance No. 3173-2020** - Accepting and Appropriating Asset Forfeiture Sharing Funds for the Police Department for the Purpose of Purchasing Law Enforcement Equipment.

Introduced by the consent agenda and Public Hearing set for January 6, 2021.

6. ***Ordinance No. 3174-2020** - Accepting And Appropriating a FM Global Fire Prevention Grant for the Purchase of Two Ipads and Accessories to be Used Toward Fire Prevention Efforts.

Introduced by the consent agenda and Public Hearing set for January 6, 2021.

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.

Introduced by the consent agenda and Public Hearing set for January 6, 2021.

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.

Introduced by the consent agenda and Public Hearing set for January 6, 2021.

9. **Action/Approval** - Confirmation of Mayoral Nominations for Appointment to the Planning and Zoning Commission.

MOTION:

Vice Mayor Molloy **MOVED** to confirm Mayoral Nominations for Appointment of Alex Douthit, Joe Halstead and Gary Greenberg to the Planning and Zoning Commission. Council Member Askin **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

Clarification was provided that this motion included the new appointment of Alex Douthit, and the re-appointments of Joe Halstead and Gary Greenberg.

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

- 10. Action/Approval** - Confirmation of Mayoral Nominations for Appointment to Various City Commissions.

MOTION:

Vice Mayor Molloy **MOVED** to confirm Mayoral Nominations for Appointments of Roy Williams to the Council on Aging and Michael Bernard to the Parks and Recreation Commission. Council Member Knackstedt **SECONDED** the motion and requested **UNANIMOUS CONSENT.**

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

- 11. Action/Approval** – Confirmation of Mayoral Nomination for Appointment of City of Kenai Representative to the Cook Inlet Regional Citizens Advisory Council Board.

MOTION:

Council Member Knackstedt **MOVED** to confirm reappointment of John Williams as City of Kenai Representative to the Cook Inlet Regional Citizens Advisory Council Board. Council Member Pettay **SECONDED** the motion and requested **UNANIMOUS CONSENT.**

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

- 12. Action/Approval** - Mayoral Nomination of a Council Member to the Supervisory Sub-Committee.

MOTION:

Vice Mayor Molloy **MOVED** to confirm appointment of Council Member Henry Knackstedt to the Supervisory Sub-Committee and requested **UNANIMOUS CONSENT.** Council Member Glendening **SECONDED** the motion.

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

- 13. Discussion** - Update Regarding Remote Sellers Sales Tax.

City Attorney Bloom updated the Council on the current status of Remote Sellers Sales Tax numbers, and clarified that the numbers shown in the laydown memo vary with those in the packet due to last-minute data being provided. It was noted that over \$95,000 in sales tax had been collected since joining the Alaska Remote Sellers Sales Tax Commission, and the numbers continue to go up each month as more sellers register. The software fees for this project are high, because Alaska is the only state doing this that doesn't have a state sales tax, and it was challenging to develop this software for Alaska to be in compliance with the Supreme Court's decision. Some communities in Alaska have decided the fees are too high and will try to attempt to collect the tax on their own, but the City Attorney believes they may not be successful nor are they in compliance with the Supreme Court's decision. So far there have been no reports of people being improperly taxed. Some vendors do not need to collect sales tax, as there are thresholds for the number and amount of sales they need to meet before doing so. These numbers are based partly on self-reporting, and it is noted that marketplace facilitators (Amazon, etc.) are being taxed.

14. Discussion - Coordinating with Soldotna on a Community Led Campaign Against COVID-19.

The Council discussed the possibility of coordinating with the City of Soldotna on a messaging program to lead a campaign against COVID-19. The proposed campaign would involve testimonials from first responders who volunteered to share their experience receiving the COVID-19 vaccine.

Discussion topics included:

- Coordinating with the City of Soldotna on a messaging campaign would be a good thing for our communities. We are sister cities who share a hospital, and there should be continuity with how we do business;
- One of the responsibilities of city government is to promote the health and welfare of people in the community, and people are always free to accept or reject the information that's provided;
- This initiative only provides information, and is not a mandate so no one is required to take the vaccine;
- Information would be provided about possible adverse reactions, so it would include both pro and con;
- All testimonials from first responders would be completely voluntary, and voluntary testimonials should not be seen as an endorsement of the city;
- It would be good for citizens to know what the experiences of front-line workers are;
- If the city is supportive of CDC recommendations to wear a face mask and socially distance, then it would follow that we should also support their recommendation to get a vaccine.
- The city should not put out any messages encouraging people to take the vaccine in case they develop adverse reactions in the future, and we should instead encourage people to be personally responsible for doing the research themselves;
- The city should not be endorsing a vaccine within the first 24 hours of the first shot being administered;
- We don't want the information we provide to be one-sided, so information about adverse effects of the vaccine should be equally distributed;
- One healthcare professional in Juneau had an anaphylactic reaction to the vaccine, also there is also research to suggest that Bell's Palsy is associated with this vaccine;
- If any city employees wanted to give testimony about their vaccine experience, it should be from their point of view and not the point of view of the city;
- Memo states that testimonials will show firefighters explaining why they got vaccinated but not why they wouldn't get vaccine, so that does appear to be endorsement;
- Using money from the CARES Act to use for this campaign appears to be an endorsement of the vaccine, and that money should instead be given to people in the community;
- When it comes to a vaccination campaign, the State of Alaska should handle it and the City of Kenai should remain neutral;
- We should not shift the responsibility of messaging to first responders, and ask them to push out this message;
- We will have more information about the vaccine in January, the depth of understanding we have now is not good enough so we should revisit this issue then.

MOTION:

Council Member Knackstedt **MOVED** that the City of Kenai coordinate with City of Soldotna in a campaign against COVID-19 that will provide information regarding the vaccine and other health protections. Vice Mayor Molloy **SECONDED** the motion.

VOTE:

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

MOTION PASSED.

15. Discussion - COVID-19 Response.

City Manager Ostrander suggested that reporting case numbers at every meeting will no longer be necessary, as this information is now widely available through sources such as the Kenai Peninsula Borough School District. The City Manager's COVID-19 Response report from now on will look at how COVID-19 is affecting the city from an operational standpoint. Case rates and hospitalizations have decreased over the last week, although five more city employees have tested positive. Total city employees that have tested positive is now ten, although only one transmission occurred in the workplace.

Fire Chief Prior provided information regarding the current status of the Pfizer vaccine delivery in the Kenai area, and how he has prepared for his staff of first responders to receive vaccine doses if they choose to take it. Due to the temperature-sensitive nature of the vaccine, the dual-shot process, and the potential for after-effects, the logistics of staff vaccinations was complex. For this reason, he began sharing as much information as possible to his staff in order to get an accurate number for those who want to receive the vaccine. This information included scientific explanations of the different vaccinations that will be on the market, and how these vaccines operate within the body. Information about potential adverse side effects was shared, along with a press release about the Juneau nurse who experienced an anaphylactic reaction. The purpose of sharing this information was to help Fire Department staff become as informed as possible about vaccination, so they could make their own decision about which vaccine, if any, they want to take. He explained that it was made clear that this is a personal decision which will not be mandated, and he estimates that about 80% of the staff have chosen to become vaccinated.

Finance Director Eubank clarified that the current report of CARES Act funds includes projected expenditures, because Finance is receiving daily updates of spending from various CARES Act recipients. Noted that there is a good chance the city will utilize 100% of CARES Act funds available to us, and explained how certain amounts have been moved to fit within budgetary parameters. It was clarified that we have met the maximum threshold that the Borough established for funding small businesses. Funding for individuals ended on November 30th, and there is concern that Alaska Housing Finance Corporation received more applications than they will be able to process by the CARES act deadline.

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging – Council Member Pettey reported on the Senior Center remodeling which has created more useable space, notably in the game room. The Kenai Senior Center is still providing meals to seniors on their meal plan, and is also utilizing

CARES Act funds for camera security. There will be a new check-in space near the entry, and will require reconfiguration of the front doors. The commission also discussed long-term planning, and upcoming March for Meals. Next meeting January 14, 2021.

2. Airport Commission – Council Member Knackstedt reported that the Airport commission discussed their airport goals and objectives for the next fiscal year, and also the terminal building conference room and how it might be rented out. Next meeting January 14, 2021.
3. Harbor Commission – No report; next meeting February 8, 2021.
4. Parks and Recreation Commission – Council Member Winger provided an update on plans for the proposed light display for the fountain at Leif Hansen Memorial Park. Also discussed the winter maintenance that's been done on the trails and at Daubenspeck Park. Next meeting January 7, 2021.
5. Planning and Zoning Commission – Council Member Glendening reported on the December 9, 2020 meeting which included the approval of a plat, and the passing of a resolution of a conditional use permit for Kenai Landing Lodges townhouses. Next meeting December 23, 2020.
6. Beautification Committee – No report; next meeting January 12, 2021.
7. Mini-Grant Steering Committee – No report.

I. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Thanked Council Member Winger for the Christmas treats she provided for the Council Members;
- Thanked John Williams for reapplying to represent them on the CIRCAC board;
- Sorry to hear about the passing of James Fisher;
- Wished everyone a Merry Christmas and a Happy New Year, and hoped we would all enjoy the outdoors with our family.

J. ADMINISTRATION REPORTS

1. City Manager - City Manager P. Ostrander reported on the following:
 - Attended monthly meeting with the Chamber of Commerce, and they are very thankful for additional money for fireworks that was provided by Council. Reported that the city's collaborative relationship with the Chamber is very strong and positive right now;
 - Administration restarted an internal working group that had been side-tracked when COVID-19 hit. This group is developing legislation for Council consideration that would provide incentives in the City of Kenai, initially focusing on vacant and dilapidated buildings;
 - Bridge Access bike path update: Administration is working with Department of Transportation on how best to manage this. Date that agreement needs to be

signed has been extended until June 2021, which gives them more time to work on it;

- Issued drilling permit to Hilcorp;
- Bluff project: RFP is about 50% completed, another meeting tomorrow. Very confident Administration can get this out by the 2nd week of January.

2. City Attorney -- City Attorney S. Bloom reported that an item on the Governor's budget proposes to no longer have the District Attorney's office prosecute misdemeanors. If this passes, the City of Kenai would have to prosecute our own misdemeanors, shifting the cost from the State to the municipality. This would require the City Attorney to hire more employees, or pay the State for misdemeanor prosecutions. He will be working with other municipalities in Alaska as well as local legislators to resolve this and hopefully have it removed from the budget.
3. City Clerk – City Clerk J. Heinz reported on the following:
 - Applicants for committees and commissions are still being recruited. Sent an ad to Chamber of Commerce to place in weekly Chamber Chatter, as well as a follow-up email to people who applied for City Council;
 - Sent out letter to mobile food vendors to renew their annual permit.

K. ADDITIONAL PUBLIC COMMENT

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

Council Member Knackstedt noted that the Airport Commission also discussed relocation of the mural that was in the old terminal building, noting that it had been donated to the City of Kenai and so it can be moved anywhere in the city where people can see it. Thanked Mayor for his proclamation for James Fisher.

Vice Mayor Molloy thanked Mayor Gabriel for James Fisher's proclamation. Noted that 2020 has been the most challenging of any year he has served on City Council, and expressed amazement for how well the city has met the challenges they've faced with COVID-19. Credited the resilience of businesses and citizens in the community, as well as the leadership of city administration for skillfully handling all of the changes.

Council Member Askin expressed appreciation for the staff that helped facilitate her induction to the City Council.

Council Member Pettey echoed Vice Mayor Molloy's sentiments that the community and City Council has met many challenges and made many changes over the past year. Encouraged everyone to enjoy the time left in the year 2020, while looking forward to the New Year.

Council Member Glendening voiced his appreciation for the productive dialogue that occurred during this meeting, and acknowledged that the city and its staff has had to deal with many complex situations which will be resolved in the coming year. Reminisced about his time as a student of John Williams. Expressed his outlook for the coming year, including how the community can come together post-COVID-19 and the potential for herd immunity.

Council Member Winger discussed the upcoming Chamber of Commerce raffle and encouraged participation. Thanked her constituents for voting for her during the past October's election, and restated her major platforms. Expressed disheartenment that funds that were originally allocated for small businesses were transferred, and would have preferred to see the city work harder to get those funds directly to small businesses.

L. **EXECUTIVE SESSION** – None.

M. **PENDING ITEMS** – None.

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

There being no further business before the Council, the meeting was adjourned at 9:31 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of December 16, 2020.

Jamie Heinz, CMC
City Clerk

**PAYMENTS OVER \$15,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: JANUARY 6, 2020**

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	94,552.48
ENSTAR NATURAL GAS	GAS USAGE	VARIOUS	UTILITIES	43,701.62

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
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**PURCHASE ORDERS OVER \$15,000.00 WHICH NEED COUNCIL APPROVAL
COUNCIL MEETING OF: JANUARY 6, 2020**

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
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INCREASE OF EXISTING PURCHASE ORDER

VENDOR	DESCRIPTION	P.O. # - DEPT.	REASON	AMOUNT	TOTAL PO AMT
LARSON ENGINEERING	PENINSULA AVE BLUFF EROSION	115204 - KENAI BLUFF EROSION	ADDITIONAL SERVICES	2,160.00	21,830.00
NELSON ENGINEERING	VAULT RESTROOMS	120202- MUNICIPAL ROADWAY	SPECIAL INSPECTIONS	4,040.00	12,776.00
POLAR NORTH CONSTRUCTION	VAULT RESTROOMS	120883 - MUNICIPAL ROADWAY	AMEND NO 1	<4040.00>	373,960.00



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Scott Curtin, Public Works Director

DATE: December 28, 2020

SUBJECT: **Purchase Order Exceeding \$15,000**

The purpose of this memo is to request approval of increasing Purchase Order 120202 to Nelson Engineering from \$8,736 to \$12,776, an increase of \$4,040; and decreasing Purchase Order 120883 to Polar North Construction from \$378,000 to \$373,960, a decrease of \$4,040 for the Vault Restrooms Project.

This will be contract Amendment 1 to Nelson Engineering and is intended to cover the costs of required Special Inspections for concrete, grout and rebar at each of the four restroom locations. These inspections were mistakenly left out of the original agreement and are being added now with this amendment.

The costs are being paid for with the available project contingency. The Original Construction Contract to Polar North totaled \$359,850. Through Council's passage of Substitute Resolution 2020-58 adopted on July 1, 2020, a Purchase Order was approved to Polar North for \$378,000 which included \$18,150 in contingency. To date no change orders to the project have been needed.

The adjustments here are removing unused contingency from the Construction Contract and adding it to the Design Agreement. This adjustment does not require any new funding above what is already provided for within the overall project.

Council's support is respectfully requested.



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin, Public Works Director
DATE: December 28, 2020
SUBJECT: **Purchase Order Exceeding \$15,000**

The purpose of this memo is to request approval of increasing Purchase Order 115204 to Larson Engineering & Design from \$19,670 to \$21,830, an increase of \$2,160 for the Peninsula Avenue Bluff Erosion Project.

This will be contract Amendment 1 and will cover twenty-four additional hours of Engineering Services at \$90/Hr. As Council may recall at the December 16, 2020 Council meeting, staff requested an increase to Foster's Construction Purchase Order to cover the costs with some unforeseen conditions, primarily focused around the control of ground water at the Peninsula Avenue Bluff Erosion Project. The additional hours being requested here is to cover the Engineer's time for covering Site Inspections of these unforeseen conditions as well as the Engineer directed modifications to make sure the project remained on track toward a successful completion.

As there is still some work remaining to be completed in the spring, topsoil and hydro-seeding, the requested hours will allow the Engineer's billable time to close out the project. The project has proceeded very well, and completion of this work has safeguarded Peninsula Avenue from erosion concerns.

Council's support is respectfully requested.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3177-2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AUTHORIZING A SHOP LOCAL ECONOMIC STIMULUS PROGRAM TO BENEFIT KENAI SMALL BUSINESSES AND AWARD OF A PROFESSIONAL SERVICES AGREEMENT TO THE KENAI CHAMBER OF COMMERCE AND VISITOR CENTER FOR ADMINISTRATION OF THE PROGRAM.

WHEREAS, the COVID-19 Public Health Emergency has had a significant effect on local business; and,

WHEREAS, local businesses are the lifeblood of the Kenai economy providing jobs to residents and sales taxes used to provide essential public services like public safety, street maintenance, parks & recreation, senior services, etc.; and,

WHEREAS, creation of a buy local promotion will encourage shopping at Kenai businesses at a critical time in the community's recovery from the COVID-19 Public Health Emergency; and,

WHEREAS, the City has worked directly with the Kenai Chamber of Commerce and Visitor Center on a project to create a Shop Local program which will provide economic relief and stimulus to local businesses and incentivize local spending in the months following the holiday season; and,

WHEREAS, the Kenai Chamber of Commerce and Visitor Center is uniquely qualified to administer the program because of its relationship with and advocacy for Kenai businesses; and,

WHEREAS, the success of the City is dependent upon the success of the local economy and its businesses and a program to reward local shopping, promote Kenai businesses, and continue the community's recovery from the COVID-19 Public Health Emergency is in the best interest of the City and its residents.

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

Section 1. That the City Manager is authorized to establish a Shop Local Economic Stimulus Program in the amount of \$100,000.

Section 2. That the City Manager is authorized to execute a professional service agreement with the Kenai Chamber of Commerce for administration of the program for a total cost not to exceed \$15,000 including up to \$10,000 to promote the program and up to \$5,000 for program administration and support.

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

General Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$115,000</u>
Increase Appropriations – Non-Departmental	
Professional Services	\$ 15,000
Grants to Others	<u>100,000</u>
	<u>\$115,000</u>

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


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 20th day of January, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: 

Introduced: January 6, 2021
Enacted: January 20, 2021
Effective: January 20, 2021



MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Terry Eubank, Acting City Manager

DATE: December 21, 2020

SUBJECT: **Ordinance 3177-2021 – Shop Local Economic Stimulus Program to Benefit Kenai Small Business**

The Administration has worked with the Kenai Chamber of Commerce and Visitor Center to develop a Shop Local program (“Shop Here All Year in Kenai”) to provide economic relief and stimulus to Kenai small businesses as well as assistance for residents purchasing required goods and services by incentivizing local purchases. Patrons who spend \$200 at Kenai businesses will qualify for a \$100 coupon to be used at businesses participating in the program.

The program will provide economic support during a usually slow time of year and during this critical time of recovery from the COVID-19 Public Health Emergency. The program would run between February 1 and March 1, 2021, when residents and businesses may benefit from the program the most.

The Administration recommends entering into an Agreement with the Kenai Chamber of Commerce and Visitor Center to administer the program for \$115,000. This amount includes \$100,000 as a direct incentive to shoppers and \$15,000 for actual administrative costs, including a marketing campaign, supplies and materials, and administrative costs.

Ordinance 3177-2021 would authorize the City Manager to enter into an Agreement with the Kenai Chamber of Commerce and Visitor Center for the Shop Local program.

Your consideration is appreciated.

CITY OF KENAI

**AGREEMENT BETWEEN OWNER AND SERVICE PROVIDER
FOR KENAI SHOP LOCAL ECONOMIC STIMULUS PROGRAM TO BENEFIT KENAI
SMALL BUSINESS**

MADE AS OF THE _____ DAY OF _____ 2021.

BETWEEN the OWNER: CITY OF KENAI
210 Fidalgo Avenue
Kenai, Alaska 99611

AND the SERVICE PROVIDER: Kenai Chamber of Commerce and Visitor Center, Inc.
11471 Kenai Spur Highway
Kenai, AK 99611

FOR the PROJECT: Kenai Shop Local Economic Stimulus Program to Benefit Kenai
Small Business

The Owner and Service Provider agree as set forth below.

ARTICLE 1

THE WORK

The Service Provider shall perform all the work described in the Proposed Kenai Shop Local Program as Attachment "A" hereto, including but not limited to:

- 1. Basic Services, as described in the Program Description.

ARTICLE 2

TIME OF COMMENCEMENT AND COMPLETION

The Service Provider's performance of services required by this AGREEMENT shall commence on February 1, 2021 (date) and terminate on March 30, 2021.

ARTICLE 3

COMPENSATION

The Owner shall compensate the Service Provider for actual administrative as follows:

Administrative Costs not to exceed \$15,000 including up to \$10,000 to promote the program and up to \$5,000 for program administration and support.

And fund the program through the Service Provider for direct incentive to shoppers up to \$100,000

ARTICLE 4

ENUMERATION OF CONTRACT DOCUMENTS

The documents which are specifically incorporated into this AGREEMENT by reference and form the contract documents are listed below. Should any provision or requirement of one portion of the contract documents conflict with any other portion of the contract documents, unless otherwise provided herein, the conflict will be resolved by reference to the contract documents in the following order of priority:

- A. Any and all later modifications, Change Orders, and written interpretations of the Contract Documents issued by the Owner
- B. This AGREEMENT
- C. The Service Provider's Proposal, including Cost Proposal

Any other attachments to this AGREEMENT do not form a part of the AGREEMENT but are for reference or proof of compliance with the requirements of the AGREEMENT, except where the provisions of this AGREEMENT provide such attachments will be or are a part of the AGREEMENT.

These form the contract and what is required by any of the documents shall be as binding as if required by all. The intention of the contract documents is to require the furnishing of all labor, material, equipment, and other items necessary for the proper execution and completion of the program and to prescribe the terms and conditions of the contract and payment, so as to include work and materials which may be necessary to produce the intended results.

ARTICLE 5

INSURANCE

- A. Service Provider shall, at Service Provider's own expense, secure and maintain the following insurance:
 - i. comprehensive general liability insurance, including premises, all operations, property damage, personal injury and death, broad-form contractual coverage with a per occurrence limit of not less than \$1,000,000 combined single limit;
 - ii. worker's compensation insurance with coverage for all employees engaged in work under this Agreement as required by AS 23.30.045 (Service Provider is responsible for worker's compensation insurance for any subService Provider who directly or indirectly provides services under the Agreement); and,
 - iii. comprehensive automobile liability insurance covering all owned, hired, and non-owned vehicles with coverage limits not less than \$1,000,000 combined single limit per occurrence.

Where specific limits are stated, the limits are the minimum acceptable limits. If Service Provider's insurance policy contains higher limits, Owner is entitled to coverage to the extent of the higher limits.

- B. All insurance required by this Section shall meet the following additional requirements:
 - i. for comprehensive general liability and automobile liability insurance, name the City of Kenai as an additional insured;
 - ii. for worker's compensation insurance, general liability, and automobile liability insurance, where possible, include a waiver of subrogation so that the insurer waives all rights of subrogation against the City of Kenai for payments made under the policy;
 - iii. provide Owner with at least 30 days' notice before any termination, cancellation, or material change in insurance coverage is effective; and,

iv. be issued by a company/corporation currently rated "A-" or better by A.M. Best.

C. Service Provider shall submit to Owner proof of 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. The effective date of the insurance will be no later than the first day of the term of this Agreement.

D. The indemnification and insurance coverage requirements stated in this Section and in Section 6 below do not relieve Service Provider of any other obligation under this Agreement.

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

ARTICLE 6

Indemnity, Defend, and Hold Harmless

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

ARTICLE 7

All legal notices relating to this contract, including change of address, shall be mailed to the Owner and the Service Provider at the following addresses:

OWNER

City of Kenai
210 Fidalgo Ave
Kenai, Alaska 99611

SERVICE PROVIDER

Kenai Chamber of Commerce
and Visitor Center, Inc.
11471 Kenai Spur Highway
Kenai, Alaska 99611

ARTICLE 8

EXTENT OF AGREEMENT

This AGREEMENT represents the entire and integrated AGREEMENT between the Owner and the Service Provider, and supersedes all prior, inconsistent negotiations, representations, or AGREEMENTS, either written or oral. This AGREEMENT may be amended only by written instrument signed by both Owner and Service Provider.

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed in their respective names by their duly authorized representatives as of the date and year above written.

ARTICLE 9

ATTACHMENTS

In the event there is any difference between an attachment to the original of this AGREEMENT on file with the City of Kenai and any attachment to a duplicate original of the AGREEMENT, the attachments to the original filed with the City shall control.

ARTICLE 10

JURISDICTION: CHOICE OF LAW

This contract shall be governed by the laws of the State of Alaska, and any lawsuit brought thereon shall be filed in the Third Judicial District at Kenai, Alaska.

OWNER and SERVICE PROVIDER each binds themselves, their partners, successors, assigns and legal representatives in respect to all covenants, AGREEMENTs and obligations contained in the Contract Documents.

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed in their respective names or by their duly authorized representatives as of the date and year above written.

OWNER:
CITY OF KENAI

By: _____
Paul Ostrander
City Manager

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on
this ____ day of _____, 2021.

Paul Ostrander, City Manager,
City of Kenai, Alaska, being personally known to
me or having produced satisfactory evidence of
identification, appeared before me and
acknowledged the voluntary and authorized
execution of the foregoing instrument on behalf
of said City.

NOTARY PUBLIC FOR ALASKA
My Commission Expires: _____

Approved by Legal: _____
Approved by Finance: _____

SERVICE PROVIDER:

By: _____
Name: _____
Title: _____

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on
this ____ day of _____, 2021.

_____,(title)
_____of
_____ being personally
known to me or having produced satisfactory
evidence of identification, appeared before me
and acknowledged the voluntary and authorized
execution of the foregoing instrument on behalf
of said corporation.

NOTARY PUBLIC FOR ALASKA
My Commission Expires: _____

Attachment A

Kenai Shop Local Program: *Shop Here All Year in Kenai***Budget:** \$115,000**Purpose:** To encourage and motivate local spending at Kenai businesses**Dates:** February 1 – March 1, 2021**Program Description:** By shopping and spending \$200 (or more) on discretionary items in Kenai, participants will receive one (1) \$100 voucher of their choice to spend at local participating businesses. Vouchers will be issued on a first-come, first-serve basis, concluding on March 1, or when funds run out. Vouchers must be spent by March 30, 2021**Definitions:**

- Discretionary purchases in this program include, but are not limited to: Clothing, furniture, tools, sporting goods, art, jewelry, massage, haircuts, restaurants, cafes, bars & distilleries, museums, books, flowers, and collectibles.
- Non-Discretionary purchases are not eligible under this program, and include, but are not limited to: Groceries, fuel, utilities, vehicles, mortgage or rent, firewood, medical bills, or prescriptions.

Participant Rules:

- Participants must submit up to 10 receipts totaling at least \$200 via an online form or bring them into the Kenai Chamber of Commerce.
- Submitted receipts must be from a business located within the Kenai City limits.
- Receipts must be readable and itemized. The date, name of the business, and the full total must be included. Receipts must be dated between February 1, 2020 and March 1, 2020.
- Taxes, tips, delivery fees, and shipping are not eligible for the purchase total.
- After submitting receipts, participants choose a participating businesses they would like to receive a \$100 shopping voucher from by selecting them from the available list. If there is any problem validating your receipts, you will be contacted by email and asked to clarify or submit additional receipts to reach \$200.
- Vouchers will be mailed to the address provided within two – four business days of receiving the submitted form or receipts. Participants may also choose to pick up their vouchers in person.

Participating Business Rules:

- Voucher merchants must be located within the Kenai City limits.
- The business must have been in existence with a valid State of Alaska business license as of January 1, 2021.
- Must be current in sales tax registration with the Kenai Peninsula Borough and not be delinquent with the Kenai Peninsula Borough Tax Department.
- Must not be a national chain or a C corporation traded on the U.S. stock exchange. Individually owned-and-operated local franchise are eligible.

Additional Details:

- Payments for awarded vouchers will be made weekly to participating businesses.
- New businesses will be able to sign up on to the program at any time, provided they meet the criteria.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3178-2021

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

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

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

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

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

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

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

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

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

Section 1. That the City Manager is authorized to accept a grant in the amount of \$39,230.83 from the United States Department of Health and Human Services passed through the State of Alaska, Department of Health and Social Services, Division of Senior and Disabilities Services for Kenai Senior Center expenditures in support of its response to the COVID-19 Public Health Emergency.

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

Senior Citizen Fund:

Increase Estimated Revenues –	
Federal Grants	<u>\$39,230.83</u>
Increase Appropriations – Home Meals:	
Salaries	\$ 8,212.83
Medicare	119.00
Social Security	509.00
Unemployment Insurance	82.00
Workers Compensation	308.00
Operating & Repair Supplies	14,000.00
Machinery & Equipment	<u>16,000.00</u>
	<u>\$39,230.83</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 20th day of January, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: 

Introduced: January 6, 2021
Enacted: January 20, 2021
Effective: January 20, 2021



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Paul Ostrander, City Manager
FROM: Kathy Romain, Senior Center Director
DATE: December 28, 2020
SUBJECT: **Ordinance No. 3178-2021**

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

The funding from this grant is to be utilized from January 1, 2021 – June 30, 2021. The Kenai Senior Center's application requested funding for a temporary part-time meal driver, a new kitchen range/oven for the Center and supplies to provide approximately 200 emergency kits for Kenai - area seniors.

On December 16, 2020, we received notification of our award for the full amount of \$39,230.83.

Your support for the Ordinance No. 3178-2021 is greatly appreciated.

**PURCHASE ORDERS BETWEEN \$2,500.00 AND \$15,000.00 FOR COUNCIL REVIEW
COUNCIL MEETING OF: JANUARY 6, 2020**

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
SEGESSER SURVEYS	SUBDIVIDE LOT 5 FBO SUB NO. 8	AIRPORT	PROFESSIONAL SERVICES	3,570.00
MOTOROLA SOLUTIONS	MOBILE RADIO	POLICE	SMALL TOOLS	5,899.24
AXON ENTERPRISES	BODY CAM	POLICE	SMALL TOOLS	3,049.20
B&H PHOTO-VIDEO	WEBCAMS	ADMIN, COMPLIANCE	SMALL TOOLS	2,647.70
WEST COAST PAPER	MEAL TRAYS	ADMIN, COMPLIANCE	OPERATING SUPPLIES	5,100.00
RS INSPECTION SERVICES	BUILDING INSPECTIONS	BUILDINGS	PROFESSIONAL SERVICES	3,000.00
TWO RIVERS TERMINAL	POTASSIUM ACETATE	AIRPORT	OPERATING SUPPLIES	8,374.00
YUKON FIRE PROTECTION	2021 FIRE SYSTEMS TESTING, ETC.	VARIOUS	REPAIR & MAINTENANCE	14,124.00
UNIVERSITY OF AK-SOUTHEAST	ACADEMY FEES FOR 2 OFFICERS	POLICE	TRANSPORTATION	6,020.00