

**KENAI AIRPORT COMMISSION
REGULAR MEETING
MARCH 10, 2022 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
Telephonic/Virtual Information Page 2
<http://www.kenai.city>**

1. **CALL TO ORDER**
 - a. Pledge of Allegiance
 - b. Roll Call
 - c. Agenda Approval
2. **SCHEDULED PUBLIC COMMENT** *(Public comment limited to ten (10) minutes per speaker)*
3. **UNSCHEDULED PUBLIC COMMENT** *(Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)*
4. **APPROVAL OF MEETING SUMMARY**
 - a. February 10, 2022Pg. 3
5. **UNFINISHED BUSINESS**
6. **NEW BUSINESS**
 - a. **Discussion/Recommendation** – Authorizing the City Manager to Enter into an Airline Operating Agreement and Terminal Area Lease with Kenai Aviation.....Pg. 6
 - b. **Discussion/Recommendation** – Special Use Permit to State of Alaska Department of Natural Resources/Division of Forestry.....Pg. 13
7. **REPORTS**
 - a. Airport Manager
 - b. City Council Liaison.....Pg. 25
8. **NEXT MEETING ATTENDANCE NOTIFICATION** – April 11, 2022
9. **COMMISSIONER COMMENTS AND QUESTIONS**
10. **ADDITIONAL PUBLIC COMMENT**
11. **INFORMATION ITEMS**
 - a. January 2022 Enplanement Report.....Pg. 31
12. **ADJOURNMENT**

Join Zoom Meeting

<https://us02web.zoom.us/j/84713953125>

Meeting ID: 847 1395 3125 **Password:** 897766

OR

Call: (253) 215-8782 or (301) 715-8592

Meeting ID: 847 1395 3125 **Password:** 897766

****PLEASE CONTACT US IF YOU WILL NOT BE ABLE TO ATTEND THE MEETING****
MEGHAN -- 283-8231 OR, ERICA -- 283-8281

**KENAI AIRPORT COMMISSION
REGULAR MEETING
FEBRUARY 10, 2022 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
CHAIR GLENDA FEEKEN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

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

a. Pledge of Allegiance

Chair Feeken led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Commissioners Present: G. Feeken, D. Pitts, P. Minelga, J. Bielefeld, J. Caldwell, J. Daily
Commissioners Absent: J. Zirul

Staff/Council Liaison Present: Airport Manager E. Conway, Administrative Assistant E. Brincefield, Council Liaison Baisden

A quorum was present.

c. Agenda Approval

MOTION:

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

2. SCHEDULED PUBLIC COMMENT – None.

3. UNSCHEDULED PUBLIC COMMENT – None.

4. APPROVAL OF MEETING SUMMARY

a. January 13, 2022

An amendment was requested to page 4 of the summary, under Airport Manager's Report: change the word "assailant" to "perpetrator."

MOTION:

Commissioner Bielefeld **MOVED** to approve the meeting summary of January 13, 2022 with the requested revision. Commissioner Daily **SECONDED** the motion. There were no objections; **SO**

ORDERED.

5. **UNFINISHED BUSINESS** – None.

6. **NEW BUSINESS** – None

- a. **Discussion/Recommendation** – Approving Execution of a Lease to the State of Alaska, Division of Forestry

MOTION:

Commissioner Bielefeld **MOVED** to recommend approval of a lease to the State of Alaska, Division of Forestry. Vice Chair Minelga **SECONDED** the motion.

Clarification was provided on the lot number.

VOTE: There were no objections; **SO ORDERED.**

- b. **Discussion/Recommendation** – City of Kenai Fiscal Year 2023-2027 Capital Improvement Plan

MOTION:

Commissioner Bielefeld **MOVED** to recommend the Kenai City Council approve the City of Kenai Fiscal Year 2023-2027 Capital Improvement Plan. Commissioner Caldwell **SECONDED** the motion.

Public Works Director Curtin provided a background on the development of the FY2023-2027 Capital Improvement Plan (CIP), noting that there are approximately \$100 million worth of projects identified within it. He noted that \$28.1 million was recently awarded to the City for the bluff stabilization project, which will go towards the majority of the projects identified in the General Fund. He explained that the majority of funds are focused in the Airport, Water/Sewer, and General Funds, and provided further detail on some of the other major projects identified in the CIP. He noted that every City department and some commissions participated in the development of the CIP, and that it will be a great asset for our City to help direct funding towards our highest priorities.

Further clarification was provided on the Apron and Willow Street Extension project. Questions from the commission included whether Department of Homeland Security grants are available for the Surveillance Camera project, and whether any of the projects can be tied into the Airport Master Plan. Clarification was provided that taxiways didn't meet high priority so the majority of the projects would be funded by the airport, and that there are a lot of federal dollars expected that could help with funding some of these projects. Further discussion involved T33 display rehabilitation, relocation of the gravel strip, and adding the Airport Master Plan to the CIP.

VOTE: There were no objections; **SO ORDERED.**

7. **REPORTS**

- a. **Airport Manager** – Airport Manager Conway reported on the following:

- Received all quotes for replacement of Granite Point gate;
- Looking for guidance on how to enforce gates remaining closed, as moose are getting onto the airfield.

b. **City Council Liaison** – Council Member Baisden reported on actions of the February 2, 2022 City Council Meeting.

8. NEXT MEETING ATTENDANCE NOTIFICATION – March 10, 2022

9. COMMISSIONER COMMENTS AND QUESTIONS

Commissioner Minelga expressed appreciation for the City staff's efforts to continue improvements.

10. ADDITIONAL PUBLIC COMMENT – None.

11. INFORMATION ITEMS

- a. December 2021 Enplanements

12. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 6:50 p.m.

Meeting summary prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk



“Serving the Greater Kenai Peninsula”

305 N. WILLOW ST. SUITE 200 KENAI, ALASKA 99611
TELEPHONE 907-283-8281
FAX 907-283-3737

Memo

To: Airport Commission
Through: Eland Conway – Airport Manager
From: Erica Brincefield – Assistant
Date: March 3, 2022
Subject: ***Resolution 2022-XX-New Air Service***

Kenai Aviation is requesting to start scheduled operations out of the Kenai Municipal Airport Terminal Building beginning May 2022.

To receive signatory rates Kenai Aviation must sign the City of Kenai’s airline operating agreement and terminal area lease.

Attached with this memo is a letter of intent from Kenai Aviation, draft Resolution, and Airline Operating Agreement Exhibits A, B, C & E.

- Exhibit A – Exclusive Use Space
- Exhibit B – Joint Use Terminal Space
- Exhibit C – Airline Rate Schedule/Tenant Rents and Fees
- Exhibit E – Terminal Apron Parking Layout

Does Commission recommend Council Authorize the City Manager to Enter into an Airline Operating Agreement and Terminal Area Lease with Kenai Aviation?

Attachments



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AUTHORIZING THE CITY MANAGER TO ENTER AN AIRLINE OPERATING AGREEMENT AND TERMINAL AREA LEASE WITH KENAI AVIATION.

WHEREAS, the City of Kenai is the owner and operator of the Kenai Municipal Airport; and,

WHEREAS, Kenai Aviation intends to provide scheduled commuter passenger service at the Kenai Municipal Airport beginning in May 2022; and,

WHEREAS, Kenai Aviation must sign the City of Kenai's airline operating agreement and terminal area lease to operate as a signatory operator at the Kenai Municipal Airport and secure terminal space; and

WHEREAS, it is in the best interest of the City of Kenai to authorize the City Manager to enter into an agreement with Kenai Aviation.

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

Section 1. That the Kenai City Manager is authorized to enter into such an agreement with Kenai Aviation.

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

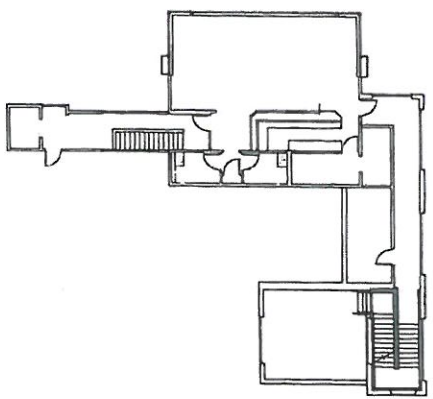
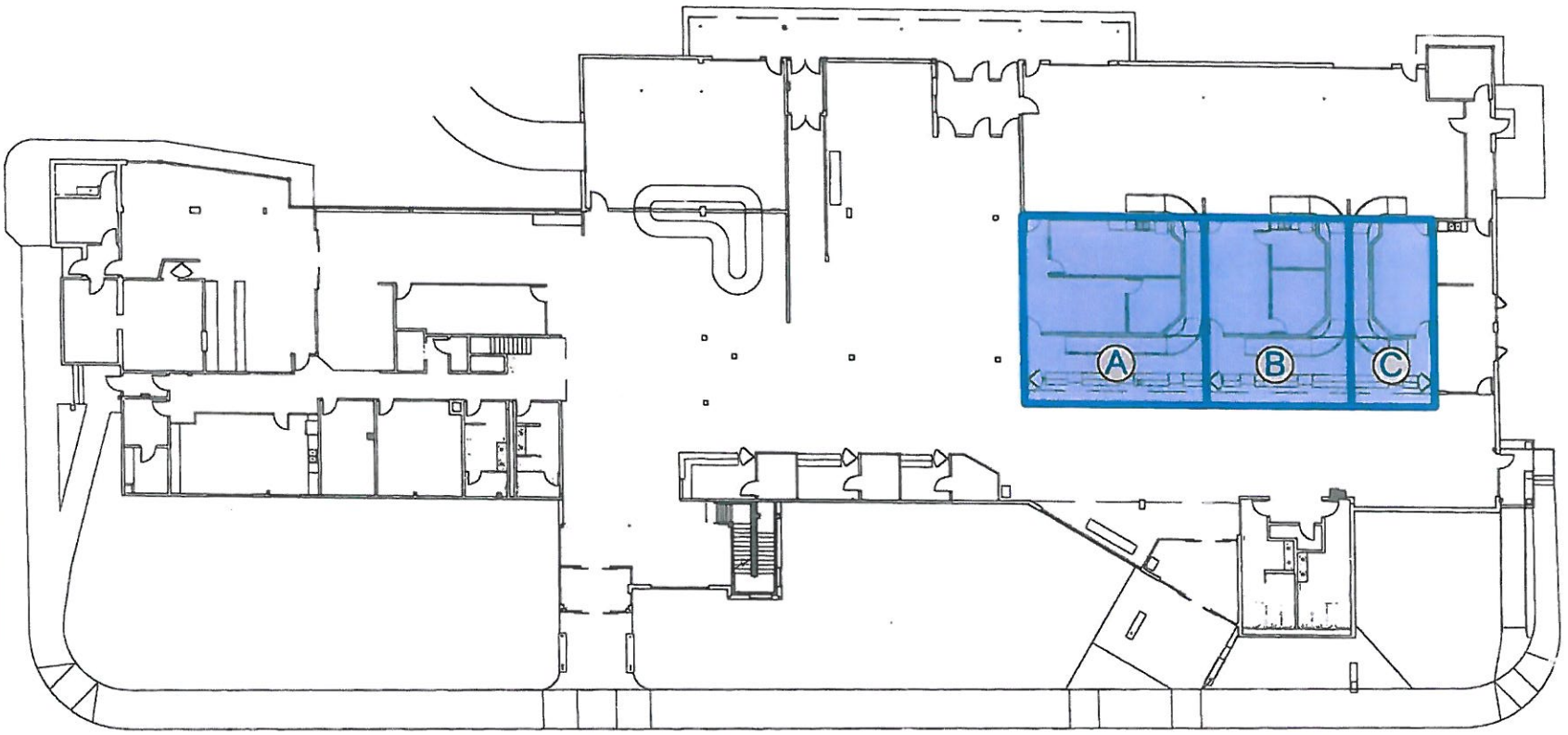
PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 6th day of April, 2022.

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Shellie Saner, City Clerk

V:\KICKENAI CERT MANUAL\EXHIBITS A - B EXCLUSIVE USES\2019 revisions exhibit a-b\rev exhibit a-b exclusive space.dwg



AREA	
Ⓐ	1,452 S.F.
Ⓑ	1,155 S.F.
Ⓒ	670 S.F.

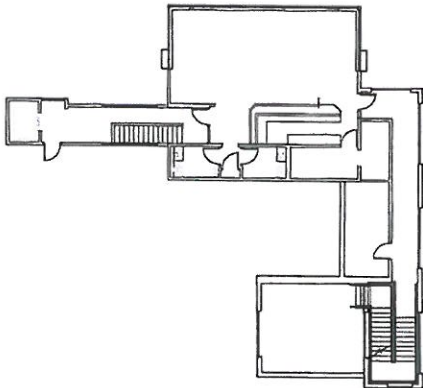
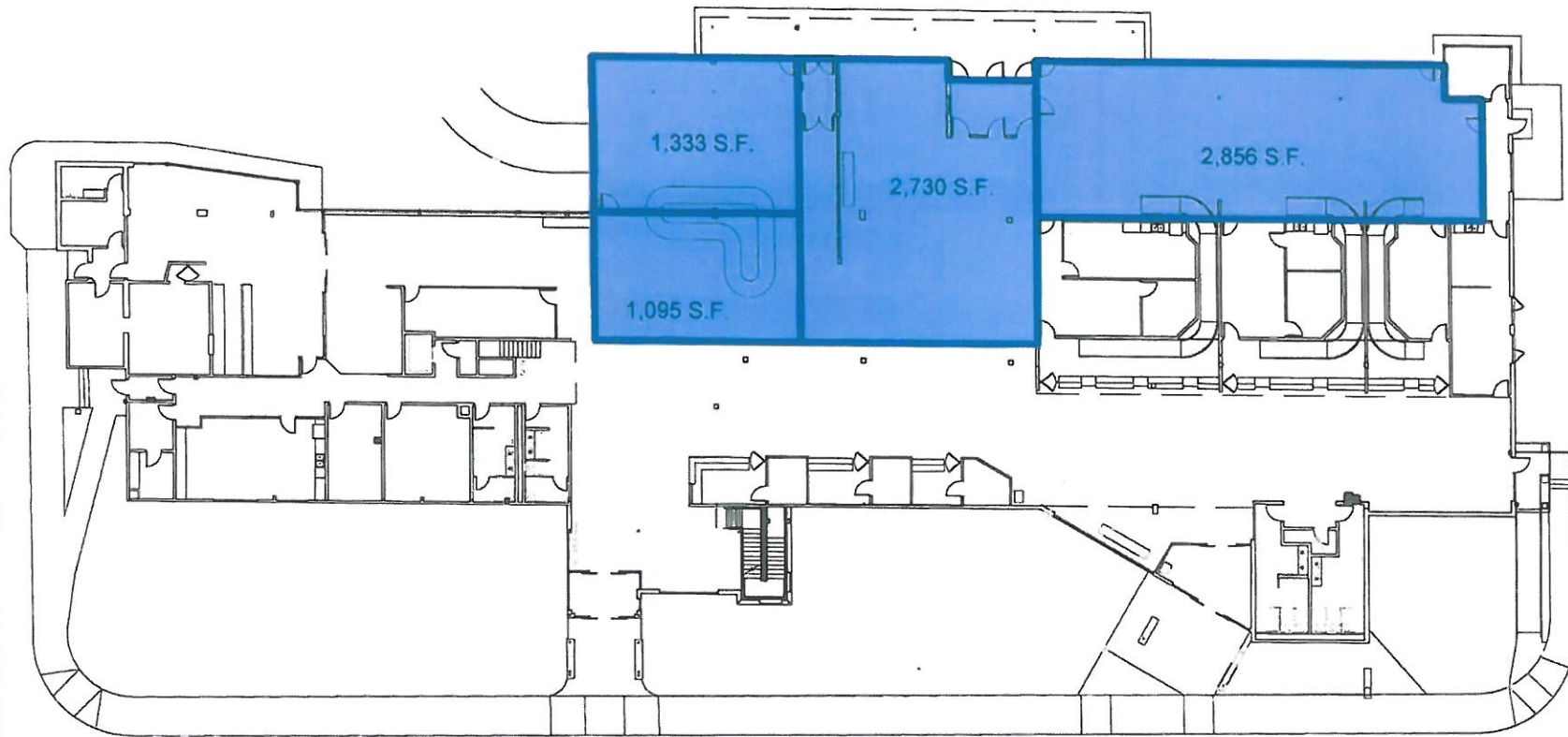
THIS DRAWING IS NOT TO SCALE

LESSOR _____
 LESSEE _____

WINCE-CORTHELL-BRYSON

JOB NO: _____ REVISED: Plotted: 11/04/19

KENAI MUNICIPAL AIRPORT
EXHIBIT A EXCLUSIVE SPACE
KENAI, ALASKA



BAGGAGE MAKE-UP AREA =
 BAGGAGE BREAKDOWN AREA =
 BAGGAGE CLAIM AREA =
 ARRIVAL/DEPARTURE/WAITING AREA =

 TOTAL JOINT USE SPACE =

2,856 S.F.
 1,333 S.F.
 1,095 S.F.
 2,730 S.F.

 8,014 S.F.

THIS DRAWING IS NOT TO SCALE

LESSOR _____
 LESSEE _____

WINCE-CORTHELL-BRYSON

JOB NO _____ REVISED Plotted 02/04/20

KENAI MUNICIPAL AIRPORT
 EXHIBIT B JOINT USE SPACE
 KENAI, ALASKA

Kenai Municipal Airport

Exclusive Space Annual Rate/Sq Ft.	\$ 35.54	Enplanements:		
Joint Use Space #2 Annual Rate/Sq Ft.	\$ 21.54	Tenant 1	45,879	61.33%
Joint Use Space #1 Annual Rate/Sq Ft.	\$ 35.54	Tenant 2	25,547	34.15%
Apron/GSE Space Rent	\$ 0.55	Tenant 3	3,380	4.52%
Signatory Landing Fee/(1,000#s)	\$ 1.79	Tenant 4	-	<u>0.00%</u>
			74,806	100.00%
Joint Rent Subsidy %	18%			

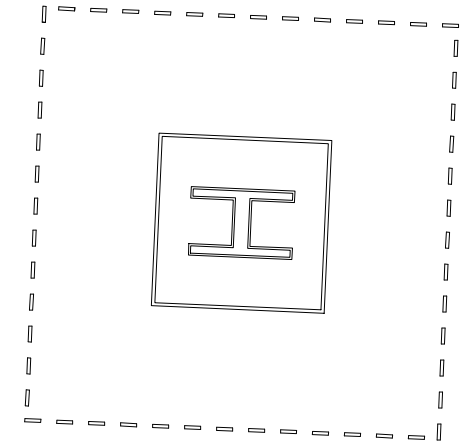
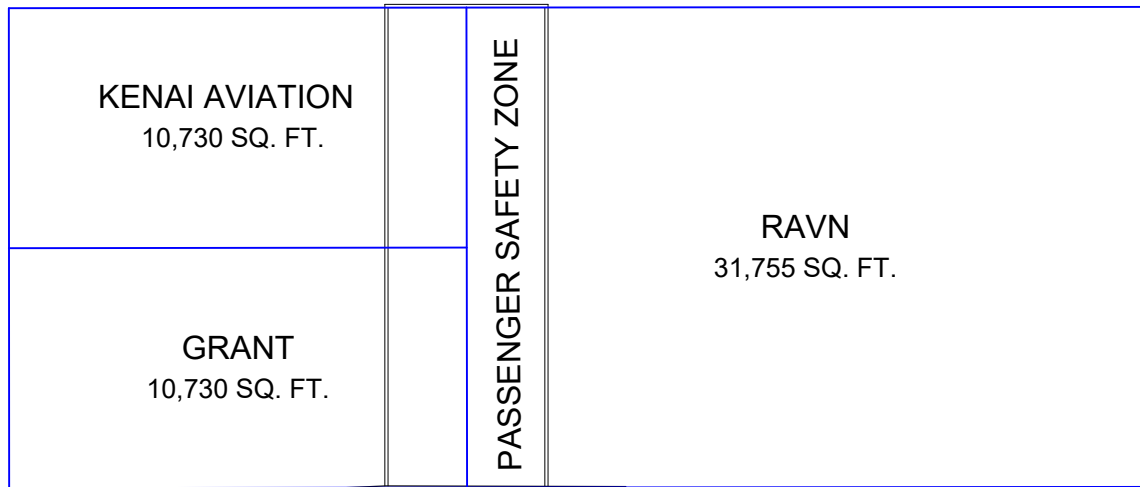
Tennant #3

Area Description	Leased / Used Space (sqft)	Base Rental Rate (psfpy)	Prior Year Enplanement %	Allocate d Joint Rental Amount	Joint Rent Subsidy Reduction	Rental Amount
Terminal Rent						
Exclusive use space:						
Room C	670	\$ 35.54	N/A	N/A	N/A	\$ 23,812
Joint use space:						
Area #1						
Baggage claim area	1,095	\$ 35.54	4.52%	\$ 1,758	\$ (316)	\$ 1,442
Passenger hold room, arrival & departure area	2,730	\$ 35.54	4.52%	\$ 4,384	\$ (789)	\$ 3,595
Total Joint Use Space Area #1						\$ 5,037
Area #2						
Baggage make-up area	2,856	\$ 21.54	4.52%	\$ 2,780	\$ (500)	\$ 2,280
Baggage breakdown area	1,333	\$ 21.54	4.52%	\$ 1,297	\$ (233)	\$ 1,064
Total Joint Use Space Area #2						\$ 3,344
Total Terminal Rent						\$ 32,193
Terminal Apron/GSE Space Rent	10,730	\$ 0.55	N/A	N/A	N/A	\$ 5,902
Total Terminal & Apron GSE Space Rent						\$ 38,095
Projected Landed Wgt (1,000#s) Landing Fee Rate						
Landing Fees	-	\$ 1.79				Landing Fees \$ -
Tennant #3 - Total Rents and Fees						\$ 38,095

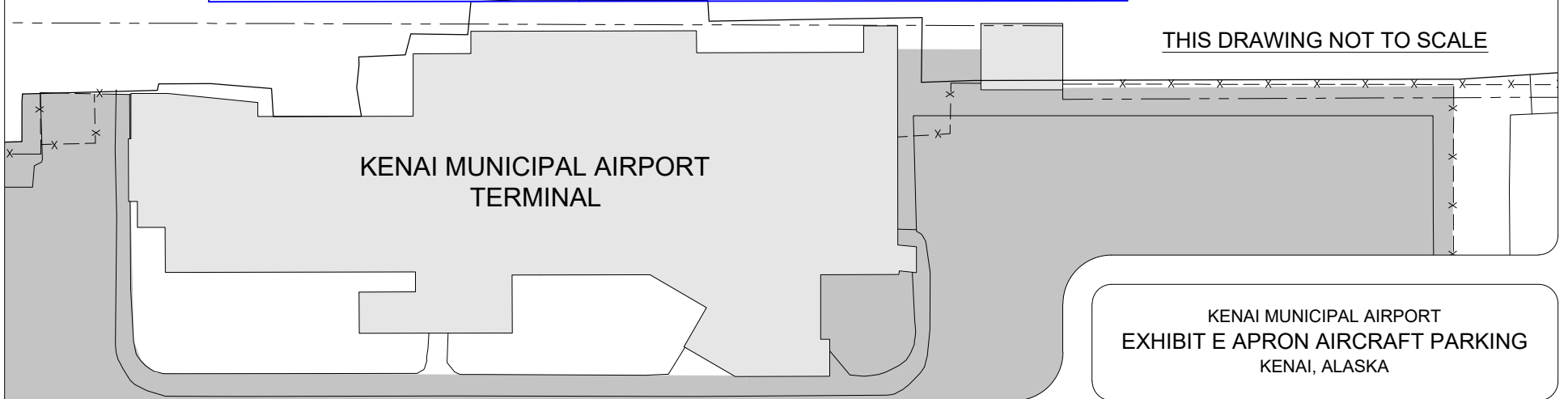
Exhibit C
Airline Rate Schedule

LESSOR _____

LESSEE _____



THIS DRAWING NOT TO SCALE



KENAI MUNICIPAL AIRPORT
EXHIBIT E APRON AIRCRAFT PARKING
KENAI, ALASKA



101 N Willow St., Kenai, AK 99611
(907) 283-4124
www.kenaiaviation.com

Dear Mr. Conway,

Kenai Aviation, after many years of research, hard work, and dreaming, is finally in the position to become a scheduled operator out of our home airport here in Kenai. It is our intent to begin scheduled service around the time of **May 1, 2022**. Proposing the following schedule for Monday-Friday operations:

- 0430 ENA-ANC
- 0530 ANC-HOM
- 0630 HOM-ANC
- 0730 ANC-VDZ
- 0830 VDZ-ANC
- 1200 ANC-ENA
- 1500 ENA-ANC
- 1730 ANC-HOM
- 1830 HOM-ANC
- 1930 ANC-VDZ
- 2030 VDZ-ANC
- 2230 ANC-ENA

We will be requesting the lease of Airline Tenant Space 3 in the Kenai Terminal and associated ramp and office spaces. Please forward any appropriate application and documentation for preparation of our terminal use agreement. Please contact Jacob Caldwell at 907-398-9447.

Thank you for your attention and partnership in our exciting adventure. As you know, Kenai Aviation has done business as an airline in Kenai, AK since 1961. We are the oldest running family business in the City of Kenai. It is our privilege to serve our community with the addition of this scheduled service.

Joel Caldwell

Kenai Aviation

907-252-4878



"Serving the Greater Kenai Peninsula"

305 N. WILLOW ST. SUITE 200 KENAI, ALASKA 99611
TELEPHONE 907-283-7951
FAX 907-283-3737

Memo

To: Airport Commission
Thru: Eland Conway – Airport Manager
From: Erica Brincefield - Assistant
Date: February 24, 2022
Subject: State of Alaska DNR/Forestry – Special Use Permit

The State of Alaska DNR/Forestry is requesting a Special Use Permit for 30,000 square feet for aircraft loading and parking related to firefighting activities.

The Special Use Application and the \$100 application fee was received on February 24, 2022. The Division of Forestry is current in all fees owed and a current Certificate of Insurance is on file.

The Special Use Permit is effective May 1, 2022 through July 31, 2022.

Does Commission recommend Council approve the Special Use Permit to the State of Alaska DNR/Forestry?

Attachments

SPECIAL USE PERMIT 2022

The CITY OF KENAI (City) grants to STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES/DIVISION OF FORESTRY (Permittee), whose address is 550 W. Seventh Avenue, Suite 1450, Anchorage, AK 99501-3566, a Special Use Permit to conduct aeronautical and/or aviation-related activities at the Kenai Municipal Airport subject to the requirements and the conditions set forth below.

1. **Premises.** Permittee shall have the non-exclusive right to use 30,000 square feet as described in the attached diagram shown in the attached Exhibit A for the uses identified in this Permit.
2. **Term.** The term of this Permit shall be for three months commencing on May 1, 2022, and ending on July 31, 2022. Regardless of the date of signature, this Permit shall be effective as of May 1, 2022.
3. **Permit Fees.** Permittee shall pay the following fees for the privileges extended to Permittee under this Permit:

A. **Permit:** Permittee shall pay a monthly fee plus applicable sales tax as follows:

May	\$3,025.00
June	\$3,025.00
July	\$3,175.00

B. **Proximity Card for Gate Access:** In addition to the general permit fee, Permittee shall pay a deposit of One Hundred Dollars (\$100.00) for the use of each proximity card issued to Permittee by City to allow for gate access to the Airport to conduct the uses permitted hereunder. City shall refund this deposit to Permittee when the card is returned to City. City may exercise a right of offset to apply the deposit to any outstanding balance due to City from Permittee at the termination of this Permit.

C. **Other Fees:** City may assess additional fees for aviation or aviation support activities and uses not defined in this Permit. If a fee has not been established for those activities or services, a fee will be established by the Airport Manager.

Payment shall be directed to City of Kenai, ATTN: Finance Department, 210 Fidalgo Avenue, Kenai, AK 99611 and a courtesy notice of payment provided to Airport Administration at 305 North Willow Street, Suite 200, Kenai, AK 99611. All permit fees are payable in advance of each month unless otherwise provided. In the event of delinquency, interest at the rate of 10% per annum, and penalty of 10% shall also be due (KMC 1.75.010). Interest shall accrue from the date due until the date paid in full. Failure

to timely make payments is grounds for termination of this Permit. (See ¶ 22, Termination).

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

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

Permittee shall have the right of ingress and egress to the Airport using only designated gate access locations (which may require a proximity card) for the use of the Premises. This Permit, and any access rights allowed hereunder, are for Permittee's use only and may not be transferred or assigned.

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

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

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

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

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

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

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

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

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

A. Commercial General Liability insurance, including premises, all operations, property damage, personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit. The policy must include an endorsement under which the insurer extends coverage to Permittee's fuel handling activities. The policy must name the City as an additional insured.

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

C. Commercial Automobile Coverage with not less than \$1,000,000 combined single limit per occurrence. This insurance must cover all owned, hired, and non-owned motor vehicles the Permittee uses on the Airport. The policy must name the City as an additional insured.

D. All insurance required must meet the following additional requirements:

- i. All policies will be by a company/corporation currently rated "A-" or better by A.M. Best.
- ii. Permittee shall submit to the City proof of continuous insurance coverage in the form of insurance policies, certificates, endorsements,

or a combination thereof, and signed by a person authorized by the insurer to bind coverage on its behalf.

- iii. Permittee shall request a waiver of subrogation against City from Permittee's insurer and the waiver of subrogation, where possible, shall be provided at no cost to City.
- iv. Provide the City with notification at least 30 days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.
- v. Evidence of insurance coverage must be submitted to City by May 1, 2022. The effective date of the insurance shall be no later than May 1, 2022.

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

10. Assumption of Risk. Permittee assumes full control and sole responsibility as between Permittee and City for the activities of Permittee, its personnel, employees, and persons acting on behalf of or under the authority of the Permittee anywhere on the Airport. Permittee shall provide all proper safeguards and shall assume all risks incurred in its activities on and access to the Kenai Municipal Airport and its exercise of the privileges granted in this Permit.

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

12. Fuel Spill Prevention and Response Plan. Areas of the apron have been seal coated to protect asphalt from adverse effects of petroleum product spills. The City requires that

Permittee provide adequate absorbent materials and tools available on the Premises and at the airport in order to maintain a fuel spill and response capability. Permittee shall be liable for any damage caused by and costs associated with any spill, the cleanup of any spill, or the discharge of petroleum products or hazardous materials due to Permittee's use of the apron and/or use of the Airport.

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

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

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

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

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

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

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

14. No Discrimination. Permittee shall not discriminate against any person because of the person's race, creed, color national origin, sex, age, or handicap. Permittee recognizes

the right of City to take any action necessary to enforce this requirement of the Permit. Permittee will furnish services provided under this Permit on a reasonable, and not unjustly discriminatory, basis to all users of the Airport and shall charge reasonable, and not unjustly discriminatory, prices for each product or service provided at the Airport.

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

16. Compliance with Law/Grant Assurances. This Permit, and Permittee's activities conducted under this Permit, is subject to all executive orders, policies and operational guidelines and all applicable requirements of federal, state, and City statutes, ordinances, and regulations in effect during the term of this Permit. Further, Permittee shall comply with all applicable requirements imposed on the Airport by federal law to ensure that the Airport's eligibility for federal money or for participation in federal aviation programs is not jeopardized. This Permit is subordinate to the City's grant assurances and federal obligations.

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

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

19. No Joint Venture. City shall not be construed or held to be a partner or joint venturer of Permittee in the conduct of its business or activities on the Premises or elsewhere at the Kenai Municipal Airport.

20. No Waiver. Failure to insist upon a strict compliance with the terms, conditions, and requirements herein contained, or referred to, shall not constitute or be construed as a waiver or relinquishment of the right to exercise such terms, conditions, or requirements.

21. Personalty. Permittee shall remove any and all personal property, including all vehicles, from the Premises at the termination of this Permit (or any renewal thereof). Personal property placed or used upon the Premises will be removed and/or impounded by the City, if not removed upon termination of this Permit and when so removed and/or impounded, such property may be redeemed by the owner thereof only upon the payment to the City of the costs of removal plus storage charges of \$25.00 per day. The City of Kenai is not responsible for any damage to or theft of any personalty of Permittee or of its customers.

22. Termination; Default. This Permit may be terminated by either party hereto by giving 30 days advance written notice to the other party. City may terminate the Permit immediately, or upon notice shorter than 30 days, to protect public health and safety or due to a failure of Permittee to comply with condition or term of this Permit which failure remains uncured after notice by City to Permittee providing Permittee with a reasonable time period under the circumstances to correct the violation or breach.

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

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

25. Definitions. As used in this Permit, "Permittee" means State, Department of Natural Resources, Division of Forestry, and where the context reasonably indicates, its officers, agents, and employees. "Airport" means the Kenai Municipal Airport.

ATTEST:

Shellie Saner, City Clerk

SEAL:

APPROVED AS TO FORM:

Scott M. Bloom, City Attorney

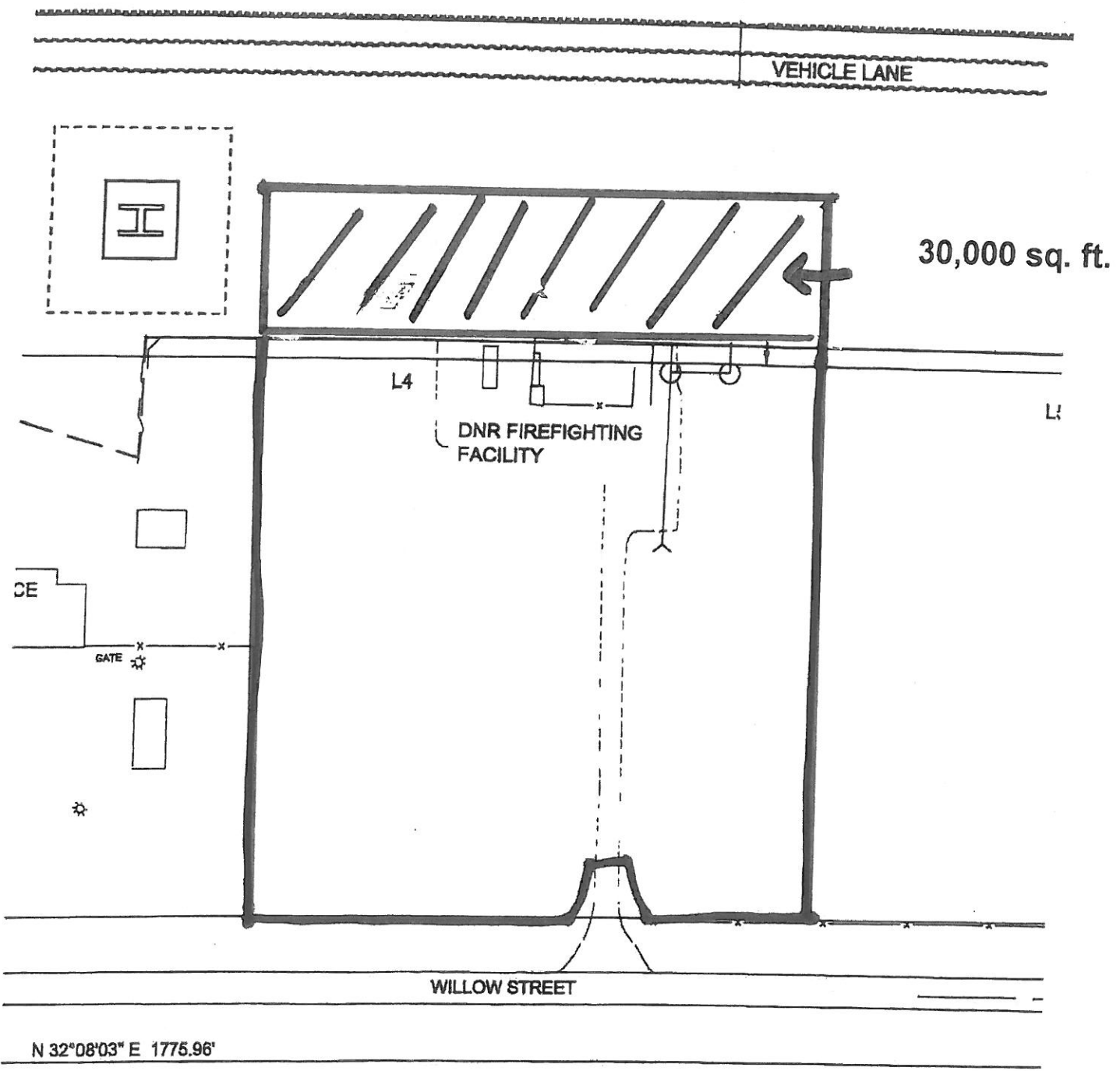


Exhibit A



**City of Kenai
Special Use Permit
Application**

Application Date: 2/15/2022

Applicant Information

Name of Applicant:	State of Alaska, Department of Natural Resources, Division of Forestry						
Mailing Address:	550 W. 7th Ave	City:	Anchorage	State:	AK	Zip Code:	99501
Phone Number(s):	Home Phone: () 269-8461		Work/ Message Phone: () 269-8461				
E-mail: (Optional)	michael.burkhead@alaska.gov						
Name to Appear on Permit:	State of Alaska, Department of Natural Resources, Division of Forestry						
Mailing Address:	550 W. 7th Ave	City:	Anchorage	State:	AK	Zip Code:	99501
Phone Number(s):	Home Phone: () 269-8461		Work/ Message Phone: () 269-8461				
E-mail: (Optional)	michael.burkhead@alaska.gov						
Type of Applicant:	<input type="checkbox"/> Individual (at least 18 years of age) <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Government <input type="checkbox"/> Limited Liability Company (LLC) <input type="checkbox"/> Other _____						

Property Information

Legal or physical description of the property:
Apron Space immediately adjacent to Lease lot 2545

Description of the proposed business or activity intended: Conduct aeronautical and/or aviation-related activities at the Kenai Municipal Airport.

Is the area to be used in front of or immediately adjacent to any established business offering the same or similar products or services upon a fixed location? YES NO

Would the use under this permit interfere with other businesses through excessive noise, odor, or other nuisances? YES NO

If you answered yes to any of the above questions, please explain:

What is the term requested (not to exceed one year)? 3 months

Requested Starting Date: May 1, 2022

Signature:	Michael Burkhead 337217	<small>Digitally signed by Michael Burkhead 337217 Date: 2022.02.24 14:11:21 -09'00'</small>	Date:	2.24.22
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Print Name:	Michael Burkhead	Title:	Procurement Specialist III
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For City Use Only:	Date Application Fee Received:
<input type="checkbox"/> General Fund <input type="checkbox"/> Airport Reserve Land	City Council Action/Resolution: _____
<input type="checkbox"/> Airport Fund <input type="checkbox"/> Outside Airport Reserve	Account Number: _____



Kenai City Council - Regular Meeting

February 16, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

www.kenai.city

Action 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 and Leslie Rohr** - 2022 Kenai Peninsula Project Homeless Connect

C. UNSCHEDULED PUBLIC COMMENTS

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

D. PUBLIC HEARINGS

1. **FAILED. Ordinance No. 3270-2022** - Increasing Estimated Revenues and Appropriations in the General, Airport, Senior Citizen, and Water & Sewer Funds, and Authorizing a One-Time Premium Payment to Eligible Employees. (Vice Mayor Glendening and Council Members Winger and Sounart)
2. **ENACTED UNANIMOUSLY. Ordinance No. 3271-2022** - Increasing Estimated Revenues and Appropriations in the Airport Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's Airport Fund. (Administration)
3. **ENACTED UNANIMOUSLY. Ordinance No. 3272-2022** - Increasing Estimated Revenues and Appropriations in the General Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's General Fund. (Administration)
4. **ADOPTED UNANIMOUSLY. Resolution No. 2022-09** – Authorizing Budget Transfers Within the Kenai Recreation Center Improvements Capital Project Fund. (Administration)

E. MINUTES

F. UNFINISHED BUSINESS

1. **ADOPTED UNANIMOUSLY AS AMENDED BY SUBSTITUTE. Resolution No. 2022-04**
- Awarding a Three Year Contract for the Purchase of Microsoft Software.
(Administration) [*Clerk's Note: At the January 19, 2022 Meeting, this item was Postponed to this meeting; a motion to enact is on the floor.*]

 - **Resolution No. 2022-04 (Substitute)** – Awarding a Three-Year Contract for the Purchase of Microsoft Software. (Administration)

G. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA. *Action/Approval** - Bills to be Ratified.
(Administration)
2. **APPROVED BY THE CONSENT AGENDA. *Action/Approval** - Purchase Orders Over \$15,000. (Administration)
3. **APPOINTMENT OF VICTORIA ASKIN CONFIRMED. Action/Approval** - Confirmation of Mayoral Nomination for Appointment to the Planning and Zoning Commission. (Mayor Gabriel)
4. **APPROVED UNANIMOUSLY. Action/Approval** - Council on Aging By-Law Amendment.
(City Clerk)
5. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 3/2/2022. *Ordinance No. 3273-2022** – Accepting and Appropriating Two Grants from Derek Kaufman Fund through the Alaska Community Foundation and One Donation from the Friends of the Kenai Community Library for the Purchase of a Bike Repair Station.
(Administration)

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
2. Kenai Dog Park Brochure - Summer 2022

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/86837446040>

Meeting ID: 868 3744 6040 **Passcode:** 610477

OR

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

Meeting ID: 868 3744 6040 **Passcode:** 610477



Kenai City Council - Regular Meeting

March 02, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

****Telephonic/Virtual Information on Page 2****

www.kenai.city

Action Agenda

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B. SCHEDULED PUBLIC COMMENTS (*Public comment limited to ten (10) minutes per speaker*)

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D. PUBLIC HEARINGS

1. **ENACTED UNANIMOUSLY. Ordinance No. 3273-2022** – Accepting and Appropriating Two Grants from Derek Kaufman Fund through the Alaska Community Foundation and One Donation from the Friends of the Kenai Community Library for the Purchase of a Bike Repair Station. (Administration)
2. **ADOPTED UNANIMOUSLY. Resolution No. 2022-10** – Approving the Execution of a Lease of Airport Reserve Lands Using the Standard Lease Form Between the City of Kenai and State of Alaska, Division of Forestry on Lot 4A, FBO Subdivision No. 11. (Administration)
3. **ADOPTED UNANIMOUSLY. Resolution No. 2022-11** – Authorizing a Budget Transfer Within the Kenai Municipal Airport Snow Removal Equipment Capital Project Fund. (Administration)
4. **ADOPTED UNANIMOUSLY. Resolution No. 2022-12** – Authorizing a Budget Transfer Within the Kenai Municipal Water and Sewer Capital Project Fund. (Administration)
5. **ADOPTED UNANIMOUSLY. Resolution No. 2022-13** – Expressing Intent to Participate in the National Flood Insurance Program. (Administration)

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of February 2, 2022. (City Clerk)
2. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of February 16, 2022. (City Clerk)

F. UNFINISHED BUSINESS

G. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Bills to be Ratified. (Administration)
2. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Purchase Orders Over \$15,000. (Administration)

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L. EXECUTIVE SESSION

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATION ITEMS

1. Purchase Orders Between \$2,500 and \$15,000
2. Amicus Brief - Letter of Appreciation

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Join Zoom Meeting

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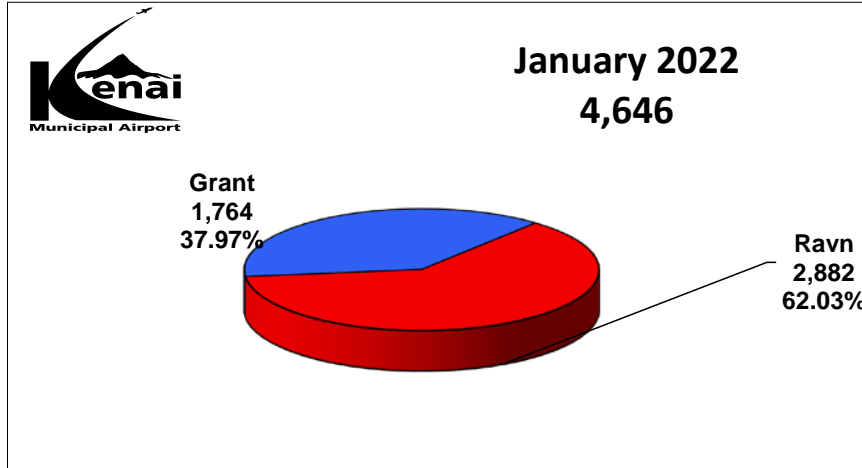
Meeting ID: 829 4426 9827 **Passcode:** 192623

OR

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

Meeting ID: 829 4426 9827 **Passcode:** 192623

January
Enplanement Report



Month	RAVN ALASKA	GRANT AVIATION	Total 2022	2021	Change from 2021
January	2,882	1,764	4,646	3,389	1,257
February			0	3,112	
March			0	4,127	
April			0	4,035	
May			0	4,464	
June			0	5,953	
July			0	9,259	
August			0	10,035	
September			0	6,500	
October			0	5,596	
November			0	5,803	
December			0	5,571	
Totals	2,882	1,764	4,646	67,844	1,257

Terminal - Vehicle Parking Revenues

January			
FY21	\$6,626	FY21 Total	\$109,923
FY22	\$13,448	FY22 YTD	\$115,233

