#### KENAI AIRPORT COMMISSION REGULAR MEETING MARCH 9, 2023 – 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
	<ul><li>a. Pledge of Allegiance</li><li>b. Roll Call</li><li>c. Agenda Approval</li></ul>
2.	SCHEDULED PUBLIC COMMENT (Public comment limited to ten (10) minutes per speaker)
3.	<u>UNSCHEDULED PUBLIC COMMENT</u> (Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)
4.	APPROVAL OF MEETING SUMMARY
	a. January 12, 2023Pg. 3
5.	UNFINISHED BUSINESS
6.	NEW BUSINESS
	a. <b>Discussion/Recommendation</b> – Recommending City Council Approval of the Student Representative Policy No. 20.100Pg. 5
	b. <b>Discussion/Recommendation</b> – Recommending City Council Approval of Amendments to the City Council Procedures for Commissions, Committees and Council on Aging Policy No. 2016-01
	c. <b>Discussion/Recommendation</b> – Recommending City Council Approval of a Special Use Permit to Pacific Star Seafoods to Conduct Fish Haul OperationsPg. 15
	d. <b>Discussion/Recommendation</b> – Recommending City Council Approval of a Special Use Permit to The Fishing Grounds LLC to Operate a Snack/Gift Shop Inside the Airport Terminal Building, Suite 120
7.	REPORTS
	a. Airport Manager b. City Council LiaisonPg. 37
8.	NEXT MEETING ATTENDANCE NOTIFICATION – April 13, 2023

9. COMMISSIONER COMM	MENIS AND QUESTIONS
----------------------	---------------------

## 10. ADDITIONAL PUBLIC COMMENT

#### 11. <u>INFORMATION ITEMS</u>

a.	January 2023 Enp	olanements	Pg. 43
b.	February 2023 En	nplanements	Pg. 44

#### 12. <u>ADJOURNMENT</u>

#### **Join Zoom Meeting**

https://us02web.zoom.us/j/84573811917

**Meeting ID**: 845 7381 1917 **Password**: 297004

OR

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

**Meeting ID**: 845 7381 1917 **Password**: 297004

\*\*PLEASE CONTACT US IF YOU WILL NOT BE ABLE TO ATTEND THE MEETING\*\*
MEGHAN -- 283-8231 OR, ELAND -- 283-8282

# KENAI AIRPORT COMMISSION REGULAR MEETING JANUARY 12, 2023 – 6:00 P.M. KENAI MUNICIPAL AIRPORT CONFERENCE ROOM 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, P. Minelga, D. Pitts, J. Caldwell, J. Bielefeld, J.

Zirul, J. Daily

Commissioners Absent:

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

Brincefield, Council Member Knackstedt

A quorum was present.

c. Election of Chair and Vice Chair

#### **MOTION:**

Commissioner Bielefeld **MOVED** to appoint Glenda Feeken as Planning & Zoning Commission Chair. Vice Chair Minelga **SECONDED** the motion. There being no objection; **SO ORDERED**.

#### **MOTION:**

Commissioner Pitts **MOVED** to appoint Paul Minelga as Planning & Zoning Commission Vice Chair. Commissioner Caldwell **SECONDED** the motion. There being no objection; **SO ORDERED.** 

d. Agenda Approval

#### MOTION:

Commissioner Caldwell **MOVED** to approve the agenda as revised. Commissioner Daily **SECONDED** the motion. There were no objections; **SO ORDERED**.

- 2. <u>SCHEDULED PUBLIC COMMENT</u> None.
- 3. UNSCHEDULED PUBLIC COMMENT None.
- 4. APPROVAL OF MEETING SUMMARY
  - a. December 8, 2022

#### MOTION:

Vice Chair Minelga **MOVED** to approve the meeting summary of December 8, 2022 as written. Commissioner Caldwell **SECONDED** the motion. There were no objections; **SO ORDERED**.

5. **UNFINISHED BUSINESS** – None.

#### 6. <u>NEW BUSINESS</u>

a. **Discussion/Recommendation** – Establishing Rates & Fees at the Alaska Fire Training Center

#### **MOTION:**

Commissioner Bielefeld **MOVED** to recommend that the Kenai City Council approve the established rates and fees at the Alaska Fire Training Center. Commissioner Zirul **SECONDED** the motion.

Airport Manager Conway reported that Beacon had terminated their Facility Management Agreement as of December 31, 2022, and provided an explanation of the conference space and the associated rates and fees.

Commission discussion involved marketing and advertising the available space, and a discrepancy was noted which required clarification on the time of use in regards to the established fees.

#### **UNANIMOUS CONSENT** was requested.

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

#### 7. REPORTS

- a. **Airport Manager** Airport Manager Conway reported on the 2022 enplanement and parking revenue.
- b. City Council Liaison Council Member Askin reported on the actions of the December 21, 2022 and January 4, 2023 City Council meeting.

#### **8. NEXT MEETING ATTENDANCE NOTIFICATION** – February 9, 2023

#### 9. COMMISSIONER COMMENTS AND QUESTIONS

Commissioners had questions on float plane expansion lease lot availability, and vending machine concessions.

#### **10. ADDITIONAL PUBLIC COMMENT** – None.

#### 11. <u>INFORMATION ITEMS</u>

- a. November 2022 Enplanements
- b. December 2022 Enplanements

#### 12. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 6:22 p.m.

Meeting summary prepared ar	nd submitted by
Meghan Thibodeau	
Deputy City Clerk	



## **MEMORANDUM**

**TO:** Chair Feeken and Airport Commission Members

**FROM:** Shellie Saner, City Clerk

**DATE:** February 21, 2023

SUBJECT: Recommending City Council Approval of the Student

Representative Policy No. 20.100

The Student Representative to City Council Policy was adopted in 2005 and last amended in 2010. The Student Representative to the Parks and Recreation Commission was adopted in 2018-03 and last amended in 2020.

The proposed amendment would be to repeal both the City Council and Parks and Recreation Commissions Student Representative Policies and adopt one Student Representative Policy that would be applicable to all boards, commissions, committees and councils of the City of Kenai.

This has been forwarded for recommendation from your commission. Your commission may recommend adoption of the policy or fail to recommend adoption of the policy. In addition, your commission may propose additional amendments to the policy. The list below identifies changes that were made from the existing policies.

- Purpose and scope of the policy were expanded to provide clarity regarding the purpose of a student representative.
- Previously the policy required students attend Kenai Central High School. The new policy would remove that requirement and allow Juniors and Seniors applicants from all schools within Kenai City Limits.
- Preference is given for students who are members of Leadership Groups or the Student Council. This ensures the ability for a student to report back to the school the actions or issues that are affecting students.
- The term of the student representative was reduced to 1-year terms to ensure an
  opportunity for more students to participate as well as consider their academic and athletic
  schedule when committing to the service.
- The student representative will no longer be in rotation of the roll call and will now be called last, this takes into consideration that sometimes the issues before the commission may be controversial and that the students vote is advisory only.
- Previously the Parks and Recreation Commission Student Representative was required
  to reside within the Kenai City Limits, the new policy will allow non-residents attending a
  school within the city limits to participate as student representative to boards,
  commissions, committees and the Council on Aging. There are provisions within Kenai
  Municipal Code that allow a certain number of non-residents as members of various
  boards and commissions. Note: Student Representatives to City Council will still be
  required to be residents of the City, which is the same requirement that applies to the
  Mayor and City Council Members.

KENAL

Page 1 of 2

#### CITY COUNCIL – 20.100 STUDENT REPRESENTATIVE

Effective Date: February 15, 2023
See Also: PRO-20.100; TSK-20.100
Last Approved Date: April 19, 2023
Approved by: City Council

#### POLICY – 20.100 Student Representative Policy

#### Purpose

The purpose of this policy is to provide an opportunity for student representation to the various governmental body of the City of Kenai. The policy provides an opportunity for students to develop and strengthen leadership skills by connecting with the various governmental bodies of the City of Kenai and assisting fellow students with having their voices heard.

#### Scope

The Student Representative is a vital channel of communication between the students and the governmental bodies of the City of Kenai and has a variety of important roles and responsibilities, including representing the views of students on matters of concern to students; as time allows, participation in other events attended by the governmental body; and increased student involvement in matters affecting students. The appointed student acts as a representative leader of the student body.

#### Policy

It is important to seek out and consider student ideas, viewpoints and reaction to City decisions and policies affecting students. In order to provide student input and involvement, the Kenai City Council may appoint a Student Representative and an Alternate Student Representative to the various governmental bodies of the City as it deems necessary.

#### **Qualifications of Student Representatives**

- 1. Must be a Junior or Senior in good standing at a school within the Kenai City Limits.
- 2. Residency Requirements are as follows:
  - a. City Council Student Representatives must reside within the Kenai City limits.
  - b. Student Representatives to the Council on Aging, Airport Commission, Harbor Commission, Parks and Recreation Commission, Planning and Zoning Commission or Beautification Committee may but are not required to reside within Kenai City limits.
- 3. Preference will be given to students who are active members of a School Leadership Group or the Student Council
- 4. Must obtain approval from the school administration and their parent or legal guardian.
- 5. If multiple applications are received for the same governmental body, the Mayor may select one applicant for appointment.

#### Requirements of Student Representatives

- 1. Attend and participate in all meetings and work sessions of the governmental body in which the student is appointed to while school is in session, unless excused by the Mayor or Mayors designee.
- 2. Act as a communication liaison between the governmental body and students by reporting to the students the activities of the governing body; and, providing information and feed back to the governing body on policies and issues affecting the students.
- 3. Conduct themselves in proper business etiquette when acting as a Student Representative.
- 4. Should have an interest in public service and utilize this appointment as a way to develop leadership skills.

**Commented [SS1]:** Purpose and Scope have been expanded to provide a broader idea of why Student Representation is important.

**Commented [SS2]:** Previously the Council Policy required students attend KCHS.

In 2020 the Parks and Recreation Commission did a very thorough review of their policy and amended it to allow students from other schools within the City.

**Commented [SS3]:** Qualifications for Student Reps to Council requires City residency (same as required for Council Members)

Qualifications for Student Reps to other bodies does not require City residency (same as required for those bodies)

**Commented [SS4]:** One of the primary purposes of a Student Rep is to be a communication liaison between the City Council and the students. Students who are part of the leadership groups from their schools will have a better ability to report to the students.

20.100 City Council Student Representative Policy

Page 1 of 2

#### **Limitations of Student Representatives**

- 1. Appointments are for 1-Year terms, beginning in early September of each year and ending in August of the following year.
- 2. May not move or second items during a meeting.
- 3. May cast advisory votes on all matters except those subject to executive session discussions; however, the advisory vote will not affect the outcome, the advisory vote will be recorded in the meeting minutes, and the student vote will be last in the roll call order.

ATTEST:	Brian Gabriel Sr., Mayor
Shellie Saner, MMC, City Clerk	

Student Representative Policies History: Action Approval 03/16/2005; Action Approval 09/01/2010; Resolutions 2018-03; 2020-61; and, 2023-XX

Commented [SS5]: Limiting the term to 1-year, will allow the students who apply to review the meeting schedule and any potential conflicts with their academic, athletic or personal schedules. It will also provide more students with the opportunity serve as students reps.

**Commented [SS6]:** This is a change, Council may be voting on very controversial items and allowing the student to vote last will reduce the pressure on the student, as well as provide a more clear role to observers that the vote is in fact advisory only and does not impact the outcome.

20.100 City Council Student Representative Policy

Page 2 of 2

#### **[CITY COUNCIL STUDENT REPRESENTATIVE POLICY. NOT NUMBERED.**

IT IS IMPORTANT TO SEEK OUT AND CONSIDER STUDENTS' IDEAS, VIEWPOINTS AND REACTIONS TO CITY DECISIONS AND POLICIES AFFECTING STUDENTS. IN ORDER TO PROVIDE STUDENT INPUT AND INVOLVEMENT, THE KENAI CITY COUNCIL MAY APPOINT A STUDENT REPRESENTATIVE AND AN ALTERNATE STUDENT REPRESENTATIVE AS IT DEEMS NECESSARY.

#### LIMITATIONS, QUALIFICATIONS AND REQUIREMENTS:

- 1. THE STUDENT MAY CAST ADVISORY VOTES ON ALL MATTERS EXCEPT THOSE SUBJECT TO EXECUTIVE SESSION DISCUSSION. ADVISORY VOTES SHALL BE CAST IN ROTATION WITH THE OFFICIAL COUNCIL VOTE AND SHALL NOT AFFECT THE OUTCOME OF THE VOTE. ADVISORY VOTES SHALL BE RECORDED IN THE MINUTES. STUDENT REPRESENTATIVES MAY NOT MOVE OR SECOND ITEMS DURING A COUNCIL MEETING.
- 2. THE STUDENT(S) SHALL BE RESIDENTS OF THE CITY OF KENAI.
- 3. THE STUDENT(S) SHALL BE A JUNIOR OR SENIOR IN GOOD STANDING AT KENAI CENTRAL HIGH SCHOOL.
- 4. THE STUDENT(S) SHALL BE ELECTED BY THE STUDENT COUNCIL OF KENAI CENTRAL HIGH SCHOOL AND SUBJECT OF APPROVAL OF THE KCHS ADMINISTRATION.
- 5. THE STUDENT(S) SHALL ATTEND ALL CITY COUNCIL MEETINGS AND WORK SESSIONS, UNLESS EXCUSED BY THE MAYOR. THE ALTERNATE SHALL ATTEND MEETINGS IN THE ABSENCE OF THE STUDENT REPRESENTATIVE.
- 6. THE STUDENT(S) SHOULD HAVE A LONG-TERM INTEREST IN PUBLIC SERVICE/
- 7. THE STUDENT(S) SHOULD GIVE FEEDBACK TO COUNCIL MEMBERS ABOUT POLICIES IMPACTING YOUNG PEOPLE.
- 8. THE STUDENT(S) SHOULD USE THIS OPPORTUNITY AS A WAY TO DEVELOP LEADERSHIP SKILLS.
- 9. THE STUDENT(S) WILL COMMUNICATE WITH STUDENT COUNCIL MEMBERS AT KENAI CENTRAL HIGH SCHOOL TO PROVIDE INFORMATION AND SEEK FEEDBACK FROM OTHER STUDENTS ON CITY ISSUES AFFECTING YOUNG PEOPLE AND COPIES OF ALL WRITTEN REPORTS REGARDING THEIR SERVICE BE PROVIDED TO THE KENAI CITY COUNCIL THROUGH THE CITY CLERK'S OFFICE.]

Action Approval Dates: 03/16/05; 09/01/2010

#### [PARKS AND RECREATION COMMISSION STUDENT REPRESENTATIVE POLICY. POLICY NO. 2018-01

#### **PURPOSE**

THE PURPOSE OF THIS POLICY IS TO PROVIDE FOR A STUDENT REPRESENTATIVE FOR THE PARKS AND RECREATION COMMISSION.

#### SCOPE

THIS POLICY APPLIES TO THE PARKS AND RECREATION COMMISSION AND ALL STUDENT REPRESENTATIVES APPOINTED TO THE PARKS AND RECREATION COMMISSION.

#### **POLICY**

It is important to seek out and consider students' ideas, viewpoints and reactions to Parks and Recreation decisions. In order to provide student input and involvement, the Mayor of the City of Kenai, may appoint a Student Representative to the Parks and Recreation Commission and the Student Representative may participate in the Parks and Recreation Commission meetings pursuant to the following:

1. LIMITATIONS, QUALIFICATIONS, AND REQUIREMENTS:

- A. THE STUDENT MAY CAST ADVISORY VOTES ON ALL MATTERS EXCEPT THOSE SUBJECT TO EXECUTIVE SESSION DISCUSSION. ADVISORY VOTES SHALL BE CAST IN ROTATION WITH THE OFFICIAL COMMISSION VOTE AND SHALL NOT AFFECT THE OUTCOME OF A VOTE. ADVISORY VOTES SHALL BE RECORDED IN THE MEETING SUMMARIES. STUDENT REPRESENTATIVES MAY NOT MOVE OR SECOND ITEMS DURING A COMMISSION MEETING.
- B. THE STUDENT SHALL BE A KENAI RESIDENT AND A JUNIOR OR SENIOR IN GOOD STANDING WITH THE SCHOOL ADMINISTRATION.
- C. THE STUDENT SHALL BE APPROVED BY SCHOOL ADMINISTRATION; IF MULTIPLE APPLICATIONS ARE RECEIVED, THE MAYOR MAY SELECT AN APPLICANT FOR APPOINTMENT.
- D. THE STUDENT SHALL ATTEND ALL PARKS AND RECREATION COMMISSION MEETINGS AND WORK SESSIONS, UNLESS EXCUSED BY THE PARKS AND RECREATION DIRECTOR.
- E. THE STUDENT SHOULD HAVE AN INTEREST IN PUBLIC SERVICE.
- F. THE STUDENT SHOULD USE THIS OPPORTUNITY AS A WAY TO DEVELOP LEADERSHIP SKILLS.
- G. THE STUDENT WILL COMMUNICATE WITH OTHER STUDENTS TO PROVIDE INFORMATION AND SEEK FEEDBACK FROM OTHER STUDENTS ON PARKS AND RECREATION ISSUES AFFECTING YOUNG PEOPLE.]

Policy History: Resolution No.'s 2018-03; 2020-61



## **MEMORANDUM**

**TO:** Chair Feeken and Airport Commission Members

FROM: Shellie Saner, City Clerk

**DATE:** February 21, 2023

SUBJECT: Recommending City Council Approval of Amendments to the City

**Council Procedures for Commissions Committees and Council on** 

Aging Policy No. 2016-01

City Council Policy No. 2016-01 was originally adopted in 2014, since adoption the policy has been amended on multiple occasions with the last amendments made in 2019.

The proposed amendments to the policy have been forwarded for recommendation from your commission. Your commission may recommend adoption of the proposed amendment or fail to recommend adoption of the proposed amendments. In addition, your commission may propose additional amendments. Below is an outline of the amendments as currently proposed:

- The scope of the policy has been expanded to include references to code sections that area applicable to each commission.
- The amendment to paragraph 3.b. at the request of the Airport Manager would move Airport Commission meetings from City Hall Council Chambers to the Conference Room of the Kenai Municipal Airport terminal building.
- The amendment to paragraph 3.c. would remove the specific times for each commission meeting from the policy. Meetings schedules and times would still require Council approval.
- The amendments to paragraph 3.e. will include rescheduling meetings for the occasion when a meeting may be rescheduled instead of cancelled.
- The amendment to paragraph 4.b. would change the type of minutes kept for commissions from Summary minutes to Action minutes. Action minutes capture what was done, not what was said. When acting as an advisory body recommendation that were acted on and approved by the majority of the body are the ones that should be forwarded and considered by the City Council. *Exception:* Summary minutes will be produced for the Planning and Zoning Commission when they are acting on quasi-judicial items.
- The amendments to paragraph 6.b. clarify that actions of the commission must be relevant to the authority of the commission.
- Newly inserted paragraph j. clarifies the role of commissioners and that they may only speak on behalf of the commission when authorized to do so by a majority vote of the commission.
- The amendments to Section 7 expand and clarify the role of the Council Liaison as well as the role of a Council Member when attending a meeting as a sponsor to a legislative item.

**X** KENAI

Page 1 of 4

## CITY COUNCIL – <u>20.020</u> [2016-01] COMMISSIONS, COMMITTEES AND COUNCIL ON AGING PROCEDURES

Effective Date: March 5, 2014

Last Approved Date: April 19, 2023

See Also: PRO-20.020 TSK-20.020

Approved by: City Council

#### POLICY – 20.020 Commissions, Committees and Council on Aging Procedures

#### Purpose

The purpose of this policy is to establish procedures, other than those provided in KMC 1.90, for Commissions, Committees and Council on Aging.

#### Scope

This policy applies to all advisory bodies appointed by the City Council. <u>In addition to this policy the following Kenai Municipal Code (KMC) provisions are applicable:</u>

Airport Commission is also regulated by KMC 21.20

Harbor Commission is also regulated by KMC 11.10

Parks and Recreation Commission is also regulated by KMC 19.05

[THE] Planning and Zoning Commission is also regulated by KMC 14.05.

#### **Policy**

#### 1. Appointment and Reappointments

- a. An application for consideration of appointment or reappointment to a Commission, Committee or Council on Aging must be submitted to the City Clerk.
- b. The Mayor nominates an applicant for appointment or reappointment and by motion, the City Council confirms.

#### 2. Establishing Subcommittees

 a. A subcommittee of a commission or committee may be established for a specific function upon approval of Council.

#### 3. Meeting Schedules

a. Commission, Committee and Council on Aging meeting schedule is as follows:

Commission / Committee / Council on Aging	Meeting Schedule	Scheduled Meeting Days Second Thursday of the month					
Airport Commission	Monthly						
Beautification	Meetings held January, April, May, September and October	Second Tuesday of the month					
Council on Aging	Monthly	Second Thursday of the month					
Harbor Commission	Meetings held February, March, April, May, June, August, September and November	First Monday after first Council meeting of the month					
Library Commission (Suspended as of 2015, Ordinance No. 2815-2015)							

**Commented [SS1]:** The scope was expanded to reference the code sections that exist and are applicable to certain commissions.

There are no code provisions for the Beautification

Parks & Recreation Commission	Monthly, except for July	First Thursday of the month		
Planning & Zoning Commission	Twice monthly	Second & fourth Wednesday		

- b. All regular meetings will be held in the Kenai City Hall Council Chambers with the exception of the Council on Aging who shall meet at the Senior Center and the Airport Commission who shall meet in the Conference Room of the Kenai Municipal Airport terminal building, unless offsite arrangements are approved by the Clerk. Exceptions for subcommittee meetings may be made with the advance notice of the City Clerk.
- c. [REGULARLY SCHEDULED MEETINGS SHALL BEGIN AT 7:00 P.M. UNLESS OTHERWISE APPROVED BY COUNCIL VIA MOTION, WITH THE EXCEPTION OF THE COUNCIL ON AGING, WHICH BEGINS AT 4:30 P.M.] Regularly scheduled meeting times will be approved by Council.
- d. Commissions, Committees and Council on Aging may, with the City Clerk's approval and notification to Council and the City Manager, hold special meetings (for a specific purpose) on an as-needed basis.
- e. Commissions, Committees and Council on Aging meetings may be cancelled or rescheduled by the City Clerk, with notification to Council and the City Manager, if cancellation or rescheduling is warranted, i.e. lack of agenda items, pre-knowledge of lack of a quorum, etc.
- f. Any additional commissions or committees established will be set and incorporated into the meeting schedule by the City Council.

#### 4. Minutes & Meeting Recordings

- a. With exception of the Planning & Zoning Commission, taking notes and electronically recording meetings shall be the responsibility of department liaison to the specific meeting body. The Clerk's Office shall take notes and record the meeting for the Planning and Zoning Commission.
- b. [SUMMARY] Action minutes will be produced by the Clerk's Office from the department liaisons notes and provided to the City Council as official records of the meetings. Summary minutes will be produced by the Clerk's Office for Planning and Zoning Commission items when the item is quasi-judicial.
- c. Regularly scheduled meetings shall be electronically recorded and with the exception of Planning & Zoning Commission, shall be kept for two years.
- d. Planning & Zoning Commission meeting recordings shall be kept for 6 years.

#### 5. Work Sessions

- a. Work sessions may not be held without the approval of the City Clerk unless they occur on the night of and at the time of a regularly scheduled advertised meeting. Notification of scheduled work session shall be provided to City Council and the City Manager. Work session may be requested by Council, the liaison or Chair of the body.
- b. During work sessions, only items on the work session agenda may be discussed and no formal actions may be taken.
- c. At a minimum, work sessions shall be posted on the Official City Bulletin Board in Kenai City Hall and on the city website at least five days prior to the meeting.

#### 6. Basic Meeting Information

**Commented [SS2]:** This proposed amendment was requested by the Airport Manager.

**Commented [SS3]:** The information in the current policy is incorrect. Removing the specific times from the policy; however, establishing that changes in the times are approved by Council will eliminate the possibility of this policy having incorrect information in it.

**Commented [SS4]:** There are occasions when meetings are not cancelled, just rescheduled. Including "or rescheduled" would include steps already being taken.

**Commented [SS5]:** Roberts Rules of Order establishes that minutes capture what was done, not what was said.

When acting as an advisory body, the opinions and recommendations that were acted on and approved by the majority or disapproved by the majority, are the recommendations that should be considered by the Council.

It is my recommendation when acting in an advisory capacity the minutes kept be "Action Minutes", not summary minutes.

When acting in a quasi-judicial role, summary minutes will be taken; however, it would be in the best interest in quasi-judicial hearings to also clearly adopt findings that support their decisions.

20.020 Commissions, Committees and Council on Aging Procedures

Page 2 of 4

- a. All meetings shall be open to the public.
- b. At a minimum, meeting notices shall be posted on the Official City Bulletin Board in Kenai City Hall and on the city website at least five days prior to the meeting.
- c. Meeting agendas shall be established by the Chair and the department liaison and shall be relevant to the authority of the board, commission or committee as designated within the bylaws or Kenai Municipal Code. Items requiring Committee, Commission or Council on Aging action under applicable municipal code prior to final action by the Council, as distinguished from advisory recommendations, will be referred to the respective body prior to any final Council action. The City Council, by motion, may refer any other item to be placed on an agenda seeking a recommendation from the respective Committee, Commission, or Council on Aging.
- d. The department liaison shall submit items for the agenda and supporting documentation to the Clerk's Office one week prior to a meeting, no later than 2:00 p.m. The Clerk's Office will compile meeting material and distribute. The Planning & Zoning Commission is exempt from this requirement as the Planning Department advertises, compiles meeting material and distributes for its commission.
- e. Rules of Order: Pursuant to KMC 1.15.120(b) and KMC 1.90.050(c), in all matters of parliamentary procedure, Robert's Rules of Order, as revised shall be applicable and govern all meetings, except as specified in KMC 1.15.060 (Motions), KMC 1.15.100 (Speaking), and KMC 1.15.110 (Voting).
- f. Quorum: No meeting may proceed in the absence of a quorum, i.e. a quorum is more than one-half of the board/commission (quorum of the whole).
- g. Motion: Pursuant to KMC 1.15.060(k), all motions require a second. A majority of votes is required to pass a motion.
- h. Speaking: In a meeting, members should be recognized by the Chair before speaking.
- When is it a Meeting: If any public business is discussed collectively by four or a majority of members of one body.
- <u>Representation of the body</u>: Members of a City of Kenai Board, Commission, Committee or Council on Aging may only speak on behalf of the body when approved to do so by a majority vote of the body; at which time their basic responsibility is to carry out the body's directives identified within motion as approved.

#### 7. Council Participation

- a. Any Council Member may attend a meeting or work session of any Commission, Committee or the Council
  on Aging; however, no more than three Council Members may attend any one meeting without additional
  public notice.
- b. Only the Council Liaison to the respective, Commission, Committee or Council on Aging may speak on behalf of the Council\_if approved to do so by a majority vote of the City Council. [PARTICIPATION BY COUNCIL MEMBERS AT COMMISSION, COMMITTEE OR COUNCIL ON AGING MEETINGS SHOULD BE LIMITED TO INTRODUCTION OF LEGISLATION BY ONE COUNCIL LEGISLATIVE SPONSOR. PARTICIPATION BY ANY OTHER COUNCIL MEMBERS, WRITTEN OR ORAL, IS DISCOURAGED.] Participation of the Liaison at Commission, Committee and Council on Aging meetings is limited to updating the body on the actions of the Council and reporting back to the Council the actions of the Commission, Committee or Council on Aging. The Liaison is a non-voting member and does not participate in the debate of an advisory body.
- c. Participation by Council Members other than the Liaison should be limited to **ONE** Council Member who is a sponsor of a legislative item to be considered for recommendation from the advisory body. The

Commented [SS6]: It is important to keep the City of Kenai bodies and staff on task, including this in the policy ensures that body is acting on matters that the City Council has given them authority to act on.

Commented [SS7]: This addition is important in establishing each members role to the body they have been appointed to; if speaking on behalf of the body, a member must receive direction from a majority of the body to do so.

This would not prevent a member from providing comments on a subject to the council as an individual, they would just need to make it clear they are speaking as an individual and do not represent the opinions of the body they serve on.

**Commented [SS8]:** More than three would be a quorum, and a violation of the State of Alaska Open meetings act.

**Commented [SS9]:** Neither Council Liaison or a Council Member who sponsored a legislative item should influence the direction in which an advisory body is going to advise.

The Council members (Liaison or legislative sponsor) will have the opportunity to debate the issue when it is before the City Council.

 $20.020 \ \text{Commissions}, \ \text{Committees} \ \text{and} \ \text{Council} \ \text{on} \ \text{Aging Procedures}$ 

Page 3 of 4

sponsors participation should be limited to three-minute testimony and answering questions from the body, the sponsor of the legislation will not participate in debate of the advisory body. When speaking to the advisory body as the legislate sponsor the following additional rules apply:

- i. The legislative sponsor will not testify from the Dais, testimony from the sponsor shall be made from the area designated for public comment.
- ii. If the legislative sponsor is the Liaison to the advisory body, the legislative sponsor will remove themselves from the dais and seat themselves in the public area of the chambers. The legislative sponsor will remain in the public seating area during the discussion, debate and voting on the legislative item in which they sponsored.
- b. Exception: Council Members may fully participate in any joint work session or other meeting with a Commission, Committee, or the Council on Aging when it has been noticed that the City Council will be in attendance, or there has been a specific delegation of authority by the Council for a member(s) to represent the Council.

	Brian Gabriel Sr., Mayor			
ATTEST:				
Shellie Saner, MMC, City Clerk				
Policy History: Action Approval on 08-04-2004; R2017-24; R2018-19; 20 Note: Between 2004 and 2017 other amendments to the policy were ma	· ·			

20.020 Commissions, Committees and Council on Aging Procedures



## "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**: January 19, 2023

**Subject:** Pacific Star Seafoods, Inc. – Special Use Permit

Pacific Star Seafoods, Inc. is requesting a Special Use Permit for 15,000 square feet for aircraft loading and parking related to fish haul operations.

The Special Use Application has been received and the \$100 application fee paid.

The Special Use Permit is effective June 1, 2023 through July 31, 2023.

Does Commission recommend Council approve the Special Use Permit to Pacific Star Seafoods, Inc.?

**Attachments** 

#### **SPECIAL USE PERMIT 2023**

The CITY OF KENAI (City) grants to PACIFIC STAR SEAFOODS, INC. (Permittee), whose address is 672 Bridge Access, Kenai, Alaska 99611, a Special Use Permit for the purpose of on or off-loading fish 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 15,000 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 two months commencing on June 1, 2023, and ending on July 31, 2023. Regardless of the date of signature, this Permit shall be effective as of June 1, 2023.
- **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:

    June \$1,587.50

    July Per fee schedule adopted in FY24 Budget
  - **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).

Special Use Permit—Pacific Star Seafoods, Inc. (fish haul)

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

On or off-loading fish. **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 peroccurrence 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 June 1, 2023. The effective date of the insurance shall be no later than June 1, 2023.

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

Special Use Permit—Pacific Star Seafoods, Inc. (fish haul)

Page 5 of 9

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 <u>State</u>, <u>Department of Natural Resources</u>, <u>Division of Forestry</u>, and where the context reasonably indicates, its officers, agents, and employees. "Airport" means the Kenai Municipal Airport.

## **CITY OF KENAI**

## PACIFIC STAR SEAFOODS, INC.

By:		By:
Terry Eubank	Date	Nate Berga
A	ACKNOWI	LEDGMENTS
STATE OF ALASKA	) ) ss.	
THIRD JUDICIAL DISTRICT	)	
	efore me b	day of, 2023, the foregoing by Terry Eubank, City Manager, of the City of behalf of the City.
		N . D III C AI I
		Notary Public for Alaska My Commission Expires:
STATE OF ALASKA	) ) ss.	
THIRD JUDICIAL DISTRICT	)	
	before me	day of, 2023, the foregoing by Nate Berga, Plant Manager, Pacific Star ska.
		Notary Public for Alaska My Commission Expires:

APPROVED AS TO FORM:

Special Use Permit—Pacific Star Seafoods, Inc. (fish haul)

Page 8 of 9

Scott M. Bloom, City Attorney





## "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 to Airport Manager

**Date:** March 2, 2023

Subject: Special Use Permit – The Fishing Grounds, LLC

Attached for your discussion and consideration is a request from Rebecca Boettcher with The Fishing Grounds LLC, to operate a snack./gift shop inside the terminal building, suite 120. This glass space consists of approximately 341 square feet.

Ms. Boettcher is proposing to pay 15% commission based on monthly gross sales, plus applicable sales tax.

It is my recommendation to allow Ms. Boettcher to enter into a Special Use Permit. The Special Use Permit would be for one year commencing May 1, 2023, and ending on April 3, 2024.

Does Commission recommend Council approve the Special Use Permit to The Fishing Grounds LLC.?

Attachments

#### **SPECIAL USE PERMIT 2023**

The CITY OF KENAI (City) grants to Rebecca Boettcher with <u>The Fishing Grounds</u>, <u>LLC</u> (Permittee), whose address is <u>48585 Wendy Ln</u>, <u>Soldotna</u>, <u>AK 99669</u> a Special Use Permit (Permit) for a snack/gift shop inside the Kenai Municipal Airport terminal building subject to the requirements and the conditions set forth below.

- **1. Premises.** Permittee shall have the exclusive right to use suite 120, the area described in the attached diagram (Exhibit A) for the uses identified in this Permit.
- **2. Term.** The term of this Permit shall be for four months commencing on May 1, 2023 and ending on April 30, 2024. Regardless of the date of signature, this Permit shall be effective as of May 1, 2023.
- **3. Permit Fees.** Permittee shall pay the following fees for the privileges extended to Permittee under this Permit: In-terminal Concession Certified Activity Report attached. (Exhibit B)

Permittee shall pay fifteen (15) percent of gross sales, plus applicable sales tax.

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. Failure to timely make the payment is grounds for termination of this Permit.

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

Office space, Suite 120, consisting of approximately 341 square feet, located on the first floor, terminal building, Kenai Municipal Airport, and as more particularly set forth on Exhibit A to this Permit (the Premises).

Permittee is authorized to use the Premises for the following purposes only:

Snack/gift shop

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:

Special Use Permit - (Office Space Suite 120)

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.

- 5. Airport Operations. Permittee shall ensure that the Permittee, its employees, their 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. 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 peroccurrence 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

Special Use Permit - (Office Space Suite 120)

Page 2 of 7

#### 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, 2023. The effective date of the insurance shall be no later than May 1, 2023.

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.

- **9. 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.
- **10. Indemnity, Defend, and Hold Harmless Agreement.** Permittee agrees to fully indemnify, defend, and hold harmless, the City of Kenai, its officers, agents, employees, Special Use Permit (Office Space Suite 120)

  Page 3 of 7

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.

- 11. 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.
- **12. 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.
- 13. 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.
- **14. 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.
- **15. Assignment.** The privileges granted under this Permit are personal to Permittee and may not be assigned by Permittee.
- **16. 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.

- 17. 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.
- 18. 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 per day. The City is not responsible for any damage to or theft of any personalty of Permittee or of its customers.
- 19. Termination; Default. This Permit may be terminated by either party hereto by giving fourteen (14) days advance written notice to the other party. City may terminate the Permit immediately, or upon notice shorter than fourteen (14) days, to protect public health and safety or due to a failure of Permittee to comply with conditions or terms 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.
- **20. Definitions.** As used in this Permit, "Permittee" means <u>Rebecca Boettcher with The Fishing Grounds, LLC</u>, and where the context reasonably indicates, its officers, agents, and employees. "Airport" means the Kenai Municipal Airport.
- **18. Janitorial and Cleaning Services.** Permittee will provide, at its own expense, the day-to-day janitorial cleaning services and supplies necessary to maintain the premises in a clean, neat, and sanitary condition.
- **19. Security**. Permittee will adhere to all applicable responsibilities of the federal airport security program set out in Federal Aviation Regulations Part 107 and the Airport Master Security Program. Permittee will procure any required identification badges should it be necessary to access the premises or Permittee's operations authorized under this Permit.
- **20. Smoking**. Neither the Permittee employees, nor customers may smoke in or around the terminal except in designated smoking areas.
- 21. Employee Parking. Employees may use non-exclusive employee vehicle parking spaces at no charge. All employees must register their vehicle(s) in the Airport Manager's office to receive a vehicle-parking permit to park while on the job. Permittee shall be held accountable for Permittee's employees' use of designated vehicle parking facilities and assure that employees comply with all Airport directives.

Special Use Permit - (Office Space Suite 120)

**22. Signs**. Permittee may, after consent by the Airport Manager, install signs at its premises identifying its business. Permittee will request the Airport Manager's advance written approval before installation of any signage.

		CITY OF KENAI	
	Ву:	Terry Eubank	Date
		REBECCA BOETTCHER, FISHING GROUNDS, LLC	ТНЕ
	By:	Rebecca Boettcher	Date
STATE OF ALASKA )  THIRD JUDICIAL DISTRICT )	ss.		
THIS IS TO CERTIFY that on thi instrument was acknowledged before Kenai, an Alaska municipal corporation	re me by T	Terry Eubank, City Manager, of the	-
		Notary Public for Alaska My Commission Expires:	
STATE OF ALASKA ) THIRD JUDICIAL DISTRICT )	SS.		
THIS IS TO CERTIFY that on this instrument was acknowledged before Grounds, LLC.			
Special Use Permit - (Office Space S	Suite 120)	Pag	 ge 6 of 7

pproved as to form:	Notary Public for Alaska My Commission Expires:
Scott Bloom City Attorney	



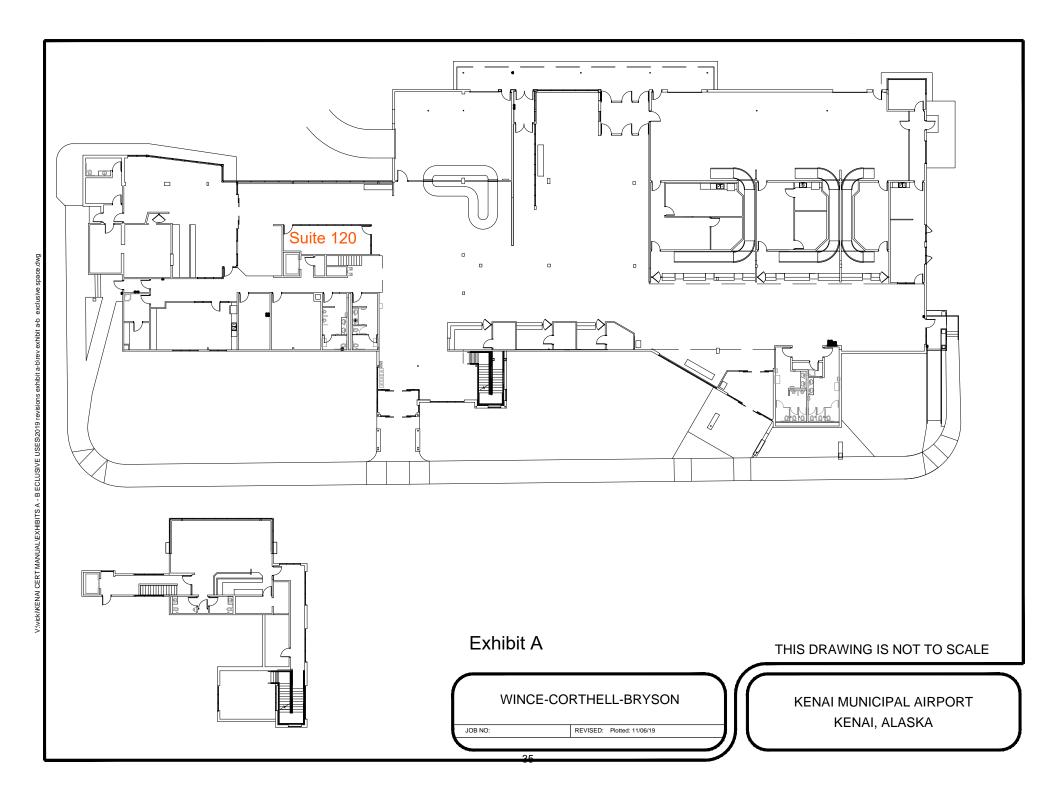
☐ Airport Fund

☐ Outside Airport Reserve

## City of Kenai Special Use Permit Application

KENA	1,				Applica	tion Date:	1130/2023	
Applicant Information								
Name of Applicant: Rebecca Boettcher								
Mailing Address:								Zip Code: 99669
Phone Number(s):	Home Pho	ne: (907) 36	0-723	2	Work/ Message	Phone:		,,,,,,
E-mail: (Optional)								
Name to Appear on	Permit:	the F	ishing	Gr	ounds. Lkc	n 		
Mailing Address:	Same			City:		State:		Zip Code:
Phone Number(s):	Home Pho	ne: ( )	same		Work/ Message	Phone:	( )	
E-mail: (Optional)	Sa	me	***		181.1	41.		100
Type of Applicant:	1	l (at least 18 y iability Compa	_	e)	☐ Partnership	□ Corp	oration 🗆 (	Government
<b>对战事和政治</b>			Property	Infor	mation			M. P. Carlotte
Description of the proposed business or activity intended: Snack / Gift Shop and Proposed Menu								
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?  Would the use under this permit interfere with other businesses through excessive noise,								
odor, or other nuisances?  If you answered yes to any of the above questions, please explain:  I plan on getting an espresso cart, though I will probably start with drip coffee and a selection of grabingo snacks from local!  Alaska wholesalers, in addition to Alaska-made gifts.								
What is the term requested (not to exceed one year)?								
Requested Starting Date:								
Signature:	Rober	K-Bole		I	Date:	1/30	123	
Print Name:	Rebecca	K-Boxte	her		Title:			
For City Use Only:  ☐ General Fund ☐ Airport Reserve Land ☐ City Council Action/Resolution: ☐ Date Application Fee Received: ☐ City Council Action/Resolution:								

Account Number:



#### Kenai Municipal Airport IN-TERMINAL CONCESSION CERTIFIED ACTIVITY REPORT

For the Month of	, 20_	<del></del> :	Date pre	pared
Monthly Sales:			\$_	
The Concessionaire	will pay the City of	f Kenai the p	ercentage	fee (20%):
Monthly Gross Sale	<u>s:</u> \$	_ x 15% =	\$	\$
0				
Subtotal:				\$
<b>Sales Tax:</b> (6% or \$3	0 whichever is less)			\$
Total Amount Due:	Must be paid by the	15th of the mor	nth)	\$
Remit	to: City of Kena 210 Fidalgo Kenai, AK 99	Ave.		
Other Information:				
Gross Sales Attribut	ed to a DBE:		\$	
Certification:				
I hereby certify that the business:	e above is a true s	statement fro	om the reco	rds of the following
Business:				The second secon
Address:				
Cianatura				
Signature:		**************************************	e a programmy angus anny as angus	
Phone No.:				



# Kenai City Council - Regular Meeting February 15, 2023 — 6:00 PM Kenai City Council Chambers 210 Fidalgo Avenue, Kenai, Alaska

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

www.kenai.city

## **Action Agenda**

### Work Session - Review of Council Adopted Policies 3:30 p.m. - 5:30 p.m.

#### A. CALL TO ORDER

- 1. Pledge of Allegiance
- 2. Roll Call
- 3. Agenda Approval
- 4. Consent Agenda (Public comments 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. <u>SCHEDULED PUBLIC COMMENTS</u> (Public comments limited to ten (10) minutes per speaker)
  - 1. Kenai Permanent Fund Annual Review, 2022 Financial Performance, Financial Projections and Recommended 2023 Asset Allocations for the City's Permanent Fund, Brandi Niclai and Bill Lierman, from Alaska Permanent Capital Management.
  - 2. Project Homeless Connect 2023 Report, Jodi Stuart, Project Homeless Connect Publicity Chair.
- **C.** <u>UNSCHEDULED PUBLIC COMMENTS</u> (Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated)

#### D. PUBLIC HEARINGS

- ENACTED UNANIMOUSLY. Ordinance No. 3335-2023 Increasing Estimated Revenues and Appropriations in the Airport Fund Fiscal Year 2023 Budget for Utility Costs Associated with the Alaska Regional Fire Training Center. (Administration)
- 2. **ADOPTED UNANIMOUSLY. Resolution No. 2023-06** Authorizing the City Manager to Accept a Donation, on Behalf of the City, of Property Described as Lot 4, Block 8 of the Original Townsite of Kenai, Kenai, Alaska from the Trust Agreement of Thelma M. Bagoy, for a Public Purpose and Determining that the Public Interest will Not be Served by an Appraisal. (Administration)
- 3. **ADOPTED UNANIMOUSLY. Resolution No. 2023-07** Designating the Investment and Allocation Plan for the City's Permanent Funds and Establishing Appropriate Benchmarks to Measure Performance for Calendar Year 2023. (Administration)

- 4. **ADOPTED UNANIMOUSLY. Resolution No. 2023-08** Repealing City Council Adopted Policy 2018-02 Procedures for Including Contingency Funding in Contracts. (Administration)
- 5. **ADOPTED UNANIMOUSLY. Resolution No. 2023-09** Renumbering Kenai City Council Travel Policy No. 2014-02 to Policy No. 20.200. (City Clerk)
- 6. **ADOPTED UNANIMOUSLY AS AMENDED.** Resolution No. 2023-10 Renumbering Kenai City Council Public Recognition Policy No. 2014-01 to Policy No. 20.210. (City Clerk)
- 7. **ADOPTED UNANIMOUSLY. Resolution No. 2023-11** Amending the City Council Agenda and Packet Preparation, Distribution and Publication Policy No. 2019-01 and Renumbering to Policy No. 20.000. (City Clerk)
- 8. **ADOPTED UNANIMOUSLY. Resolution No. 2023-12** Amending the City Council Procedures for Recording City Council Meetings and Work Sessions Policy No. 2017-03 and Renumbering to Policy No. 20.010. (City Clerk)
- 9. **ADOPTED UNANIMOUSLY AS AMENDED.** Resolution No. 2023-13 Repealing the Unnumbered City Council Electronic Devices During Meetings of the Council Policy and Adopting City Council Policy No. 20.110 Use of Electronic Devices During Meetings. (Gabriel, Baisden, Knackstedt)
- ADOPTED UNANIMOUSLY. Resolution No. 2023-14 Amending the City Council Mobile Device Use and Management Policy No. 2017-01 and Renumbering to Policy No. 20.120. (City Clerk)
- 11. **POSTPONED UNTIL 3/15/2023. Resolution No. 2023-15** Amending the City Council Selecting and Appointing a Qualified Person or Persons to Fill Vacancies on the City Council Policy No. 2021-01 and Renumbering and Renaming to City Council Policy No. 20.220 Filling Council Vacancies by Appointment. (City Clerk)

#### E. MINUTES

1. \*Regular Meeting of February 1, 2023. (City Clerk)

#### F. UNFINISHED BUSINESS

#### **G. NEW BUSINESS**

- 1. \*Action/Approval Bills to be Ratified. (Administration)
- \*Action/Approval Approval of the First Extension to the Agreement with Redline Sports for Management Services at the Kenai Multi-Purpose Facility. (Administration)
- 3. \*Ordinance No. 3336-2023 Accepting and Appropriating an American Rescue Plan Act Grant Passed through the State of Alaska Department of Health and Social Services for Kenai Senior Center Expenditures in Support of its Response to the COVID-19 Public Health Emergency. (Administration)
- 4. \*Ordinance No. 3337-2023 Accepting and Appropriating an Increase from the Kenai Peninsula Borough for the Senior Citizen Program Grant. (Administration)

#### H. COMMISSION / COMMITTEE REPORTS

- Council on Aging
- 2. Airport Commission
- 3. Harbor Commission

- 4. Parks and Recreation Commission
- 5. Planning and Zoning Commission
- 6. Beautification Committee

#### I. REPORT OF THE MAYOR

#### J. ADMINISTRATION REPORTS

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

#### K. ADDITIONAL PUBLIC COMMENTS

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

#### L. EXECUTIVE SESSION

#### M. PENDING ITEMS

 Ordinance No. 3332-2023 - Amending Kenai Municipal Code Section 3.10.070-Livestock within the City Limits, to Allow a Maximum of Twelve (12) Chicken Hens to be Kept on Certain Lots Less than 40,000 Square Feet within the City of Kenai. (Douthit and Winger)

[01/04/23 Introduced by Council; Referred for recommendation to the 01/25/23 Planning and Zoning Commission Meeting; First Public Hearing by Council Scheduled for 02/01/23; 02/01/23 Referred to the Planning & Zoning Commission for a Work Session; Second City Council Public Hearing Scheduled for March 1, 2023.]

#### N. ADJOURNMENT

#### O. INFORMATION ITEMS

The agenda and supporting documents are posted on the City's website at <a href="www.kenai.city">www.kenai.city</a>. 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/85487897501 Dial In: (253) 215-8782 or (301) 715-8592

Meeting ID: 854 8789 7501 Passcode: 397933 Meeting ID: 854 8789 7501 Passcode: 397933

OR



## Kenai City Council - Regular Meeting March 01, 2023 — 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 comments 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. <u>SCHEDULED PUBLIC COMMENTS</u> (Public comments limited to ten (10) minutes per speaker)
  - 1. Rasmussen Foundation/State of Alaska Broadband Access and Digital Equity Across Alaska, Associate Emily Pape, MMP of Kallander & Associates.
- **C.** <u>UNSCHEDULED PUBLIC COMMENTS</u> (Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated)

#### D. PUBLIC HEARINGS

- 1. **ENACTED UNANIMOUSLY. Ordinance No. 3336-2023** Accepting and Appropriating an American Rescue Plan Act Grant Passed through the State of Alaska Department of Health and Social Services for Kenai Senior Center Expenditures in Support of its Response to the COVID-19 Public Health Emergency. (Administration)
- 2. **ENACTED UNANIMOUSLY. Ordinance No. 3337-2023** Accepting and Appropriating an Increase from the Kenai Peninsula Borough for the Senior Citizen Program Grant. (Administration)
- 3. **ADOPTED UNANIMOUSLY. Resolution No. 2023-16** Amending the Employee Classification Plan by Removing the Data Entry Clerk, Consolidating the Meals Driver and Driver Classes, and Adjusting the Ranges of Driver, Kitchen Assistant, and Cook Positions at the Kenai Senior Center. (Administration)
- 4. **ADOPTED UNANIMOUSLY. Resolution No. 2023-17** Authorizing the Use of the Fleet Replacement Fund for the Purchase of Equipment to Upfit Four New Police Vehicles and Authorizing the Sole Source Purchase of a Portion of the Items from Alaska Safety Inc. Utilizing the Contract of Another Government Agency in which the City is Authorized to Participate. (Administration)

- 5. **ADOPTED UNANIMOUSLY. Resolution No. 2023-18** Renumbering Kenai City Council Supervisory Sub-Committee Policy No. 2017-02 to Policy No. 20.230. (City Clerk)
- 6. **ADOPTED UNANIMOUSLY. Resolution No. 2023-19** Authorizing the Purchase of Real Property Described as Lots 8 and 9, Block 19, of the Original Townsite of Kenai, According to US Survey 2970B, Record of the Kenai Recording District, Third Judicial District, State of Alaska, and Designated as Kenai Peninsula Borough Parcel Number 04710308 from Billy McCann Et Al. and Glenda Sterling, for the Public Purpose of Including the Property in the Bluff Erosion Restoration Project and Determining that the Public Interest Will Not Be Served by an Appraisal. (Administration)
- 7. **ADOPTED UNANIMOUSLY. Resolution No. 2023-20** Authorizing a Budget Transfer in the Visitor Center Improvement Capital Project Fund and Authorizing a Contract Award and Corresponding Purchase Order for the Visitor Center Roof Replacement Project. (Administration)
- 8. **ADOPTED UNANIMOUSLY. Resolution No. 2023-21** Authorizing a Contract Award and Corresponding Purchase Order for the Green Strip Playground Equipment Project. (Administration)

#### E. MINUTES

1. \*Regular Meeting of February 15, 2023. (City Clerk)

#### F. <u>UNFINISHED BUSINESS</u>

1. **ENACTED UNANIMOUSLY AS AMENDED.** Ordinance No. 3332-2023 - Amending Kenai Municipal Code Section 3.10.070-Livestock within the City Limits, to Allow a Maximum of Twelve (12) Chicken Hens to be Kept on Certain Lots Less than 40,000 Square Feet within the City of Kenai. (Douthit and Winger)

[01/04/23 Introduced by Council; Referred for recommendation to the 01/25/23 Planning and Zoning Commission Meeting; First Public Hearing by Council Scheduled for 02/01/23; 02/01/23 Referred to the Planning & Zoning Commission for a Work Session; Second City Council Public Hearing Scheduled for March 1, 2023.]

#### G. **NEW BUSINESS**

- 1. \*Action/Approval Bills to be Ratified. (Administration)
- \*Action/Approval Non-Objection to the Renewal of a Retail Marijuana Store License for Cook Inlet Cannabis Co., DBA: East Rip - License No. 13382. (City Clerk)
- \*Action/Approval Non-Objection to the Renewal of a Marijuana Product Manufacturing Facility License for Herban Extracts LLC., DBA: Herban Extracts LLC. - License No. 14432. (City Clerk)
- 4. \*Action/Approval Non-Objection to the Renewal of a Retail Marijuana Store License for KRC LLC., DBA: Kenai River Cannabis. License No. 17808. (City Clerk)
- \*Action/Approval Non-Objection to the Renewal of a Retail Marijuana Store License and a Standard Marijuana Cultivation License for Majestic Gardens LLC., DBA: Majestic Gardens LLC. - License No.'s 15393 and 15395. (City Clerk)
- 6. \*Action/Approval Non-Objection to the Renewal of a Beverage Dispensary Liquor License for D & E Investments Inc., DBA: The Bow License No. 1312. (City Clerk)

- \*Action/Approval Non-Objection to the Transfer of Ownership of a Beverage Dispensary Liquor License and Restaurant Designation Permit for Solitaire LLC., DBA: Pizza Paradisos -License No. 3032. (City Clerk)
- 8. \*Ordinance No. 3338-2023 Amending Kenai Municipal Code Chapter 1.15 Rules of Order, to Allow Approval of the Agenda and Consent Agenda in One Motion, Remove Sections that May Conflict with the State of Alaska Open Meetings Act, and Remove any Rules that are Standard Rules as Established in Roberts Rules of Order. (City Clerk)

#### H. COMMISSION / COMMITTEE REPORTS

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

#### I. REPORT OF THE MAYOR

#### J. <u>ADMINISTRATION REPORTS</u>

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

#### K. ADDITIONAL PUBLIC COMMENTS

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

#### L. EXECUTIVE SESSION

#### M. PENDING ITEMS

 Resolution No. 2023-15 - Amending the City Council Selecting and Appointing a Qualified Person or Persons to Fill Vacancies on the City Council Policy No. 2021-01 and Renumbering and Renaming to City Council Policy No. 20.220 - Filling Council Vacancies by Appointment. (City Clerk) [Postponed to the March 15, 2023 Regular City Council Meeting]

#### N. ADJOURNMENT

#### O. <u>INFORMATION ITEMS</u>

The agenda and supporting documents are posted on the City's website at <a href="www.kenai.city">www.kenai.city</a>. 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** 

OR

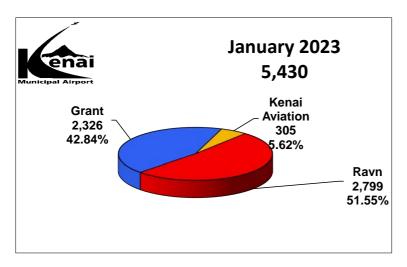
https://us02web.zoom.us/j/83177161203

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

Meeting ID: 831 7716 1203 Passcode: 166921

Meeting ID: 831 7716 1203 Passcode: 166921

#### January Enplanement Report

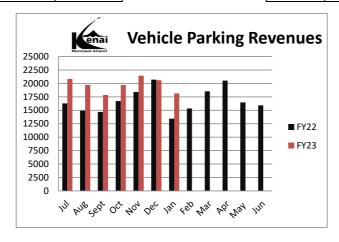


Month	RAVN ALASKA	GRANT AVIATION	Kenai Aviaiton	Total 2023	2022	Change from 2022
January	2,799	2,326	305	5,430	4,646	784
February					4,695	
March					5,349	
April					5,150	
May					5,621	
June					6,760	
July					8,896	
August					8,274	
September					6,800	
October					5,941	
November					5,730	
December					5,603	
Totals	2,799	2,326	305	5,430	73,465	784

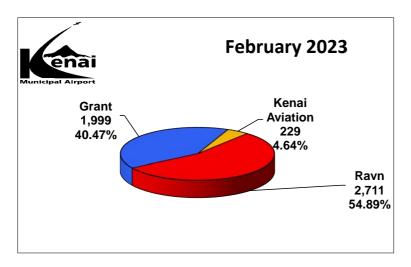
**Terminal - Vehicle Parking Revenues** 

	January
FY22	\$13,448
FY23	\$18,144

FY22 Total	\$202,020
FY23 YTD	\$138,307



### February Enplanement Report



Month	RAVN ALASKA	GRANT AVIATION	Kenai Aviaiton	Total 2023	2022	Change from 2022
January	2,799	2,326	305	5,430	4,646	784
February	2,711	1,999	229	4,939	4,695	244
March					5,349	
April					5,150	
May					5,621	
June					6,760	
July					8,896	
August					8,274	
September					6,800	
October					5,941	
November					5,730	
December					5,603	
Totals	5,510	4,325	534	10,369	73,465	1,028

**Terminal - Vehicle Parking Revenues** 

	February
FY22	\$15,338
FY23	\$19,005

FY22 Total	\$202,020
FY23 YTD	\$157,312

