KENAI AIRPORT COMMISSION REGULAR MEETING

DECEMBER 14, 2023 – 6:00 P.M. KENAI CITY COUNCIL CHAMBERS 210 FIDALGO AVE., KENAI, AK 99611

Telephonic/Virtual Information Below http://www.kenai.city

A.	CALL TO ORDER
	Pledge of Allegiance
	2. Roll Call3. Agenda Approval
_	
B.	SCHEDULED PUBLIC COMMENTS (Public comment limited to ten (10) minutes per speaker)
C.	<u>UNSCHEDULED PUBLIC COMMENT</u> (Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)
D.	APPROVAL OF ACTION MINUTES
	1. November 9, 2023Pg. 2
E.	UNFINISHED BUSINESS
F.	NEW BUSINESS
	Discussion/Recommendation – Special Use Permit for Beacon Occupational Health and Safety Services for Use of Office Space at the Alaska Regional Fire Training Facility
G.	REPORTS
	 Airport Manager City Council Liaison
Н.	ADDITIONAL PUBLIC COMMENT
I.	NEXT MEETING ATTENDANCE NOTIFICATION – January 11, 2024
J.	COMMISSION QUESTIONS AND COMMENTS
K.	<u>ADJOURNMENT</u>
L.	INFORMATIONAL ITEMS
	 6th Annual Christmas Tree Decorating Contest

Join Zoom Meeting

https://us02web.zoom.us/j/89375658146

Meeting ID: 893 7565 8146

Passcode: 278445

OR

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

Meeting ID: 893 7565 8146

Passcode: 278445

KENAI AIRPORT COMMISSION – REGULAR MEETING NOVEMBER 9, 2023 – 6:00 P.M. KENAI CITY COUNCIL CHAMBERS 210 FIDALGO AVE., KENAI, AK 99611 CHAIR GLENDA FEEKEN, PRESIDING

ACTION MINUTES

A. CALL TO ORDER

A Regular Meeting of the Airport Commission was held on November 9, 2023, in City Hall Council Chambers, Kenai, AK. Chair Feeken called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Chair Feeken led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Glenda Feeken, Chair James Bielefeld

Dan Pitts

Paul Minelga, Vice Chair

Jacob Caldwell

A quorum was present.

Absent:

James Zirul Joshua Daily

Also in attendance were:

Mary Bondurant, Interim Airport Manager Sarah Conley, Airport Administrative Assistant Henry Knackstedt, City Council Liaison

3. Agenda Approval

MOTION:

Commissioner Bielefeld **MOVED** to approve the agenda as presented. Commissioner Caldwell **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

B. SCHEDULED PUBLIC COMMENTS

1. Terry Eubank - City Manager

City Manager Eubank was unavailable at the time of the meeting.

C. <u>UNSCHEDULED PUBLIC COMMENTS</u> - None.

D. APPROVAL OF ACTION MINUTES

1. October 12, 2023.

MOTION:

Commissioner Zirul **MOVED** to approve the October 13, 2023 Minutes, with the correction that the location needs to be changed to City Hall Council Chambers. Commissioner Caldwell **SECONDED** the motion.

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

E. <u>UNFINISHED BUSINESS</u> – None.

F. NEW BUSINESS

1. Discussion/Recommendation - Special Use Permit to the American Red Cross

MOTION:

Commissioner Caldwell **MOVED** to recommend City Council approval of the Special Use Permit to the American Red Cross. Commissioner Bielefeld **SECONDED** the motion.

Interim Airport Manager gave a staff report with information provided in the packet.

UNANIMOUS CONSENT was requested on the motion.

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

G. REPORTS

- 1. Airport Manager Interim Airport Manager Bondurant reported on the following:
 - Runway/taxiway projects and funding; project costs changing and HDL hired as engineers.
 - The Airport will acquire one loader and one plow truck.
 - Hoping for stakeholder/public involvement in Capital Improvement Plan.
 - FAA will support Operations Facility boiler project.
 - RAVN Airlines gave 60-day notice, will no longer be operating at the Kenai Airport by January 1, 2024.
 - Upcoming Christmas tree decorating contest.
 - Airport is fully staffed with winter operations crew.
 - Kenai Aviation Pumpkin Drop event was a success.
- 2. City Council Liaison Council Member Knackstedt reported on the actions of the November 1, 2023 City Council meeting.
- H. ADDITIONAL PUBLIC COMMENTS None.
- I. NEXT MEETING ATTENDANCE NOTIFICATION December 14, 2023
- J. COMMISSION QUESTIONS AND COMMENTS
- K. ADJOURNMENT
- L. INFORMATIONAL ITEMS
 - 1. Correction Memo Special Use Permit to Crowley
 - 2. Article & FAA Brief on Vertiport Design

There being no further business before the Airport Commission, the meeting was adjourned at 6:19 p.m. I certify the above represents accurate minutes of the Airport Commission meeting of November 9, 2023.

Meghan Thibodeau Deputy City Clerk



"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: Mary Bondurant – Interim Airport Manager

Date: November 15, 2023

Subject: Extension - Beacon OHSS Special Use Permit

Beacon OHSS is requesting to extend the Special Use Permit on a month-tomonth basis under the same terms and conditions. The current Special Use Permit expires December 31, 2023.

City and Airport Administration met with Beacon representatives on Thursday, November 9th to discuss different options to accommodate Beacon and their operation in the Alaska Fire Training Facility. A condition of the month-to-month extension is to allow Beacon time to set up a different area for a collection site instead of the exclusive use of one of the lobby bathrooms. Once a new collection site is set the bathroom will be reopened for public use. The representatives were given floor plans to review and will get back to the City.

Beacon currently leases 1,716 square feet of exclusive space and 2,250 square feet of common use space.

Does Commission recommend Council approve the Special Use Permit extension to Beacon OHSS?

Attachments

SPECIAL USE PERMIT

THE CITY OF KENAI (CITY) for the considerations and pursuant to the conditions and requirements set forth below, hereby grants **Beacon Occupational Health & Safety Services** (PERMITTEE), whose address is 701 East Tudor Road, #110, Anchorage, Alaska 99503 the exclusive right to use the area described below:

1,716 square feet of exclusive office space and 2,250 square feet of common use space inside the Alaska Regional Fire Training Center, located at 450 Daubenspeck Cir, Kenai, Alaska 99611.

- 1. TERM. The term of this Permit shall be on a month-to-month basis commencing on January 1, 2024. Regardless of the date of signature, this Permit shall be effective as of January 1, 2024.
- **2. 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 of \$5,468.16, plus applicable sales tax.
 - **B.** Other Fees: Permittee is responsible for custodial services for exclusive use space, refuse, telecommunications, internet and tenant signage. City shall be responsible for custodial services for common use space, building insurance, snow removal, general maintenance, grounds maintenance, gas, electric, and water and waste water.

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)

- 3. USE. City authorizes Permittee the exclusive right to use 1,716 square feet for General Office Space and 2,250 square feet of non-exclusive common use space as identified in Exhibit A.
- 4. LICENSES AND PERMITS; LAWS. Permittee shall adhere to all federal, state,

Special Use Permit—Beacon Occupational Health & Safety Services

Page 1 of 6

and local laws, ordinances, and regulations while conducting its activities on the Premises. Permittee shall obtain and maintain all required federal, state, and local licenses, permits, certificates, and other documents required for Permittee's operations under the Permit. Permittee shall provide proof of compliance to the City upon request by the City.

- 5. 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:
 - 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,

Special Use Permit—Beacon Occupational Health & Safety Services

shall be provided at no cost to City.

- iv. Provide the City with notification at least 30 days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.
- v. Evidence of insurance coverage must be submitted to City by January 1, 2024. The effective date of the insurance shall be no later than January 1, 2024.

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.

- 6. 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 premises. Permittee shall provide all proper safeguards and shall assume all risks incurred in its activities on and access to the Alaska Regional Fire Training Center and its exercise of the privileges granted in this Permit.
- 7. INDEMNITY, DEFEND, AND HOLD HARMLESS AGREEMENT. Permittee agrees to indemnify, defend, and hold the City, its agents, and employees harmless from and against any and all liability, loss, suit, claim, judgment, fine, demand, damage, penalty, property damage, or personal injury of whatever kind, including sums paid in settlements of claims, attorney fees, consultant fees, expert fees, or costs incurred arising from or connected with the Permittee's use or occupation of the Premises. Permittee shall give the City of Kenai reasonable notice of any such claims or actions. However, Permittee shall not be responsible for any damage or claims from the sole negligence, activities, or omission of the City or its agents or employees.
- **8. PERSONALITY.** Permittee must keep the space and all other materials on the Premises clean and in good condition.

Permittee shall remove any and all personal property 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

Special Use Permit—Beacon Occupational Health & Safety Services

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 personality of Permittee at or from the Premises.

- 9. NO WAIVER. Failure to insist upon a strict compliance with the terms, conditions, and/or any requirement herein contained, or referred to, shall not constitute or be construed as a waiver or relinquishment of the right to exercise such terms, conditions or requirements.
- 10. MUTUAL CANCELLATION. This Permit may be cancelled in whole or in part with one month written notice by Permittee or the City.
- 11. NO DISCRIMINATION. Permittee will not discriminate on the grounds of race, color, religion, national origin, ancestry, age, or sex against any patron, employee, applicant for employment, or other person or group of persons in any manner prohibited by federal or State law. Permittee recognizes the right of the City to take any action necessary to enforce this requirement.
- 12. ASSUMPTION OF RISK. Permittee shall provide all proper safeguards and shall assume all risks incurred in its use of the Premises.
- 13. 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.
- 14. CONTACT INFORMATION. The contact information for Permittee, and the person in responsible charge for Permittee during the term of the Permit, for purposes of notice and all communications from City to Permittee is:

Beacon Occupational Health & Safety Services Attn: Neil Gadd -General Manager 701 East Tudor Road, #110 Anchorage, Alaska 99503 tel: (907) 802.8594

The contact information for City for purposes of notice and all communications from Permittee to City is:

Kenai Municipal Airport 305 North Willow, Suite 200 Kenai, Alaska 99611 Tel: (907) 283-8281

Special Use Permit—Beacon Occupational Health & Safety Services

Page 4 of 6

- 15. RIGHTS OR REMEDIES. No right or remedy herein conferred upon or reserved to each respective party is intended to be exclusive of any other right or remedy. Each and every right and remedy shall be cumulative and in addition to any other right or remedy given hereunder, or now or hereafter existing at law or in equity.
- 16. GOVERNING LAW; VENUE. The laws of State of Alaska will determine the interpretation of this Agreement and the performance thereof. Any lawsuit brought thereon shall be filed in the Third Judicial District at Kenai, Alaska.
- 17. AUTHORITY. By signing this Permit, Permittee represents that it has read this agreement and it agrees to be bound by the terms and conditions herein and that the person signing this Permit is authorized to bind Permittee.

0.700 UT:0	
	CITY OF KENAI
	By:
	Terry Eubank – City Manager
DEL CON O	
BEACON OC	CCUPATIONAL HEALTH & SAFETY SERVICE
	Dru
	By: Neil Gadd – General Manager
	SACRACIA CON A CARRELL VISIDA SE
approved as to form:	
approved as to form.	
cott Bloom Eity Attorney	
ny Auditoy	

Special Use Permit—Beacon Occupational Health & Safety Services

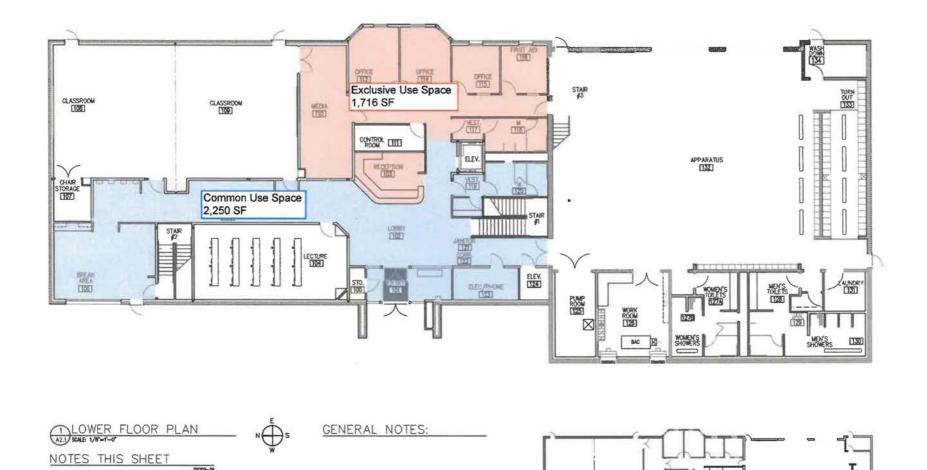
STATE OF ALASKA)		
THIRD JUDICIAL DISTRICT) ss.)		
THIS IS TO CERTIFY that on the Manager of the City of Kenai, an Al			1
		Notary Public for A My Commission Ex	
STATE OF ALASKA			
THIRD JUDICIAL DISTRICT	SS.		
THIS IS TO CERTIFY that on to instrument was acknowledged be Occupational Health & Safety Stronger Corporation.	efore me by	Neil Gadd, Gene	na kata manaka kata kata kata kata kata kata kata
		Notary Public for A My Commission Ex	

Drown: S.K.,V.J. Checked: B.K. Dote: 9-1-97 Project: 9145 File Norne: 9145A2*

LOWER FLOOR PLAN

CHE MICH BAR ON ONE

A 2.1



2 KEY PLAN A2.1 SOME 1"=20"-0"



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

www.kenai.city

Telephonic/Virtual Information on Page 3

Action Agenda

A. CALL TO ORDER

- 1. Pledge of Allegiance
- 2. Roll Call
- 3. Approval of the Agenda and Consent Agenda (Public comments on Consent Agenda Items 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 ADMINISTRATIVE REPORTS

- C. <u>SCHEDULED PUBLIC COMMENTS</u> (Public comments limited to ten (10) minutes per speaker)
- **D.** <u>UNSCHEDULED PUBLIC COMMENTS</u> (Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated)

E. PUBLIC HEARINGS

- 1. **ENACTED UNANIMOUSLY. Ordinance No. 3377-2023** Accepting and Appropriating an Increase in the Title III Grant from the State of Alaska Department of Health and Social Services for Nutrition, Transportation and Support Services and 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. 3378-2023** Accepting and Appropriating a Donation from Hilcorp Energy Company to Assist with the Annual Area-Wide Senior Thanksgiving Dinner. (Administration)
- 3. **ENACTED UNANIMOUSLY. Ordinance No. 3379-2023** Accepting and Appropriating a Grant from the U.S. Department of Homeland Security Passed through the State of Alaska Department of Military and Veterans' Affairs for the Purchase of Trauma Care Supplies. (Administration)
- 4. **ENACTED UNANIMOUSLY. Ordinance No. 3380-2023** Amending Kenai Municipal Code 22.05.095 Methods of Sale or Disposal, to Provide a Veterans Land Purchase Price Discount for Certain Residential Land Purchases. (Baisden)

F. MINUTES

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

G. <u>UNFINISHED BUSINESS</u>

H. NEW BUSINESS

- 1. *Action/Approval Bills to be Ratified. (Administration)
- *Action/Approval Non-Objection to the Renewal of a Standard Marijuana Cultivation Facility License for Shackleford Investments, LLC, DBA Shackleford Investments, LLC – License No. 31826. (City Clerk)
- 3. *Action/Approval Non-Objection to the Issuance of a New Beverage Dispensary Tourism Liquor License to Salamatof Cannery Lodge LLC, DBA Salamatof Cannery Lodge LLC License No. 6111. (Administration)
- 4. *Action/Approval Special Use Permit to American Red Cross of Alaska for General Office Space at the Alaska Regional Fire Training Center. (Administration)
- 5. *Ordinance No. 3381-2023 Repealing Kenai Municipal Code Appendices Public Record Inspection Regulations, Repealing Kenai Municipal Code Chapter 10.40 Release of Public Records and Re-Enacting Kenai Municipal Code 10.40 Access to Public Records. (Baisden)
- 6. *Ordinance No. 3382-2023 Amending Kenai Municipal Code Chapter 7.05 Taxation of Real and Personal Property to Provide an Exemption on the First \$100,000 of Assessed Valuation Other Than Motor Vehicles and Watercraft Owned by Each Taxpayer and Making Housekeeping Changes. (Gabriel, Knackstedt, Baisden, Daniel, Askin, Sounart, Douthit)
- 7. **NOMINATIONS APPROVED UNANIMOUSLY.** Action/Approval Council Confirmation of Mayoral Nominations to the City's Commissions and Committee. (Mayor Gabriel)
- 8. **NOMINATIONS APPROVED UNANIMOUSLY. Action/Approval** Council Confirmation of Mayoral Nominations to the Planning & Zoning Commission. (Mayor Gabriel)
- 9. **POSTPONED TO 12/20/2023. Discussion** Scheduling a Joint Work Session with Kenaitze Indian Tribe. (Administration)

I. 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

J. REPORT OF THE MAYOR

K. ADMINISTRATION REPORTS

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

L. ADDITIONAL PUBLIC COMMENTS

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

- 2. Council Comments
- M. EXECUTIVE SESSION
- N. PENDING ITEMS
- O. ADJOURNMENT
- P. INFORMATION ITEMS

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/89901965085

Meeting ID: 899 0196 5085 Passcode: 971156

OR

Dial In: (253) 215-8782 or (301) 715-8592 **Meeting ID**: 899 0196 5085 **Passcode**: 971156



"Serving the Greater Kenai Peninsula"

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

AIRPORT BULLETIN 3-2023

To:

Airport Terminal Tenants

From:

Kenai Airport Management

Date:

November 14, 2023

Subject: 6th Annual Christmas Tree Decorating Contest

It's a wonderful time of year- holiday season!

We're bringing back the airport terminal tree decorating contest! Everyone did such a great job decorating trees in the past years, and we're excited to see just how festive the terminal will look this year.

The contest is a great opportunity to work together creatively and share the holiday spirit with the community and general public. 6.5-foot pre-lit trees will be provided by Airport Administration and can be picked up in the office. The deadline for decorated trees ready for display is Wednesday, November 22nd (in time for Christmas Comes to Kenai).

Everyone will have a chance to vote one time for their favorite tree. Ballot boxes will be located in the Airport Administration office and trees will be located throughout the terminal. Votes will be tallied and the winner will be announced Wednesday. December 20th.

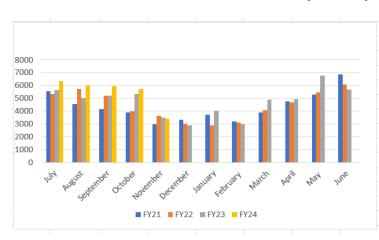
If you have any questions or ideas for future holiday seasons, please contact Airport Administration.

enai Municipal Airport

Terminal Vehicle Parking Revenues

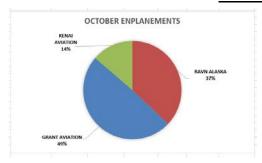


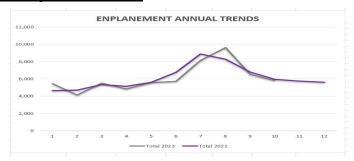
Tower Airport Operations Counts



	FY21	FY22	FY23	FY24	
July	5547	5313	5654	6337	
August	4564	5747	5020	6007	
September	4153	5218	5215	5950	
October	3907	3990	5312	5724	
November	2972	3636	3517	3404	
December	3325	3018	2907		
January	3709	2882	4009		
February	3196	3117	2965		
March	3908	4069	4874		
April	4762	4697	4957		
May	5306	5472	6786		
June	6872	6072	5660		
Total	52221	53231	56876	27422	

October Enplanements





Month	RAVN ALASKA	GRANT AVIATION	KENAI AVIATION	Total 2023	Total 2022	Change from 2022
January	2,799	2,326	305	5,430	4,646	784
February	2,711	1,199	229	4,139	4,695	-556
March	2,982	2,236	280	5,498	5,349	149
April	2,529	2,087	220	4,836	5,150	-314
May	2,547	2,432	608	5,587	5,621	-34
June	2,371	2,740	590	5,701	6,760	-1,059
July	4,241	3,067	836	8,144	8,896	-752
August	4,936	3,592	1,105	9,633	8,274	1,359
September	3,429	2,474	610	6,513	6,800	-287
October	2,159	2,865	797	5,821	5,941	-120
November					5,730	
December					5,603	
Airline Total	30,704	25,018	5,580	61,302	73,465	-830