

**KENAI AIRPORT COMMISSION
REGULAR MEETING
DECEMBER 10, 2020 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
Telephonic/Virtual Information Page 2
<http://www.kenai.city>**

1. **CALL TO ORDER**
 - a. Pledge of Allegiance
 - b. Roll Call
 - c. Agenda Approval
2. **SCHEDULED PUBLIC COMMENT** *(Public comment limited to ten (10) minutes per speaker)*
3. **UNSCHEDULED PUBLIC COMMENT** *(Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)*
4. **APPROVAL OF MEETING SUMMARY**
 - a. September 10, 2020Pg. 3
5. **UNFINISHED BUSINESS** – None.
6. **NEW BUSINESS**
 - a. **Discussion/Recommendation** – Airport Goals and Objectives FY22..... Pg. 6
 - b. **Discussion/Recommendation** – Conference Room Use/Request/Agreement..Pg. 10
7. **REPORTS**
 - a. Airport Manager
 - b. City Council Liaison.....Pg. 16
8. **NEXT MEETING ATTENDANCE NOTIFICATION** – January 14, 2021
9. **COMMISSIONER COMMENTS AND QUESTIONS**
10. **ADDITIONAL PUBLIC COMMENT**
11. **INFORMATION ITEMS**
 - a. September 2020 Mid-Month Report.....Pg. 26
 - b. October 2020 Mid-Month Report.....Pg. 28
 - c. November 2020 Mid-Month Report.....Pg. 30
 - d. October 2020 Enplanement Report.....Pg. 31
 - e. Special Use Permit to RavnAlaska for Warm Storage.....Pg. 32
 - f. 2016-2020 Float Plane basin Activity (final).....Pg. 41

12. **ADJOURNMENT**

Join Zoom Meeting

<https://us02web.zoom.us/j/87467166875>

Meeting ID: 874 6716 6875 **Password:** 755567

OR

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

Meeting ID: 874 6716 6875 **Password:** 755567

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

**KENAI AIRPORT COMMISSION
REGULAR MEETING
AUGUST 13, 2020 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
CHAIR GLENDA FEEKEN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

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

a. Pledge of Allegiance

Chair Feeken led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Commissioners Present: G. Feeken, K. Dodge, D. Leichter, J. Bielefeld, P. Minelga,
J. Zirul, D. Pitts

Commissioners Absent:

Staff/Council Liaison Present: Airport Manager M. Bondurant, City Planner E. Appleby,
Deputy City Clerk J. LaPlante

A quorum was present.

[Clerk's Note: Commissioner Zirul joined the meeting at 6:02 PM]

c. Agenda Approval

MOTION:

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

[Clerk's Note: Commissioner Pitts joined the meeting at 6:03 PM]

2. SCHEDULED PUBLIC COMMENT – None.

3. UNSCHEDULED PUBLIC COMMENT – None.

4. APPROVAL OF MEETING SUMMARY

a. June 11, 2020

MOTION:

Commissioner Dodge **MOVED** to approve the meeting summary of June 11, 2020 and

Commissioner Bielefeld **SECONDED** the motion. There were no objections; **SO ORDERED**.

b. July 9, 2020

Corrections were noted for the Commissioner Comments and Questions section of the July 9 meeting summary.

MOTION:

Commissioner Dodge **MOVED** to approve the meeting summary of July 9, 2020 with revisions and Commissioner Bielefeld **SECONDED** the motion. There were no objections; **SO ORDERED**.

5. **UNFINISHED BUSINESS** – None.

6. **NEW BUSINESS**

a. **Discussion/Recommendation** – Lease Execution, and Approving a Lease Execution Extension to May 31, 2021 to Schilling Rentals, LLC for Lot 5A, Block 1, FBO Subdivision 2018 Replat

MOTION:

Commissioner Minelga **MOVED** to recommend Council approve a lease execution with Schilling Rentals, LLC and extension to May 31, 2020 and Commissioner Bielefeld **SECONDED** the motion. There were no objections; **SO ORDERED**.

b. **Discussion/Recommendation** – Six-Month Extension Request from SOAR International Ministries, Inc. for Lease Application Expiration for the Underdeveloped Portion of Tract A, General Aviation Apron No. 2.

MOTION:

Commissioner Bielefeld **MOVED** to recommend Council approve a Six-Month extension request from SOAR International Ministries, Inc. as presented and Commissioner Lechlitter **SECONDED** the motion. There were no objections; **SO ORDERED**.

c. **Discussion/Recommendation** — Application for a Forty-Five (45) Year Lease of City-owned Land Within the Airport Reserve described as Lot 5, FBO Subdivision No. 8 located at 525 N. Willow Street. The application was submitted by Alaska Air Fuel, Inc., 3700 W. Aviation Ave., Wasilla, AK 99654

It was noted a laydown was provided with corrected maps.

MOTION:

Commissioner Minelga **MOVED** to recommend Council approve the application by Alaska Air Fuel, Inc. for a Forty-Five (45) Year Lease of City-owned Land Within the Airport Reserve and Commissioner Bielefeld **SECONDED** the motion. There were no objections; **SO ORDERED**.

7. REPORTS

a. **Airport Manager** – Bondurant reported on the following:

- The Kenai Airport Terminal Rehabilitation project was in the final stage;
- The Fire Training Facility should be complete this month;
- Bids for sand storage building due on August 21;
- Ravn airlines plans to operate as soon as possible, looking to operate 7 days a week beginning in September;
- She is currently working on the Storm Water Prevention Plan;
- A new public lands and parks display in the Airport; and
- The Float Plane basin fuel now capable of accepting commercial fleet cards.

b. **City Council Liaison** – No report.

8. NEXT MEETING ATTENDANCE NOTIFICATION – September 10, 2020

9. COMMISSIONER COMMENTS AND QUESTIONS – None.

10. ADDITIONAL PUBLIC COMMENT – None.

11. INFORMATION ITEMS

- a. July 2020 Mid-Month Report
- b. July 2020 Float Plane Basin Report
- c.

12. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 6:25 p.m.

Meeting summary prepared and submitted by:

Jacquelyn LaPlante
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

From: Mary Bondurant – Airport Manager

Date: November 19, 2020

Subject: *Review – FY21 & FY22 Goals and Objectives*

The Airport has started gathering information and preparing for the FY22 budget process and that includes a review of the current FY21 budget

I have included the 2019-2020 Goals and Objectives for review and update based on the completion of the terminal rehabilitation project. Many of the projects were completed in the FY21 budget or the terminal project. I have also included a worksheet for your use to prepare and discuss in preparing the 2021-2022 goals and objectives included in the FY22 budget; if any budget impacts will be expected.

The goals will be finalized at the January 2021 meeting and forwarded to Council through the Airport Commission liaison.

Please call me if you have any questions.

Attachments

**KENAI MUNICIPAL AIRPORT COMMISSION
GOALS AND OBJECTIVES WORKSHEET
July 1, 2021 to June 30, 2022**

1. Airport Beautification

2. Gravel/Ski Strip

3. Float Plane Basin

4. Terminal Building

4. Airport Administration

5. Advertising & Marketing

6. Other

**KENAI MUNICIPAL AIRPORT COMMISSION
GOALS AND OBJECTIVES WORKSHEET
July 1, 2020 to June 30, 2021**

1. Airport Beautification

2. Gravel/Ski Strip

3. Float Plane Basin

4. Terminal Building

4. Airport Administration

5. Advertising & Marketing

6. Other



GOALS AND OBJECTIVES 2019-2020

1. **Airport Beautification**
 - Keep up with flowers/landscaping
 - Mural Project (dedication when install is complete)
 - New airport entrance sign
2. **Airfield**
 - Clean aquatic plants from water runway (on-going)
3. **Terminal Building**
 - Replace terminal carpet
 - Replace roof, sprinkler system
 - New security camera system
 - Market terminal space
4. **Airport Administration**
 - Continuing education & training for airport staff
5. **Advertising & Marketing**
 - Market airport lands
 - Annual Kenai Peninsula Air Fair
6. **Airport Lands**
 - Consider ground improvements on lease lots
 - Refurbish T33



"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

From: Mary Bondurant – Airport Manager 

Date: December 1, 2020

Subject: *Review – draft Conference Room Use Request/Agreement*

Part of the terminal rehabilitation project was the addition of a small conference room that could be used by City staff or rented out to small groups.

Attached is a draft Conference Room Use Request/Agreement for review and discussion. When the agreement is finalized it will be included in the FY22 budget process and the user fees incorporated into the City's fee schedule.

Please call me if you have any questions.

Attachment



305 N. Willow St., Suite 200
 Kenai, Alaska 99611
 (907) 283-8281

Conference Room Use Request/Agreement

User's Contact Information

Name: _____ Primary Contact: _____

Company/Organization: _____

Address: _____

Phone: _____ Fax: _____ Email: _____

Description of Event:

Will food and beverage be served at this event? Yes No.

Will a caterer be used at this event? Yes No Name of caterer: _____

Note: If alcoholic beverages will be served and/or food catering or delivery service used at the event, see Paragraph 8 of Meeting Room Use Agreement: Standard Terms and Conditions.

Date of Event	Setup Time:	Take Down Time:	Total Hours	Anticipated Number of Attendees
	<input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	<input type="checkbox"/> a.m. <input type="checkbox"/> p.m.		
	Event Start Time:	Event End Time:		(Maximum 26 People)
	<input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	<input type="checkbox"/> a.m. <input type="checkbox"/> p.m.		

Use Fee

Conference Room	<input type="checkbox"/>	\$50.00 – Up to 2 hours
	<input type="checkbox"/>	\$100.00 – Up to 4 hours
	<input type="checkbox"/>	\$200.00 – Up to 9 hours
	<input type="checkbox"/>	\$300.00 – Up to 24 hours
Cleaning Fee (If room is not cleaned):	<input type="checkbox"/>	\$100.00
Sales Tax – 6%	<input type="checkbox"/>	
TOTAL USE FEE:	\$	_____

Signatures / Approval

User's signature on this Use Request/Agreement constitutes an agreement to the terms and conditions of the Kenai Municipal Airport Conference Room Use Agreement: Standard Terms and Conditions, incorporated into this Agreement by reference and made a part hereof. Submission of this Use Request does not automatically grant approval for use of the meeting room. This Agreement will not be effective until signed by the Airport and Use Fee has been paid in full. The Airport reserves the sole right to deny use of the meeting room for any activity that violates the Standard Terms and Conditions, federal, state or local laws or codes or ordinances or for demonstrated past failure by User to comply with the foregoing.

By my signature below, I attest that:

- I am at least 18 years of age;
- I have read, understood, and agreed to the terms and conditions of this Conference Room Use Request/Agreement and the Standard Terms and Conditions;
- I am authorized to execute this Agreement on behalf of the User; and
- I am responsible for the payment, clean-up, and overall supervision of the Conference Room during the use period stated in this Agreement.

Signature of User's Authorized Representative	Date
Signature of Airport Manager or Designated Representative	Date
<input type="checkbox"/> Airport Approved	<input type="checkbox"/> Airport Denied

CONFERENCE ROOM USE AGREEMENT: STANDARD TERMS AND CONDITIONS

1. Conference Rooms: Descriptions and Availability

Conference Room is available for rent on a first come first serve basis equally to airport tenants, businesses, and the public. Kenai Municipal Airport (Airport) reserves the sole right to deny use of the conference room by any group, company, or individual for any activity that violates the Standard Terms and Conditions or federal, state or local laws, or for demonstrated past failure by User to comply with the foregoing. In consideration of the Use Fee payment, the Airport grants User permission to use and occupy the conference room (hereafter "meeting room" or "premises") located at the Airport, according to the terms of this agreement.

The Conference Room encompasses approximately 400 square feet. The maximum functional capacity of the Conference Room is 26 persons. User is responsible to ensure that the maximum capacity is not exceeded.

At no additional charge, tables, chairs, a refrigerator and dishwasher are available in the conference room. Users should work with the Airport Administration Office to determine what equipment and features are available on the date(s) and time(s) of its event(s).

The non-exclusive use of the terminal's public restrooms and hallways for ingress and egress shall be available to User; however, they are not extensions of the meeting rooms and are not part of the rented space.

2. Reservation/Advance Payment of Use Fee

To reserve the conference room, the Airport must receive a completed and properly executed Kenai Municipal Airport Conference Room Use Agreement and payment of the full Use Fee. The Use Fee does not include: catering charges, clean-up fee, or damage deposit.

3. Room Setup

Room setup should be discussed with the Airport prior to submittal of the Conference Room Use Request/Agreement form.

4. Cleaning Fee

User is required to remove its own trash at the end of the event or a \$100 cleaning fee will be charged.

5. Insurance

The Airport reserves the right to require insurance coverage depending on the proposed scope and nature of use.

6. Security

User is responsible for the safety and conduct of its agents, employees, guests and licensees under this agreement. The Airport reserves the right to reject for cause any person or persons from the Airport or any part thereof, and User waives any right and all claim for damages against either Airport or the City for the exercise of such right.

7. Room Access

Access authorization to the premises by the User and User's agents, employees, contractors, caterers, licensees and guests commences at the "start" time, and ends at the "end" time, as charged for and designated in this Use Agreement. User should therefore plan the rental period accordingly, to allow sufficient time for pre and post event set-up and take-down, cleanup, and the removal of User-provided

equipment/property. User may be charged and agrees to pay for any time the premises is used or occupied in excess of the time provided in the Use Agreement.

8. Alcohol Beverage Service

All alcoholic beverage service must be provided by the current Bar/Lounge Concessionaire inside the terminal building. All alcoholic beverages will be served and consumed in the conference room only. No alcoholic beverages will be allowed outside of the conference room area.

9. Access to Rented Space

The Airport reserves the right for its employees, and representatives to access and enter the rented space, when reasonably necessary, but will not unreasonably disturb User's quiet enjoyment and use of the premises.

10. Vehicle Parking

Neither vehicle parking benefits nor fees are included or part of this agreement. User and User's agents, employees, guests and licensees are responsible for their own vehicle parking costs.

11. Cancellations

(a) Cancellation. Airport reserves the right to cancel User's reservations due to reasons beyond its control. In such an event, the User shall be notified of a cancellation at the earliest possible date and offered the opportunity to reschedule or receive a full refund of fees paid.

(b) User Cancellation. If User cancels, by email or in writing, more than one week before event date, User will receive a full refund.

12. Indemnity

Throughout the period of its use and occupancy of the premises, the User is responsible for the safe conduct of activities on the premises and shall indemnify, defend, and hold harmless the Airport against any and all claims, demands or actions arising out of activities conducted by User, its employees, agents, caterers, licensees and guests, saving only claims for loss or injury caused by Airports' gross negligence.

13. Payment for Damages.

If said premises, furnishings or any portion of the building occupied during the term of this use agreement shall be damaged by act, default, or negligence of User or by User's agents, employees, licensees or, guests, or any persons admitted to said premises by User, excepting loss by grossly negligent acts of the Airport, its agents or employees, User will pay to the Airport upon demand such sum as shall be necessary to restore said premises to its previous condition. In the event of any such occurrence, User shall be subrogated to all rights, claims, and causes of action of the Airport in such circumstances.

14. Expiration of Occupancy

At the expiration of the occupancy period contracted for herein, User shall quit the premises and return all equipment and facilities provided in the same or better condition and repair, except for ordinary wear. In the event User fails or refuses to surrender possession of the premises at the time herein agreed, User may be regarded as a trespasser and Airport may seek appropriate legal measures, including criminal prosecution.

15. Property Brought to Premises

All personal property brought to the premises by the User shall be the sole responsibility of the User, and the Airport shall not be liable for its damage or loss by fire, theft, or otherwise. If, upon expiration of the

occupancy contracted for, User fails to remove User's personal property from the premises, Airport shall remove and dispose of the same according to law.

16. Acceptance of Premises

The User agrees that it has inspected the meeting room and any accessory equipment to be provided under this agreement and accepts them in their present condition. User acknowledges that the Airport has made no representations or promises relied on by User regarding the fitness for a particular purpose of the meeting room or accessory equipment.

17. Signs, Posters, and Banners

All signage is restricted to the rented conference room and times under the Use Agreement and shall be limited to freestanding easels.

18. Assignments and Subletting

No part of the meeting room may be assigned, pledged, transferred, or subleased by User, nor may a right of use of any portion of the room be conveyed or conferred on any third party by User by any other means, without prior written consent of the Airport, which consent may be withheld in the Airport's sole discretion.

19. Governing Law. This agreement shall be governed by Alaska law and venue shall be in the State of Alaska, Third Judicial District, at Kenai.



Kenai City Council - Regular Meeting

September 16, 2020 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

www.kenai.city

Action Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. Consent Agenda (*Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

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

B. SCHEDULED PUBLIC COMMENTS

(Public comment limited to ten (10) minutes per speaker)

1. **Tim Dillon, Kenai Peninsula Economic Development District** - Census and AK Cares Update.

C. UNSCHEDULED PUBLIC COMMENTS

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

D. PUBLIC HEARINGS

1. **ENACTED UNANIMOUSLY. Ordinance No. 3162-2020** - Amending Municipal Code Section 23.50.010 – Employee Classification, to Amend a Class Title in the Supervisory and Professional Class. (Administration)
2. **ADOPTED UNANIMOUSLY. Resolution No. 2020-76** - Renaming Daubenspeck Circle to Daubenspeck Road on the Plat of Baron Park 2020 Replat. (Administration)
3. **ADOPTED UNANIMOUSLY. Resolution No. 2020-77** - Approving the Execution of a Lease of Airport Reserve Lands Using the Standard Lease Form Between the City of Kenai and Kenai Aviation Operations, LLC, for Lot 9A, Block 5, General Aviation Apron Subdivision No. 5. (Administration)
4. **ADOPTED UNANIMOUSLY. Resolution No. 2020-78** - Approving an Airline Operating Agreement and Terminal Area Lease with FLOAT Shuttle/Corvus Airlines Inc., D/B/A Ravn Alaska and Ratifying a Stipulation Regarding Rejection of Unexpired Lease of Non-Residential Real Property with Ravn Group, Inc. (Administration)

5. **ADOPTED UNANIMOUSLY. Resolution No. 2020-79** – Authorizing the City Manager to Accept a Grant from the Federal Aviation Administration for the Construction of the Kenai Municipal Airport’s New Sand Storage Facility. (Administration)

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of September 2, 2020. (City Clerk)

F. UNFINISHED BUSINESS

1. **POSTPONED TO THE 10/07/2020 COUNCIL MEETING. Ordinance No. 3155-2020** - Increasing Estimated Revenues and Appropriations in the Airport Improvements Capital Project Fund and Accepting a Grant from The Federal Aviation Administration for Phase One Construction of a New Sand Storage Facility. (Administration)

G. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Bills to be Ratified. (Administration)
2. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Purchase Orders Over \$15,000. (Administration)
3. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Non-Objection to the Renewal of Marijuana License for Grateful Bud LLC. (City Clerk)
4. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Approving Election Workers for the October 6, 2020 Regular Election. (City Clerk)
5. **Discussion** - Response to COVID-19. (Administration)

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
7. Mini-Grant Steering Committee

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

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

K. ADDITIONAL PUBLIC COMMENT

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

L. EXECUTIVE SESSION

M. PENDING ITEMS

1. **Ordinance No. 3157-2020** - Amending Kenai Municipal Code Section 1.85.010 – Report of Financial and Business Interests, to Allow for Certification by Municipal Officers that a Previously Filed Statement of Disclosure Remains Accurate and Approving an Alternate Certification. (Vice Mayor Molloy) (**Clerk's Note:** *At the 09/02/20 meeting, this item was postponed to the 10/7/20 meeting.*)
2. **Substitute Ordinance No. 3127-2020** - Repealing and Replacing Kenai Municipal Code Title 6 - Elections to Provide Clarity, Process Improvements, and Increase Voter Accessibility through Vote By Mail Elections. (Council Member Peterkin) [**Clerk's Note:** *At the August 19 Meeting, this item was Postponed to the 10/21/20 Council Meeting; a motion to enact is on the floor.*]
3. **Ordinance No. 3128-2020** - Amending Kenai Municipal Code Section 1.85.040 – Records Public, To Provide For A Record Retention Length. (City Clerk) [**Clerk's Note:** *At the August 19 Meeting, this item was Postponed to the 10/21/20 Council Meeting; a motion to enact is on the floor.*]

N. ADJOURNMENT

O. INFORMATION ITEMS

1. Purchase Orders Between \$2,500 and \$15,000.
2. Cook Inlet Regional Citizens' Advisory Council Board of Directors Update.

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/88612469335>

Meeting ID: 886 1246 9335 **Passcode:** 874477

OR

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

Meeting ID: 886 1246 9335 **Passcode:** 874477



Kenai City Council - Regular Meeting

October 07, 2020 – 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. Agenda Approval
4. Consent Agenda (*Public comment limited to three (3) minutes) per speaker; thirty (30) minutes aggregated*)

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

B. SCHEDULED PUBLIC COMMENTS

(Public comment limited to ten (10) minutes per speaker)

C. UNSCHEDULED PUBLIC COMMENTS

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

D. PUBLIC HEARINGS

1. **ADOPTED UNANIMOUSLY. Resolution No. 2020-80** - Amending the City's Grant Disbursement Program Utilizing Funds from the Coronavirus Aid, Relief, And Economic Security (CARES) Act to Increase the Grant Amount Under the Individual Assistance to Commercial Fishers Program, Authorizing the City Manager to Enter Into an Agreement with Peninsula Community Health Services of Alaska (PCHS) for Mental Health Services in Kenai, and Authorizing a Budget Transfer in the COVID-19 Cares Act Recovery Fund. (Administration)

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of September 16, 2020. (City Clerk)

F. UNFINISHED BUSINESS

1. **ENACTED UNANIMOUSLY AS AMENDED. Ordinance No. 3155-2020** - Increasing Estimated Revenues and Appropriations in the Airport Improvements Capital Project Fund and Accepting a Grant from The Federal Aviation Administration for Phase One Construction of a New Sand Storage Facility. (Administration) [**Clerk's Note: At the**

September 16 Meeting, this item was Postponed to the 10/07/20 Council Meeting; a motion to enact is on the floor.]

- **Substitute Ordinance No. 3155-2020** – Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvement Capital Project Funds, Authorizing an Amendment to the Professional Services Agreement with HDL Engineering for Construction Administration Services, and Awarding a Contract for the 2020 Kenai Municipal Airport Sand Storage Facility Project.

2. **ENACTED UNANIMOUSLY. Ordinance No. 3157-2020** - Amending Kenai Municipal Code Section 1.85.010 – Report of Financial and Business Interests, to Allow for Certification by Municipal Officers that a Previously Filed Statement of Disclosure Remains Accurate and Approving an Alternate Certification. (Vice Mayor Molloy) [**Clerk's Note:** *At the September 2 Meeting, this item was Postponed to the 10/07/20 Council Meeting; a motion to enact is on the floor.*]

G. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA. *Action/Approval** - Bills to be Ratified. (Administration)
2. **APPROVED UNANIMOUSLY. Action/Approval** - Purchase Orders Over \$15,000. (Administration)
3. **POSTPONED INDEFINITELY. *Action/Approval** - Non-Objection to the Renewal of a Retail Marijuana Store License and a Standard Marijuana Cultivation License for Majestic Gardens, LLC. (City Clerk)
4. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 10/21/2020. *Ordinance No. 3163-2020** - Amending Kenai Municipal Code Sections 23.30.030 – Probationary Period for Employees in the Classified Service, to Remove the Six-Month Waiting Period for New Employees to Utilize Annual Leave, 23.40.060 – Leave of Absence with Pay, to Allow for Transition Leave for New Police Officers on Completion of a Public Safety Academy, and 23.30.120 – Moving Expense for New Employees, to Amend Reimbursement Language. (Administration)
5. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 10/21/2020. *Ordinance No. 3164-2020** - Accepting and Appropriating a Grant from Marathon Petroleum Foundation to Purchase Firefighting Tools. (Administration)
6. **Discussion** - Response to COVID-19. (Administration)

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
7. Mini-Grant Steering Committee

I. **REPORT OF THE MAYOR**

J. **ADMINISTRATION REPORTS**

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

K. **ADDITIONAL PUBLIC COMMENT**

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

L. **EXECUTIVE SESSION**

M. **PENDING ITEMS**

1. **Substitute Ordinance No. 3127-2020** - Repealing and Replacing Kenai Municipal Code Title 6 - Elections to Provide Clarity, Process Improvements, and Increase Voter Accessibility through Vote By Mail Elections. (Council Member Peterkin) [**Clerk's Note:** *At the August 19 Meeting, this item was Postponed to the 10/21/20 Council Meeting; a motion to enact is on the floor.*]
2. **Ordinance No. 3128-2020** - Amending Kenai Municipal Code Section 1.85.040 – Records Public, To Provide For A Record Retention Length. (City Clerk) [**Clerk's Note:** *At the August 19 Meeting, this item was Postponed to the 10/21/20 Council Meeting; a motion to enact is on the floor.*]

N. **ADJOURNMENT**

O. **INFORMATION ITEMS**

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

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

Join Zoom Meeting

<https://us02web.zoom.us/j/85812341308>

Meeting ID: 858 1234 1308 **Passcode:** 599443

OR

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

Meeting ID: 858 1234 1308 **Passcode:** 599443



Kenai City Council - Regular Meeting

December 02, 2020 – 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. Agenda Approval
4. Consent Agenda (*Public comment limited to three (3) minutes) per speaker; thirty (30) minutes aggregated*)

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

B. SCHEDULED PUBLIC COMMENTS

(Public comment limited to ten (10) minutes per speaker)

C. UNSCHEDULED PUBLIC COMMENTS

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

D. COUNCIL APPOINTMENT

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

E. PUBLIC HEARINGS

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

2. **ADOPTED UNANIMOUSLY. Resolution No. 2020-90** - Approving the Use of the Fleet Replacement Fund for the Purchase of Three Police Department Trucks Utilizing the State of Alaska Equipment Fleet Contract.
3. **ADOPTED UNANIMOUSLY. Resolution No. 2020-91** - Authorizing a Budget Transfer in the COVID-19 CARES Act Recovery Fund to Increase Funding for Housing Assistance, Food Assistance, and First Responder Payroll.
4. **ADOPTED UNANIMOUSLY. Resolution No. 2020-92** - Adopting an Alternative Allocation Method for the FY21 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in FMA 14: Cook Inlet.

F. MINUTES

1. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of November 4, 2020.

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Bills to be Ratified.
2. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 12/16/2020.** *Ordinance No. 3167-2020 - Increasing Estimated Revenues and Appropriations in the Cares Act Recovery Special Revenue Fund.
3. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 12/16/2020.** *Ordinance No. 3168-2020 - Increasing Estimated Revenues and Appropriations in the Airport Operations Facility, Airport Snow Removal Equipment, Terminal Improvement, Airport Improvements, Personal Use Fishery, Animal Control Improvements, Public Safety Improvements, City Shop Improvements, Municipal Roadway Improvements, Water and Sewer Improvements, and Wastewater Treatment Facility Improvements Capital Project Funds to Transfer Residual Balances from Completed or Canceled Projects Back to their Original Funding Sources.
4. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 12/16/2020.** *Ordinance No. 3169-2020 - Increasing Estimated Revenues and Appropriations in the General Fund, Finance Department for the Payment of Fees in Connection with the Collection of Remote Seller Sales Tax by the Alaska Remote Seller Sales Tax Commission on Behalf of the City of Kenai.
5. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 12/16/2020.** *Ordinance No. 3170-2020 - Accepting and Appropriating a Grant from the State of Alaska for the Purchase of Library Books.
6. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 12/16/2020.** *Ordinance No. 3171-2020 - Accepting and Appropriating a State of Alaska Grant Passed through the Southern Region EMS Council, Inc. for Two Automatic External Defibrillator (AED) Trainers and One Advanced Life Support (ALS) Skills Training Mannequin.

7. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 12/16/2020.**
*Ordinance No. 3172-2020 - Waiving the \$5,000 Limitation in KMC 7.25.020 (A) for Allocating CARES Act Funds to Allow the City Manager to Allocate the Funds to the Proper Account as Needs Arise and Time to Utilize the Funds Expires, and Declaring an Emergency.
8. **APPROVED UNANIMOUSLY AS AMENDED. Action/Approval** - Amendment to a Special Use Permit to RAVN for Additional Space of Warm Storage.
9. **APPROVED UNANIMOUSLY. Action/Approval** - Council Confirmation of Mayoral Nominations to the City's Commissions and Committee.
10. **APPOINTMENTS OF GLENDA FEEKEN, DEREK LEICHLITER, PAUL MINELGA, TERRI WILSON, DON ERWIN, RACHAEL CRAIG, MIKE DUNN, BOB PETERS, T. GRAND WISNIEWSKI, AND DAVID RIGALL CONFIRMED. Discussion** - Future Council and Commission Meeting Format.

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging report.
2. Airport Commission report.
3. Harbor Commission report.
4. Parks and Recreation report.
5. Beautification Committee report.
6. Mini-Grant Steering Committee report.

J. REPORT OF THE MAYOR

K. ADMINISTRATION REPORTS

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

L. ADDITIONAL PUBLIC COMMENT

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

M. EXECUTIVE SESSION – See D.1.

N. PENDING ITEMS

O. ADJOURNMENT

P. INFORMATION ITEMS

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

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

Join Zoom Meeting

<https://us02web.zoom.us/j/86739748798>

OR Dial In: (253) 215-8782 or (669) 900-6833

Meeting ID: 867 3974 8798 **Passcode:** 785923

Meeting ID: 867 3974 8798 **Passcode:** 785923



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Mary Bondurant, Airport Manager
DATE: September 3, 2020
SUBJECT: **Airport Mid-Month Report September 2020**

2018 Terminal Rehabilitation Project – Construction: The project is winding down: inside and outside signage is installed, boiler install is complete, the tank project is complete and the hydro-seeding has been completed. We are still waiting for the new furniture.

2019 Alaska Fire Training Facility Rehabilitation & Acquire Aircraft Rescue and Firefighting Trucks (ARFF) – The contractor was back on-site the week of 8/31/2020 to address maintenance issues. The two ARFF vehicles are on-order with OSHKOSH.

2020 Acquire SRE (Loader) – The FAA grant offer for \$266,100 was received on September 3, 2020 and the loader with attachments was ordered that same day.

2020 Sand/SRE Storage Building – Bids were opened on August 31, 2020 with Orion the apparent low bidder. The Office of the Secretary of Transportation approved this project on September 1, 2020. An updated grant application along with a request for concurrence to award was submitted to the FAA on September 3, 2020.

2020 Land Acquisition – The Office of the Secretary of Transportation approved this project on September 1, 2020 and the City is waiting for the FAA grant offer to complete the purchase.

In-house Activities:

RAVN Shutdown – The City is still in discussions with Float Shuttle representatives to complete an agreement for RAVN Alaska operating at the Kenai Airport.

Winter Hiring – The Airport is advertising for winter equipment operators; one full-time winter seasonal position from November 1 through March 31 and temporary on-call operators. The recruitment ends September 18, 2020.

SWPPP Tenant Meeting – A training meeting to discuss the Storm Water and Prevention Pollution Plan (SWPPP) for airfield tenants and staff is scheduled for Wednesday, September 16th, at 9am

in the City Council Chambers. You may also attend via ZOOM. Contact Erica at 283-7951 or email ebrincefeld@kenai.city to make arrangements.

Annual Airport Emergency Control Plan Review – The annual review of the AECPP will be held in the City Council Chambers on Tuesday, October 13th from 2:00pm to 5:00pm. This is an annual CFR 139 requirement. All AECPP participants are encouraged to attend.

Pre-Winter Operations Meeting – The Airport's pre-season winter operations meeting for all staff, airport tenants and users will be held on October 21, 2020 at 9:00a.m., in the City Council Chambers.





KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Mary Bondurant, Airport Manager
DATE: November 17, 2020
SUBJECT: **Airport Mid-Month Report October 2020**

2018 Terminal Rehabilitation Project – Construction: The project has reached the closeout stage. The terminal furniture arrived the week of October 5th and is being installed. The ribbon cutting ceremony has been postponed due to the COVID pandemic.

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

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

2020 Sand/SRE Storage Building – The City received the FAA grant offer on September 24, 2020 for \$1,954,101 which is 100% of the allowable costs instead of the 93.75%. The project kicks off on Wednesday, October 14, 2020.

2020 Land Acquisition – The City received the FAA grant offer on September 10, 2020 for \$26,299 which is 100% of the allowable costs instead of the 93.75%. The purchase is complete for the William Brogen parcel.

In-house Activities:

RAVN Shutdown – The City has received Certificates of Insurance and a signed Airline Operating and Terminal Lease Agreement effective September 8, 2020. RAVN representatives are waiting FAA approval to start passenger service into Kenai.

Winter Hiring – The Airport has completed the winter recruitment and has hired one seasonal and seven temporary equipment operators for the 2020-2021 winter season.

Storm Water Prevention & Pollution Plan (SWPPP) – The Alaska Department of Environmental Conservation (DEC) has completed the review of the Notice of Intent (NOI) requesting coverage

for the Kenai Municipal Airport 2020 Multi-Sector General Permit for Storm Water Discharges associated with “air transportation facilities” and has issued wastewater discharge authorization from October 6, 2020 to March 31, 2025.

Annual Airport Emergency Control Plan (AECOP) Review – The annual review of the AECOP has been changed from an in-person venue to a VIRTUAL MEETING scheduled for Tuesday, October 13th from 2:00pm to 5:00pm. This is an annual CFR 139 requirement. All AECOP participants are encouraged to attend.

Pre-Winter Operations Meeting – The Airport’s pre-season winter operations meeting for all staff, airport tenants and users will be held as a VIRTUAL meeting on October 21, 2020 or one-on-one training as needed with consideration for social distancing.





KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Mary Bondurant, Airport Manager
DATE: November 19, 2020
SUBJECT: **Airport Mid-Month Report November 2020**

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

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

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

2020 Sand/SRE Storage Building – This project kicked off on Wednesday, October 14, 2020 and is now in winter shutdown.

2020 Land Acquisition – This project has reached the closeout stage. The purchase is complete for the William Brogen parcel.

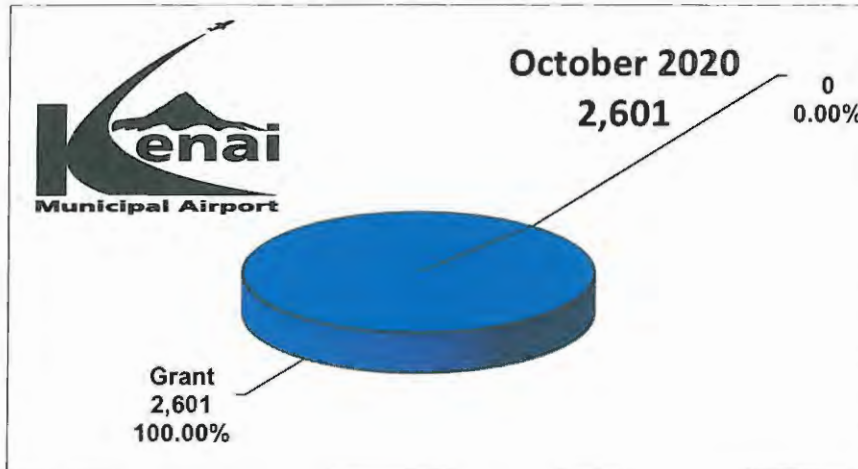
In-house Activities:

Ravn Alaska - Ravn Alaska continues to wait for US DOT approval for scheduled service. They were approved for four flights a week under a public-charter provision which started in Kenai on Monday, November 16th. They are thinking a delay of approximately 3-4 more weeks for US DOT approval.

Airport Administration – We are reviewing the status of our FY21 budget and gathering information to prepare the FY22 budget. We are also looking to identify costs that will result in efficiencies and savings within the department as we proceed through a very difficult time at the Airport.

The Airport wishes everyone a safe and happy Thanksgiving holiday!

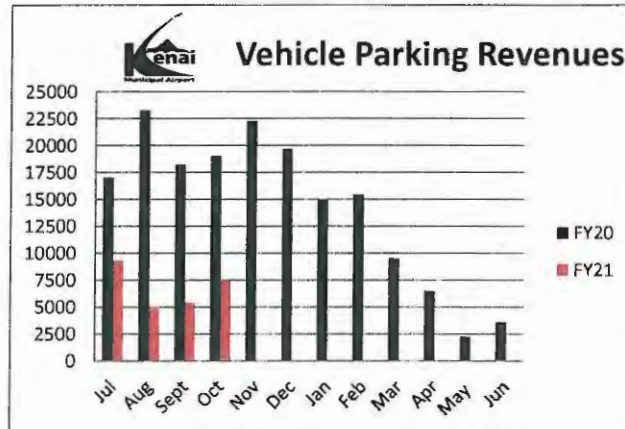
October
Enplanement Report



Month	RAVN ALASKA	GRANT AVIATION	Total 2020	2019	Change from 2019
January	4,109	2,281	6,390	6,785	-395
February	3,988	1,942	5,930	5,957	-27
March	0	1,317	1,317	6,808	-5,491
April	0	359	359	6,441	-6,082
May	0	702	702	7,198	-6,496
June	0	1,367	1,367	7,656	-6,289
July	0	2,445	2,445	10,658	-8,213
August	0	3,063	3,063	12,925	-9,862
September	0	2,806	2,806	8,951	-7,045
October	0	2,601	2,601	7,594	-4,993
November			0	6,998	
December			0	7,033	
Totals	8,097	18,883	26,980	95,004	-54,893

Terminal - Vehicle Parking Revenues

October		FY20 Total	
FY19	\$19,040	FY20 Total	\$171,739
FY20	\$7,398	FY21 YTD	\$27,066





KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Paul Ostrander, City Manager
FROM: Mary Bondurant
DATE: November 17, 2020
SUBJECT: **Action/Approval – Special Use Permit to Ravn Alaska (adjusted)**

Council approved a Special Use Permit to Ravn Alaska at the November 4, 2020 meeting for 600 square feet in Warm Storage 1 for \$600 a month.

Ravn Alaska has requested an additional 600 square feet in Warm Storage 1 for a second deicing truck which would be 1,200 square feet for \$1,200 a month. The term of the permit remains the same from November 1, 2020 through March 31, 2020. Ravn had paid the \$100 Special Use Application fee.

Ravn Alaska is current on all fees owed and we have a current Certificate of Insurance.

Thank you for your consideration.

SPECIAL USE PERMIT

The **CITY OF KENAI** (City), for the consideration, and pursuant to the conditions set out below, hereby grants to **CORVUS AIRLINES, INC, d/b/a RAVN ALASKA, LLC** (PERMITTEE) the non-exclusive right to use 600 square feet of area as described below:

Tract A FBO Subdivision consisting of approximately 1,200 square feet in an area described as Warm Storage 1.

and as further shown in the attached Exhibit A.

1. **TERM.** This special use permit shall be for approximately six (6) months from November 1, 2020 to April 30, 2021.
2. **PERMIT FEES.** The Permittee shall be charged a monthly permit fee of \$1,200 plus applicable sales tax.

The Permittee shall pay the City the permit fee by the 10th day of the preceding month.

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

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

- A. Sales tax not enforced, or levied in the future, computed upon the permit fee payable in monthly installments whether said fee is paid on a monthly or yearly basis;
 - B. All necessary licenses and permits; all lawful taxes and assessments which, during the term hereof may become a lien upon or which may be levied by the State, Borough, City, or by any other tax levying body, upon any taxable possessory right which Permittee may have in or to the Premises by reason of its use or occupancy or by reason of the terms of this Permit, provided however, that nothing herein contained shall prevent Permittee from contesting any increase in such tax or assessment through procedures provided by law.
 - C. Interest at the rate of eight percent (8%) per annum and penalties of ten percent (10%) of any amount of money owed under this Special Use Permit which are not paid on or before the due date.
 - D. Costs and expenses incident to this Special Use Permit, including but not limited to recording costs.
 - E. Annual Special Use Permit Application fee of \$100.00.
3. **USE.** The use by the Permittee of the Premises is limited to the purpose of Storage for De-ice Vehicle. This use is subject to City, Borough, and State laws and regulations and the

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

- A. Permittee shall use the Premises only for storage of one vehicle.
 - B. The premises shall be returned to its current condition prior to the end of the term of this Special Use Permit.
4. **INSURANCE.** Permittee shall secure and keep in force adequate insurance, as stated below, to protect City and Permittee. Where specific limits are stated, the limits are the minimum acceptable limits. If Permittee's insurance policy contains higher limits, the City is entitled to coverage to the extent of the higher limits.
- A. Garage Liability or Commercial General Liability Insurance, including Premises, all operations, property damage, personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit. The policy must name the City as an additional insured.
 - B. Worker's Compensation Insurance with coverage for all employees engaged in work under this Permit or at the Premises as required by AS 23.30.045. Permittee is further responsible to provide Worker's Compensation Insurance for any subcontractor who directly or indirectly provides services to Permittee under this Permit.
 - C. Commercial Automobile Coverage with not less than \$1,000,000 combined single limit per occurrence. This insurance must cover all owned, hired, and non-owned motor vehicles the Permittee uses for snow moving and storage activities to, from, or on the Premises. The policy must name the City as an additional insured.
 - D. All insurance required must meet the following additional requirements:
 - i. All policies will be by a company/corporation currently rated "A-" or better by A.M. Best.
 - ii. Permittee shall submit to the City proof of continuous insurance coverage in the form of insurance policies, certificates, endorsements, or a combination thereof, and signed by a person authorized by the insurer to bind coverage on its behalf.
 - iii. Permittee shall request a waiver of subrogation against City from Permittee's insurer and the waiver of subrogation, where possible, shall be provided at no cost to City.
 - iv. Provide the City with notification at least 30 days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.

- v. Evidence of insurance coverage must be submitted to City by November 1, 2020. The effective date of the insurance shall be no later than November 1, 2020.
 - vi. This insurance shall be primary and exclusive of any other insurance carried by the City of Kenai. This insurance shall be without limitation on the time within which the resulting loss, damage, or injury is actually sustained.
5. **INDEMNITY, DEFEND, AND HOLD HARMLESS AGREEMENT.** The Permittee shall fully indemnify, hold harmless, and defend the City of Kenai, its officers, agents, employees, and volunteers at its own expense from and against any and all actions, damages, costs, liability, claims, losses, judgments, penalties, including reasonable Attorney's fees of or for liability for any wrongful or negligent acts, errors, or omissions of the Permittee, its officers, agents or employees, or any subcontractor under this Permit. The Permittee shall not be required to defend or indemnify the City for any claims of or liability for any wrongful or negligent act, error, or omission solely due to the independent negligence of the City. If there is a claim of or liability for the joint negligence of the Permittee and the independent negligence of the City, the indemnification and hold harmless obligation shall be apportioned on a comparative fault basis. Apportionment shall be established upon final determination of the percentage of fault. If any such determination is by settlement, the percentage of fault attributed to each party for purposes of this indemnification provision shall only be binding upon the parties included in the settlement agreement. "Permittee" and "City" as used in this article include the employees, agents, officers, directors, and other contractors who are directly responsible, respectively, for each party. The term "independent negligence of the City" is negligence other than in the City's selection, administration, monitoring, or controlling of the Permittee.
6. **PERMITTEE'S OBLIGATION TO PREVENT AND REMOVE LIENS.** Permittee will not permit any liens, including mechanic's, laborer's, construction, supplier's, mining, or any other liens obtainable or available under existing law, to stand against the Premises or improvements on the Premises for any labor or material furnished to Permittee or to any related entity or claimed entity. The Permittee shall have the right to provide a bond as contemplated by State of Alaska law and contest the validity or amount of any such lien or claimed lien. Upon the final determination of the lien or claim for lien, the Permittee will immediately pay any judgment rendered with all proper costs and charges and shall have such lien released or judgment satisfied at Permittee's own expense.
7. **PERSONALTY.** Permittee shall remove any and all personal property, including all vehicles, from the Premises at the termination of this Permit. Personal property placed or used upon the Premises and not removed upon termination of this Permit will be removed and/or impounded by the City. Property removed or impounded by the City may be redeemed by the owner thereof only upon the payment to the City of the costs of removal plus a storage fee of \$25 per day. The City of Kenai is not responsible for any damage to or theft of any personalty of Permittee or its customers.
8. **FORBEARANCE.** Failure to insist upon a strict compliance with the terms, conditions, and/or any requirement herein contained, or referred to, shall not constitute or be construed as a waiver or relinquishment of the right to exercise such terms, conditions, or requirements.

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

CITY OF KENAI

Corvus Airlines, Inc. dba Ravn Alaska, LLC

By: _____

By: _____

Paul Ostrander
City Manager

Date:

Dallas Anthony
Director of Airports

Date:

ACKNOWLEDGMENTS

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

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

Notary Public for Alaska
My Commission Expires: _____

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ____ day of _____, 20____, the foregoing instrument was acknowledged before me by Dallas Anthony, Director of Airports of Corvus Airlines, Inc. dba Ravn Alaska, LLC, an Alaska limited liability company, on behalf of the company.

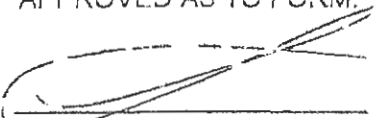
Notary Public for Alaska
My Commission Expires: _____

A. TEST:

Jamie Heinz, CMC, City Clerk

SEAL:

APPROVED AS TO FORM:



Scott Bloom, City Attorney



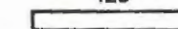
Exhibit A:

**Ravn Alaska Special Use Permit Area
City of Kenai Shop Yard**

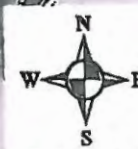
**Parcel No:
04336001**

Tract A, FBO Subdivision

125'



1 inch equals 145 feet



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

Date: 1/30/2020



City of Kenai Special Use Permit Application

Application Date: 10/26/2020

Applicant Information

Name of Applicant:	Ravn Alaska						
Mailing Address:	4700 Old International Airport Rd	City:	Anchorage	State:	AK	Zip Code:	99502
Phone Number(s):	Home Phone: ()		Work/ Message Phone: (907) 771-2595				
E-mail: (Optional)	Dallas.Anthony@ravnalaska.com						
Name to Appear on Permit:	Ravn Alaska						
Mailing Address:	4700 Old International Airport Rd	City:	Anchorage	State:	AK	Zip Code:	99502
Phone Number(s):	Home Phone: ()		Work/ Message Phone: (907) 771-2595				
E-mail: (Optional)							
Type of Applicant:	<input type="checkbox"/> Individual (at least 18 years of age) <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Government <input type="checkbox"/> Limited Liability Company (LLC) <input type="checkbox"/> Other _____						

Property Information

Legal or physical description of the property: Warm Storage 1

Description of the proposed business or activity intended: Heated overnight storage for Ravn Alaska deice vehicle.

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

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

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

What is the term requested (not to exceed one year)? November 13, 2020 through April 30, 2021

Requested Starting Date:

Signature:		Date:	10/26/2020
Print Name:	jason McEnerney	Title:	Ravn Kenai Station Manager

For City Use Only:	Date Application Fee Received:
<input type="checkbox"/> General Fund <input type="checkbox"/> Airport Reserve Land	City Council Action/Resolution: _____
<input type="checkbox"/> Airport Fund <input type="checkbox"/> Outside Airport Reserve	Account Number: _____



FLOAT PLANE BASIN ACTIVITY 2016-2020

OPERATIONS

Month	2020	2019	2018	2017	2016
MAY	21	64	39	23	44
JUNE	105	123	139	106	85
JULY	178	166	261	144	151
AUGUST	174	172	164	103	191
SEPTEMBER	103	132	156	107	115
OCTOBER	19	37	47	6	CLSD
Total	600	694	806	489	586

0 not reported

FUEL SALES

Month	2020	2019	2018	2017	2016
MAY	\$1,422	\$1,685	\$134	\$784	\$1,175
JUNE	\$2,909	\$5,870	\$3,203	\$3,423	\$1,656
JULY	* unavailable	\$9,030	\$3,635	\$3,420	\$3,036
AUGUST	* unavailable	\$7,146	\$5,890	\$4,325	\$3,647
SEPTEMBER	* unavailable	\$5,906	\$5,590	\$4,901	\$3,830
OCTOBER	* unavailable	\$1,752	\$1,060	\$583	CLSD
Total	\$4,331	\$31,389	\$19,512	\$17,436	\$13,344

Slips Rented

Private	0
Commerical	0

*City IT needs to install wireless radio

Rev 5/2019