

**JUNE 3, 2020  
CITY COUNCIL MEETING  
ADDITIONAL MATERIAL/REVISIONS**

**REQUESTED REVISIONS TO THE AGENDA/PACKET:**

<b><u>ACTION</u></b>	<b><u>ITEM</u></b>	<b><u>REQUESTED BY</u></b>
Add to item D.1.	<b>Ordinance No. 3127-2020</b> <ul style="list-style-type: none"><li>• Memo Requesting Postponement</li></ul>	Council Member Peterkin
Add to item D.2.	<b>Ordinance No. 3128-2020</b> <ul style="list-style-type: none"><li>• Memo Requesting Postponement</li></ul>	City Clerk
Add to item D.9.	<b>Resolution No. 2020-39</b> <ul style="list-style-type: none"><li>• Supplemental Information – FAQ's and Applications</li></ul>	City Manager
Add item J.1.	<b>City Manager's Report</b> <ul style="list-style-type: none"><li>• Letter from Alaska Department of Transportation.</li></ul>	City Manager



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Council Member Peterkin

**FROM:** Jamie Heinz, City Clerk

**DATE:** June 3, 2020

**SUBJECT:** **Ordinance No. 3127-2020 Vote by Mail Hybrid Voting System**

---

At their June 2 meeting, which was recessed and continued to June 3, the Kenai Peninsula Borough Assembly unanimously amended the effective date of their Vote by Mail Hybrid Voting System ordinance to January 1, 2021. They also considered an amendment to put ratification of the ordinance on the October 6, 2020 ballot, which failed. The ordinance was ultimately adopted as amended with the January 1, 2021 effective date and Assembly Member Carpenter asked for reconsideration. Reconsideration will take place at the Assembly's June 16 meeting.

Given these actions, I recommend the City Council postpone Ordinance No. 3127-2020 to its July 1 meeting and set a work session for some time before then.

Your consideration is appreciated.



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**FROM:** Jamie Heinz, City Clerk

**DATE:** June 3, 2020

**SUBJECT:** **Ordinance No. 3128-2020 Record Retention on Financial Disclosure Statements**

---

Because Ordinance No. 3128-2020 is a companion ordinance to Ordinance No. 3127-2020, I recommend you also postpone Ordinance No. 3128-2020 to the same date that Ordinance No. 3127-2020 is postponed to.

Your consideration is appreciated.



## Small Business and Nonprofit Relief and Recovery Grants Frequently Asked Questions

### **Information for business and nonprofit applicants:**

#### **How can I apply?**

Applications may be completed online at [www.kenai.city](http://www.kenai.city) or submitted by email to: [grantsadmin@kenai.city](mailto:grantsadmin@kenai.city) or hand-delivered or mailed to City of Kenai City Hall at 210 Fidalgo Ave., Kenai, AK 99611, Attn: Grant Review Committee.

#### **Are these loans or grants?**

They are grants.

#### **Are there fees associated with these grants?**

No, there are no fees charged to the applicant.

#### **Who can apply?**

Businesses in the City of Kenai and nonprofits that provide services to City of Kenai residents.

#### **Do I have to provide financial records to prove my economic loss from the public health emergency?**

No, the City does not require invoices, receipts, bank statements, financial spreadsheets or other records. Applicants are only required to confirm their business (or nonprofit organization) was affected by the COVID-19 public health emergency and resulting economic impacts.

### **What expenses can the grant money cover?**

Loss of income due to mandatory shutdowns; inventory loss; additional operating expenses of reopening or resuming services to the public; costs of protecting staff, customers or clients; or other economic impacts due to the public health emergency. The grant funds may be used for future expenses or to cover for funds already spent.

### **What is the timeline for the grants program?**

Applications must be received or postmarked by 5 p.m. Friday, June 19. The City plans to review the applications as they come in, so that the grant review committee is able to move quickly after the application deadline. The intent is to send out all or most of the checks by June 30.

### **Will the City of Kenai mail out checks or send the funds electronically to bank accounts?**

The City will mail out checks.

### **What if the City of Kenai receives more applications than it has funds to distribute?**

If the demand for grants exceeds the City's available funds, the City reserves the right to prorate the grants equally to all recipients to stay within available funding.

### **Will the names of grant recipients be public record?**

Yes, the names and amounts of the grants are public record.

### **Will receipt of this grant make me ineligible for other grant programs?**

If you are going to apply for other federal or state grant or loan programs, the City advises applicants to check the eligibility rules for those programs.

### **Is there a deadline for a grant recipient to spend the money?**

Yes, the grant funds received must be fully expended by Dec. 30, 2020.

## **Information for business applicants:**

### **Do I have to keep receipts for my spending?**

No, the City is not asking for proof of the spending after the fact, though the application asks how the business will spend the money (for informational purposes only, not to determine eligibility of the application).

### **Are the grant funds subject to federal income taxes?**

The City advises applicants to contact their tax preparer for professional advice.

### **Since business applicants' 2019 gross sales will be used to determine the amount of grant funds they might be eligible to receive, what if a business did not report sales for every quarter in 2019?**

For businesses — such as seasonal operations — the City will take whatever gross sales were reported for 2019 and the first quarter 2020 and estimate an annual total.

### **What if my business is not required to file sales tax returns with the borough?**

The City will accept a copy of the most recent federal income tax return or other proof of revenues as deemed suitable by the City review committee to determine the level of grant award the business might qualify to receive. The applicant can choose to request that a review committee member come to their office to review the documents rather than submit them at City Hall.

### **Does the business owner(s) have to be a resident of the City of Kenai?**

No, but the business must be physically located in Kenai.

### **Can a business that is behind in its sales taxes qualify for the City grant?**

Yes, so long as the business is not under a tax lien issued by the borough. Businesses that have entered into a payment plan with the borough and are adhering to that plan would be eligible for a grant.

### **What if my business shares physical quarters with other businesses? Can each business apply and qualify for its own grant?**

Yes, so long as each business has its own state license, files its own sales tax returns under its own name and does not share the same ownership with the other co-located businesses.

**Information for nonprofit applicants:**

**Since a nonprofit's total revenue in 2019 will be used to determine the amount of grant award it might be eligible to receive, what if a nonprofit does not have a current IRS Form 990 it can provide to the City?**

In lieu of the federal report, a nonprofit may submit an audited financial statement or an unaudited statement prepared by a third-party professional accountant that shows total revenue for 2019.

**What if my nonprofit organization's office is outside the City of Kenai?**

A nonprofit could be eligible for the grants as long as it provided services to City of Kenai residents for all of 2019, even if its main office is outside the City.

**Does a nonprofit have to report how it used the grant money?**

Nonprofits will be asked to provide a brief report to the City no later than one year after receipt of the grant funds. This is voluntary and is requested to assist the City in evaluating the impact of the program.

**Can a nonprofit that operates a business receive two City grants: One under the business program and one under the grants program for nonprofits?**

No, a nonprofit would have to decide which grant program it wanted to apply under.



## Small Business Relief and Recovery Grant Application

### Section 1 – Applicant Information

Business name:	<input type="text"/>
Contact name:	<input type="text"/>
Contact address: (mailing)	<input type="text"/>
	City: <input type="text"/> State: <input type="text"/> Zip: <input type="text"/>
Contact phone number:	<input type="text"/>
Contact email address:	<input type="text"/>
Physical address of business: (business must be located within the City of Kenai)	<input type="text"/>
	City: <input type="text"/> State: <input type="text"/> Zip: <input type="text"/>
IRS Tax Identification Number or proprietor's Social Security Number: (SSN will be kept confidential)	<input type="text"/>

### Section 2 – Grant Request Information

Was your business impacted by the COVID-19 public health emergency?

Yes  No

(Impacts may include, but are not limited to, loss of sales due to mandatory shutdown, inventory loss, additional operating expenses of reopening and protecting staff and customers, including funds already spent for those purposes.)

What is the grant amount you are requesting (check only one):

- \$2,500 grant for businesses with 2019 revenues of \$50,000 to \$100,000
- \$5,000 grant for businesses with 2019 revenues of \$100,000 to \$250,000
- \$7,500 grant for businesses with 2019 revenue of more than \$250,000
- \$10,000 grant for businesses with 2019 revenue of more than \$500,000

(Grant amounts have been divided into four levels, based on each business' 2019 total gross sales revenue for four quarters as reported on tax returns to the borough)

How will the grant funds be used?

(Optional for informational purposes only to gauge community need and program effectiveness)



Please answer the following eligibility questions:

1. My business is a C Corporation traded on a U.S. stock exchange or a corporate-equivalent entity traded on a foreign stock exchange, and owned in whole or majority-owned by such a publicly traded corporation.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. My business is a national chain that owns and operates a premise in the City of Kenai (individually owned-and-operated local franchises are eligible).	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. My business has an unpaid financial obligation to the City.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4. My business has a Borough lien for unpaid sales taxes.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5. My business is currently in bankruptcy proceedings.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6. My business does not have a permanent physical presence in the City of Kenai for the sale of goods or provision of services, with at least one worker assigned to that facility.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
7. My business is a marijuana business licensed under Alaska Statute 17.38.	<input type="checkbox"/> Yes	<input type="checkbox"/> No

(If you answered yes to any of the above questions, your business is not eligible for a grant)

Do you intend to remain in business into 2021?  Yes  No

Applications must be received or postmarked by 5 p.m. on June 19, 2020, and may be submitted by email to: [grantsadmin@kenai.city](mailto:grantsadmin@kenai.city) or hand-delivered or mailed to City of Kenai City Hall at 210 Fidalgo Ave., Kenai, AK 99611, Attn: Grant Review Committee. Applications may be amended before the deadline. Incomplete applications will be rejected. Applicants will be notified of the status of their application via email to the contact person listed on the application. Questions about the grant program, application process, or application status must be directed to Larry Persily, City Project Lead, 283-8226, or email [lpersily@kenai.city](mailto:lpersily@kenai.city). If the demand for grants exceeds the City's available funds, the City reserves the right to prorate the grants equally to all recipients to stay within available funding. It is the sole responsibility of the applicant to determine or to seek independent advice as to the tax implications of receiving the grant funds.

As an official signer for the applicant, I certify that the information provided in this application is true and accurate and acknowledge that the funds will be spent by the required deadline of Dec. 30, 2020. I agree to assist in the verification of information provided in this application and to provide additional information to the city, if requested.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_



## Nonprofit Relief and Recovery Grant Application

### Section 1 – Applicant Information

Nonprofit name:	<input type="text"/>
Contact name:	<input type="text"/>
Contact address: (mailing)	<input type="text"/>
	City: <input type="text"/> State: <input type="text"/> Zip: <input type="text"/>
Contact phone number:	<input type="text"/>
Contact email address:	<input type="text"/>
Physical address of nonprofit:	<input type="text"/>
	City: <input type="text"/> State: <input type="text"/> Zip: <input type="text"/>
IRS Taxpayer Identification Number (TIN):	<input type="text"/>

### Section 2 – Grant Request Information

Were the services provided by your nonprofit impacted by the COVID-19 public health emergency?  Yes  No

(Impacts may include, but are not limited to, loss of revenue due to mandatory shutdown measures, additional operating expenses of reopening and protecting staff and the public, including funds already spent for those purposes.)

What is the grant amount you are requesting (check only one):

- \$10,000 grant for nonprofits with less than \$50,000 in annual revenue
- \$25,000 grant for nonprofits with between \$50,000 and \$250,000 in annual revenue
- \$50,000 grant for nonprofits with more than \$250,000 in annual revenue

(Grant amounts will be determined by the nonprofit's most recent IRS Form 990 from either 2018 or 2019. For those nonprofits that do not file with the IRS, the City will accept an audited financial statement or an unaudited statement by a third-party preparer)

Did your nonprofit provide services to residents of the City of Kenai in 2019?  Yes  No

Is your nonprofit directed by a board of directors or a local advisory board comprised of a majority of Alaska residents?  Yes  No

Check which type of IRS certification your nonprofit holds:

- 501(c)(3) Charitable organization
- 501(c)(4) Social welfare
- 501(c)(5) Labor, agricultural or horticultural organization
- 501(c)(6) Trade or professional organization
- 501(c)(19) or (23) Veterans organization
- 501(e) Cooperative hospital service organization
- 501(k) Child care organization
- Other (please specify):

(Faith-based nonprofits are eligible, so long as they provide services that are promoted and available to the general public without regard to religious affiliation. Nonprofit organizations "that are principally engaged in teaching, instructing, counseling, or indoctrinating religion or religious beliefs, whether in a religious or secular setting, or primarily engaged in political or lobbying activities" are not eligible (as per 13 CFR § 120.110(k) in the Code of Federal Regulations)

Briefly describe how the nonprofit's services have been impacted:

(Optional for informational purposes only to gauge community need and program effectiveness)

Applications must be received or postmarked by 5 p.m. on June 19, 2020 and may be submitted by email to: [grantsadmin@kenai.city](mailto:grantsadmin@kenai.city) or hand-delivered or mailed to City of Kenai City Hall at 210 Fidalgo Ave., Kenai, AK 99611, Attn: Grant Review Committee. Applications may be amended before the deadline. Incomplete applications will be rejected. Applicants will be notified of the status of their application via email to the contact person listed on the application. Questions about the grant program, application process or application status must be directed to Larry Persily, City Project Lead, 283-8226, or email [lpersily@kenai.city](mailto:lpersily@kenai.city). If the demand for grants exceeds the City's available funds, the City reserves the right to prorate the grants equally to all recipients to stay within available funding. The grant funds received by a nonprofit must be fully expended by December 31, 2020, after which grant recipients are required to submit a brief report to the city of how the funds were used.

As an official signer for the applicant, I certify that the information provided in this application is true and accurate and acknowledge that the funds will be spent by the required deadline of Dec. 30, 2020. I agree to assist in the verification of information provided in this application and to provide additional information to the city, if requested.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Transportation and Public Facilities

DIVISION of PROGRAM DEVELOPMENT and STATEWIDE PLANNING  
Anchorage Field Office

4111 Aviation Avenue  
P.O. Box 196900  
Anchorage, AK 99519-6900  
Main: 907.269.0520  
Fax: 907.269.0521  
dot.alaska.gov

February 20, 2020

Paul Ostrander  
210 Fidalgo Ave.  
Kenai, AK 99611

Dear Mr. Ostrander,

Thank you for your patience in developing, and funding this project. Moving forward we aim for greater transparency in the process of project development and delivery and to this end we have updated the DOT estimate for your project. This means your local match portion has increased, based on the commitment from the resolutions in the application.

City of Kenai

Kenai Bridge Access Rd. Pathway: Our estimate: \$2,398,229

Local Match : \$216,560

I realize this total cost and associated match is substantially more than previously considered. Please let me know if your community is able to continue with the project and what your timeline for funding may be. We cannot initiate a federal project until a match and maintenance agreement has been signed by all parties. I look forward to working on this project with you.

Sincerely,

A handwritten signature in black ink, appearing to read "JBiloon".

Joselyn Biloon  
Area Planner

*"Keep Alaska Moving through service and infrastructure."*