



## Kenai City Council - Regular Meeting

October 19, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

[www.kenai.city](http://www.kenai.city)

### Agenda

#### A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. **Certification of the October 4, 2022 Election Results**
  - a. **Swearing in of Elected Officials.** *(The term of office for those elected during the October 4, 2022 Regular Election begins on Monday, October 24, 2022.)*
4. Agenda Approval
5. Consent Agenda *(Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated)*

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

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

#### C. UNSCHEDULED PUBLIC COMMENTS *(Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated)*

#### D. PUBLIC HEARINGS

1. **Ordinance No. 3318-2022** – Renaming and Amending Kenai Municipal Code Chapter 7.30 Land Sale Permanent Funds to Establish the Kenai Senior Center Cone Memorial Trust and Directing All Proceeds Received as a Residual Beneficiary from the Tamara Diane Cone Testamentary Trust to be Deposited into such Fund. (Administration)
2. **Ordinance No. 3319-2022** - Increasing Estimated Revenues and Appropriations in the Kenai Bluff Erosion Capital Project Fund for Construction of the Kenai Bluff Stabilization Project. (Administration)
3. **Resolution No. 2022-73** - Authorizing a Construction Contract Award for the Kenai Fire Department (KFD) Flooring Replacement Project. (Administration)

#### E. MINUTES

1. \*Regular Meeting of October 5, 2022. (City Clerk)

#### F. UNFINISHED BUSINESS

1. **Resolution No. 2022-64** - Approving the Renewal of a Lease Utilizing a Non-Standard Lease Form on Airport Reserve Lands Between the City of Kenai and the Federal Aviation

Administration for the Automated Flight Service Station and Satellite Communication Network Facilities on Lot 7A-1 FBO Subdivision No. 5. (Administration) [**Clerk's Note:** *At the October 5, 2022 City Council Meeting, this Resolution was Postponed to this Meeting; a Motion to Adopt is on the Floor.*]

## **G. NEW BUSINESS**

- [1.](#) \***Action/Approval** - Bills to be Ratified. (Administration)
- [2.](#) \***Ordinance No. 3320-2022** - Accepting and Appropriating a Donation from Hilcorp Energy Company to Assist with the Annual Area-Wide Senior Thanksgiving Dinner. (Administration)
- [3.](#) **Discussion** - Cancelling the December 7, 2022 City Council Meeting to Allow for Council Member Travel to Alaska Municipal League Conference. (Knackstedt)
- [4.](#) **Discussion** – Supervisory Subcommittee Report on City Manager Recruitment. (Gabriel)
- [5.](#) **Discussion** – Scheduling a Work Session with the Kenaitze Indian Tribe. (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 COMMENTS**

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

## **L. EXECUTIVE SESSION**

## **M. PENDING ITEMS**

## **N. ADJOURNMENT**

## **O. INFORMATION ITEMS**

- [1.](#) Purchase Orders Between \$2,500 and \$15,000.
- [2.](#) Kenaitze Indian Tribe Donation Letter

*The agenda and supporting documents are posted on the City's website at [www.kenai.city](http://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/81157086559>

**Meeting ID:** 811 5708 6559 **Passcode:** 683100

OR

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

**Meeting ID:** 811 5708 6559 **Passcode:** 683100



**CITY OF KENAI  
REGULAR ELECTION OF OCTOBER 4, 2022**

We, the members of the Kenai City Council, do hereby certify the result of a canvass of the ballots for the Regular Election of October 4, 2022.

<b>Absentee (In-Person, By-Mail, By-Electronic Transmission, Personal Needs) and Questioned Ballots Voted</b>	<b>219</b>
<b>Absentee/Questioned Ballots Rejected</b>	<b>12</b>
<b>Absentee/Questioned Ballots Counted</b>	<b>207</b>
<b>Poll Voter Turn Out</b>	<b>946 / 14.95%</b>
<b>Total Voter Turn Out</b>	<b>1,153 / 18.22%</b>
<b>Number of Kenai Registered Voters</b>	<b>6,329</b>

**FOR CITY MAYOR, ONE THREE-YEAR TERM**

<b>Candidates</b>	<b>Polls</b>	<b>Absentee / Questioned</b>	<b>Total Votes</b>	<b>Percentage</b>
GABRIEL Sr., Brian G.	645	160	805	70.06%
WINGER, Teea M.	295	46	341	29.68%
Write-in	3	0	3	.26%

**FOR CITY COUNCIL, TWO THREE-YEAR TERMS**

<b>Candidates</b>	<b>Polls</b>	<b>Absentee / Questioned</b>	<b>Total Votes</b>	<b>Percentage</b>
ASKIN, Victoria J.	454	110	564	32.36%
DOUTHIT, Alex N.	558	113	671	38.50%
PETTEY, Glenese	394	98	492	28.23%
Write-in	15	1	16	.91%

\_\_\_\_\_  
Brian Gabriel, Sr., Mayor

\_\_\_\_\_  
Jim Glendening, Vice Mayor

\_\_\_\_\_  
Glenese Pettey, Council Member

\_\_\_\_\_  
Henry Knackstedt, Council Member

\_\_\_\_\_  
Teea Winger, Council Member

\_\_\_\_\_  
Deborah Sounart, Council Member

\_\_\_\_\_  
James Baisden, Council Member

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

\_\_\_\_\_  
Date

**CERTIFICATION OF RESULTS FOR  
ABSENTEE, PERSONAL NEEDS AND QUESTIONED BALLOTS**

Whereas, the undersigned City of Kenai Canvass Board for the Regular Election of the City of Kenai held on October 4, 2022, do solemnly affirm the results of said election for absentee, personal needs, and questioned ballots, counted on the 11<sup>th</sup> day of October 2022 as follows:

**FOR CITY MAYOR, ONE THREE YEAR TERM**

Candidate Name	Number of Votes Received
GABRIEL Sr., Brian G	160
WINGER Teea M.	46
Write-in	0

**FOR CITY COUNCIL, TWO THREE YEAR TERM**

Candidate Name	Number of Votes Received
ASKIN, Victoria J.	110
DOUTHIT, Alex N.	113
PETTEY, Glenese	98
Write-in	1

**REGULAR ABSENTEE, QUESTIONED AND PERSONAL NEEDS BALLOTS**

Absentee ballots voted [in-person, by-mail & electronic]:

198

Questioned ballots voted:

14

Personal Needs ballots voted:

7

**Total Ballots Voted: 219**

**Rejected ballots:**

Not registered, registered too late or

Registered out of the City of Kenai:

9

Purged from voter rolls:

1

Ballot envelope not signed or witnessed:

1

No identifier provided on envelope:

0

Voted twice:

0

Signed/witnessed or postmarked after Election Day:

0

Other: KPB Ballots

2

**Total Ballots Rejected by Canvass Board: 12**

Counted Ballots:

Absentee ballots counted [in-person, by-mail & electronic]: 195

Questioned ballots counted: 5

Personal Needs ballots counted: 7

Total Absentee, Questioned and Personal Needs ballots counted: 207

REVIEW OF PRECINCT MATERIALS

The Canvass Board further certifies we have examined in detail all original and questioned registers for the polling precincts, AVO and absentee by-mail of the City of Kenai and have found them to be in proper order.

Upon completion of the canvass, it is our opinion the attached summary of election returns, as compiled by the City Clerk, accurately reflects the totals shown on the Certificate of Election Returns by the election board of each voting precinct and the returns of the absentee, questioned and personal needs ballots cast in this election.

We, the undersigned, certify the foregoing to be true and accurate to the best of our knowledge and belief.

Signed and dated this 11<sup>th</sup> day of October, 2022.

Carol L. Freas

Print Name

Carol L. Freas

Canvass Board Member Signature

Meghan Thibodeau

Print Name

Meghan Thibodeau

Canvass Board Member Signature

BARBARA NORBECK

Print Name

Barbara Norbeck

Canvass Board Member Signature

Michael Efta

Print Name

Michael Efta

Canvass Board Member Signature

Jean Seaman

Print Name

Jean Seaman

Canvass Board Member Signature

Marie Weller

Marie Weller

ATTEST:

Michelle M. Saner

Michelle M. Saner, MMC

Kenai City Clerk





OCTOBER 4, 2022 REGULAR ELECTION  
CANVASS BOARD ACCOUNTABILITY REPORT

WHEREAS, the undersigned City of Kenai Canvass Board for the Regular Election of the City of Kenai held on October 4, 2022, do solemnly affirm the results of said election for absentee, personal needs and questioned ballots, counted on the 11<sup>th</sup> day of October 2022 as follows:

ABSENTEE IN-PERSON				
Location	Signatures on Register	Ballot Envelopes Received	Total NO COUNT Envelopes	Total COUNT Envelopes
City Hall AVO	138	138	0	138 ✓
KPB AVO	20	20	0	20 ✓

-2  
156

Comments: -2 KPB Ballots in City envelope in error.

ABSENTEE BY-REQUEST (MAIL OR ELECTRONIC TRANSMISSION)				
Location	Applications Received/Ballots Forwarded	Ballot Envelopes Returned	Total NO COUNT Envelopes	Total COUNT Envelopes
City Hall	56	40	1	39 ✓

Comments: 1 - Voter did not sign

QUESTIONED				
Location	Signatures on Register	Voted Ballot Envelopes Received	Total NO COUNT Envelopes	Total COUNT Envelopes
Kenai No. 1	5	5	2 ✓	3 ✓
Kenai No. 2	7	7	5 ✓	2 ✓
Kenai No. 3	2	2	2 ✓	0 ✓

Comments: 5 - Voter Registered in another precinct  
4 - Registration updated less than 30-days before the election

PERSONAL REPRESENTATIVE (PR)				
Location	PR Ballots Issued	Voted PR Ballot Envelopes Returned	Total NO COUNT Envelopes	Total COUNT Envelopes
City Hall AVO	4	4	0	4 ✓
KPB AVO	1	1	0	1 ✓
Kenai No. 1	1	1	0	1 ✓
Kenai No. 2	1	1	0	1 ✓
Kenai No. 3	0	0	0	0 ✓

207

Comments: After secrecy sleeves w/ ballots separated from oath + affidavit envelopes 2 KPB Ballots were in city envelopes in error.

On the 11<sup>th</sup> day of October, 2022.

Carol L. Freas

Print Name

Carol L. Freas

Canvass Board Member Signature

Meghan Thibodeau

Print Name

Meghan Thibodeau

Canvass Board Member Signature

BARBARA NORBERG

Print Name

Barbara Norberg

Canvass Board Member Signature

Michael Epta

Print Name

Michael Epta

Canvass Board Member Signature

Joan Seaman

Print Name

Joan Seaman

Canvass Board Member Signature

Marie Weller

Marie Weller

Michelle M. Saner  
 Michelle M. Saner, MMC  
 City Clerk





CITY OF KENAI
ELECTION SUMMARY REPORT
OCTOBER 4, 2022 UNOFFICIAL RESULTS

SUMMARY OF ALL CITY OF KENAI PRECINCTS

Table with 4 columns: CITY OF KENAI JURISDICTION WIDE, Registered Voters: 6,329, Cards Cast: 1,153, 18.22%

Table for Kenai City Mayor (Vote for One) with columns: Polling Site, Absentee / Questioned, Total Votes. Rows include GABRIEL Sr., Brian G., WINGER, Teea M., and Write-in.

Table for Kenai City Council (Vote for Two) with columns: Polling Site, Absentee / Questioned, Total Votes. Rows include ASKIN, Victoria J., DOUTHIT, Alex N., PETTEY, Glenese, and Write-in.

INDIVIDUAL SUMMARY REPORTS BY LOCATION

Table with 4 columns: Kenai No. 1 (07-015), Registered Voters: 3,129, Cards Cast: 444, 14.19%

Table for Kenai City Mayor (Vote for One) with columns: Total Votes. Rows include GABRIEL Sr., Brian G., WINGER, Teea M., and Write-in.

Table for Kenai City Council (Vote for Two) with columns: Total Votes. Rows include ASKIN, Victoria J., DOUTHIT, Alex N., PETTEY, Glenese, and Write-in.



**CITY OF KENAI**  
**ELECTION SUMMARY REPORT**  
**OCTOBER 4, 2022 UNOFFICIAL RESULTS**

<b>Kenai No. 2 (07-020)</b>	Registered Voters: 1,724	Cards Cast: 250	14.50%
-----------------------------	--------------------------	-----------------	--------

<b>Kenai City Mayor (Vote for One)</b>	<b>Total Votes</b>	
GABRIEL Sr., Brian G.	161	64.92%
WINGER, Teea M.	86	34.68%
Write-in	1	.40%

<b>Kenai City Council (Vote for Two)</b>	<b>Total Votes</b>	
ASKIN, Victoria J.	118	31.55%
DOUTHIT, Alex N.	145	38.77%
PETTEY, Glenese	108	28.88%
Write-in	3	.80%

<b>Kenai No. 3 (07-025)</b>	Registered Voters: 1,476	Cards Cast: 252	17.07%
-----------------------------	--------------------------	-----------------	--------

<b>Kenai City Mayor (Vote for One)</b>	<b>Total Votes</b>	
GABRIEL Sr., Brian G.	186	73.81%
WINGER, Teea M.	66	26.19%
Write-in	0	0%

<b>Kenai City Council (Vote for Two)</b>	<b>Total Votes</b>	
ASKIN, Victoria J.	130	33.42%
DOUTHIT, Alex N.	142	36.50%
PETTEY, Glenese	115	29.56%
Write-in	2	.52%



**CITY OF KENAI  
ELECTION SUMMARY REPORT  
OCTOBER 4, 2022 UNOFFICIAL RESULTS**

**Absentee, Questioned and Personal Needs**

Cards Cast: 207

**Kenai City Mayor (Vote for One)**

**Total Votes**

GABRIEL Sr., Brian G.	160	77.67%
WINGER, Teea M.	46	22.33%
Write-in	0	0%

**Kenai City Council (Vote for Two)**

**Total Votes**

ASKIN, Victoria J.	110	34.16%
DOUTHIT, Alex N.	113	35.10%
PETTEY, Glenese	98	30.43%
Write-in	1	.31%



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3318-2022**

AN ORDINANCE RENAMING AND AMENDING KENAI MUNICIPAL CODE CHAPTER 7.30 LAND SALE PERMANENT FUNDS TO ESTABLISH THE KENAI SENIOR CENTER CONE MEMORIAL TRUST AND DIRECTING ALL PROCEEDS RECEIVED AS A RESIDUAL BENEFICIARY FROM THE TAMARA DIANE CONE TESTAMENTARY TRUST TO BE DEPOSITED INTO SUCH FUND.

---

WHEREAS, Chester Cone moved to Shungnack, Alaska from Arkansas in 1949 to teach at a Bureau of Indian Affairs school; and,

WHEREAS, Chester moved to the Kenai area in 1950 seeking a warmer climate and to work in the commercial fishing industry; and,

WHEREAS, in the fall of 1950 Chester sent a one-way ticket and an invitation to his old girlfriend, Mavis Stepp, to move to Alaska; and,

WHEREAS, Chester and Mavis were married and in 1957 began homesteading off of what is now Beaver Loop Road; and,

WHEREAS, Chester was a business man who formed Better Concrete Corporation and owned and operated Beaver Loop Laundromat and Cleaners; and,

WHEREAS, the Cone's had two children, Tammy and Curtis; and,

WHEREAS, Curtis Cone passed on August 19, 1986; and,

WHEREAS, the Cone's established the Tamara Diane Cone Testamentary Trust to provide for Tammy until her passing on July 2, 2022; and,

WHEREAS, the Kenai Senior Center was named a residual beneficiary of the Tamara Diane Cone Testamentary Trust and to date has received disbursements from the trust totaling \$715,585.23; and,

WHEREAS, it is the intent of the City Council to establish a permanent fund with the proceeds and where the fund's earnings, in excess of inflation, may be appropriated for the acquisition of capital items or capital projects for the Kenai Senior Center; and,

WHEREAS, establishment of the Kenai Senior Center, Cone Memorial Trust honors the wishes and legacy of the Cone Family, will provide a lasting benefit to the Kenai Senior Center, and is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** Amendment of Chapter 7.30 of Kenai Municipal Code: That Kenai Municipal Code, Section 7.30 Land Sale Permanent Funds is hereby amended as follows:

**Chapter 7.30  
[LAND SALE] PERMANENT FUNDS**



**7.30.005 - General Fund Land Sale Permanent Fund.**

- (a) A separate fund of the City of Kenai is hereby established as the General Fund Land Sale Permanent Fund. The purpose of the fund is to account for the principal proceeds of the sale of City-owned non-trust lands that are not subject to deed or other conveyance restrictions that require the funds be used for specific other uses or benefits (General Fund lands).
- (b) The General Fund Land Sale Permanent Fund shall be a restricted fund. City Charter prescribes the establishment of a separate City account for the principal proceeds from sales of City-owned, non-trust lands; however, the establishment of the investment guidelines for that account is within the discretion of the Kenai City Council.
- (c) The net proceeds received by the City on closing sale of non-trust lands shall be deposited in the General Fund Land Sale Permanent Fund. Where notes are taken in payment for General Fund lands, all principal payments on said notes shall be deposited in the General Fund Land Sale Permanent Fund. Interest on notes taken in payment for General Fund lands shall be recorded as investment earnings in the General Fund Land Sale Permanent Fund.
- (d) Money placed in the General Fund Land Sale Permanent Fund shall not be available for use by the City for any purpose other than for investments in accordance with City Charter and ordinances.
- (e) Interest or income earned by the General Fund Land Sale Permanent Fund shall be recorded as investment earnings in the General Fund Land Sale Permanent Fund and can be deposited in the General Fund or held in reserve in the fund. The City Council may, by ordinance, transfer funds from the General Fund to the General Fund Land Sale Permanent Fund. After such a transfer, the money will become a part of the General Fund Land Sale Permanent Fund to be used only for the investment purposes for which the fund is established.

**7.30.010 - Airport Land Sale Permanent Fund.**

- (a) A separate fund of the City of Kenai is hereby established as the Airport Land Sale Permanent Fund. The purpose of the fund is to account for the principal proceeds of the sale of Airport Land. Airport Lands shall consist of all land owned by the City of Kenai and held by it for the use or benefit of the Kenai Municipal Airport under the terms of the 1963 Quitclaim Deed from United States of America recorded at Book 27, Page 303 at the Kenai Recording District, Kenai, Alaska. Additionally, any other land owned by the City and acquired with airport funds shall be Airport Lands.
- (b) The Airport Land Sale Permanent Fund shall be a restricted fund. The establishment of the fund known as the Airport Land Sale Permanent Fund is within the discretion of the Kenai City Council. Deed restrictions, Federal regulations and grant assurances require that airport funds be used for the use and benefit of the Kenai Municipal Airport.
- (c) The net proceeds received by the City on closing sale of Airport Lands shall be deposited in the Airport Land Sale Permanent Fund. Where notes are taken in payment for Airport Lands, all payments on said notes shall be deposited in the Airport Land Sale Permanent Fund.
- (d) Money placed in the Airport Land Sale Permanent Fund shall not be available for use by the City for any purpose other than for investments in accordance with City ordinances.
- (e) The City Council may, by ordinance, transfer funds from the Airport Special Revenue Fund to the Airport Land Sale Permanent Fund. After such a transfer, the money will become a part of the Airport Land Sale Permanent Fund to be used only for the investment purposes for which the fund is established.

**7.30.015 - Kenai Senior Center, Cone Memorial Trust Permanent Fund.**

- (a) A separate fund of the City of Kenai is hereby established as the Kenai Senior Center, Cone Memorial Trust Permanent Fund. The purpose of the fund is to account for the proceeds received from the Tamara Diane Cone Testamentary Trust.
- (b) The Cone Memorial Trust Permanent Fund shall be a restricted fund. The establishment of the fund known as the Kenai Senior Center, Cone Memorial Trust Permanent Fund is within the discretion of the Kenai City Council. Trust language requires the funds be used for the use and benefit of the Kenai Senior Center
- (c) The proceeds received by the City from disbursement of the trust shall be deposited in the Kenai Senior Center, Cone Memorial Trust Permanent Fund.
- (d) Money placed in the Kenai Senior Center, Cone Memorial Trust Permanent Fund shall not be available for use by the City for any purpose other than for investments in accordance with City ordinances.

**7.30.020 - Investments.**

- (a) The [LAND SALE] Permanent Funds shall be managed by the Finance Director, with the following conditions:
  - (1) The City will contract for the management of the investments for each [LAND SALE] Permanent Fund with one (1) or more professional investment managers with experience handling institutional endowment investments subject to Council approval.
  - (2) The [LAND SALE] Permanent Funds shall be invested in such types of income producing investments as limited by subsection (b) of this section, Authorized Investments for the [LAND SALE] Permanent Funds. The investments for each [LAND SALE] Permanent Fund shall be approved by resolution annually, usually during the City budget process, in the form of an asset allocation plan, with each [LAND SALE] Permanent Fund following the same asset allocation plan. The asset allocation plan shall have specific categories of investments for the funds with percentage targets that allow for reasonable fluctuations above and below the target percentage. The plan will establish benchmarks for evaluating the performance of each investment manager and asset classification. Investments shall be managed such that the target ranges of the asset allocation plan are adhered to.
  - (3) Investments of the [LAND SALE] Permanent Funds will take a conservative posture on derivative securities by recognizing that derivatives may be utilized within investment vehicles as a portfolio management tool to create or enhance exposure to an asset class or implementation strategy while requiring that any embedded leverage created by their use be fully collateralized. Net exposure exceeding the asset value of the investment vehicle is prohibited. Exposure must be net long at all times.
  - (4) All income derived from investment of each [LAND SALE] Permanent Fund, including interest income, realized gains, and undistributed earnings, can be distributed or reinvested into the respective [LAND SALE] Permanent Fund and shall be invested in accordance with subsection (b) of this section, Authorized Investments for the [LAND SALE] Permanent Funds.
  - (5) Appropriations from the Airport Land Sale Permanent Fund may be made as follows:
    - (i) In any fiscal year, the amount available for appropriation for airport operations and capital needs will be based upon the five (5) year average of the fund's calendar year end market

value. An amount not to exceed three and four-fifths percent (3.8%) of the five (5) year average market value may be distributed if the average market value is less than the fund's inflation adjusted principal balance. An amount not to exceed four and one-fifth percent (4.2%) of the five (5) year average market value may be distributed if the average market value is greater than the fund's inflation adjusted principal balance.

(6) Appropriations from the General Fund Land Sale Permanent Fund shall be limited to the lesser of the cumulative earnings at calendar year end for the fund or four percent (4%) of the fund's fair market value as of December 31st of each year. "Cumulative earnings" is defined as the market value at calendar year end minus the fund's inflation adjusted principal balance.

(7) Appropriations from the Kenai Senior Center, Cone Memorial Trust Permanent Fund may be made as follows:

(i) In any fiscal year, the amount available for appropriation for Kenai Senior Center capital needs shall be limited to the Funds cumulative earnings at the previous calendar year end for the fund. "Cumulative earnings" is defined as the market value at calendar year end minus the fund's inflation adjusted principal balance.

(b) Authorized Investments for the [LAND SALE] Permanent Funds.

(1) Investments authorized by KMC 7.22.030.

(2) Corporate obligations of investment-grade quality as recognized by a nationally recognized rating organization. If, after purchase, these obligations are downgraded below investment grade, the obligations shall be sold in an orderly manner within ninety (90) days of downgrading.

(3) Domestic equities which, taken as a whole, attempt to mirror the characteristics or replicate the Standard and Poor's 500 Index or another index of similar characteristics and approved by resolution of the Council as a component of the annual [LAND SALE] Permanent Funds Asset Allocation Plan, including both mutual funds and exchange traded funds (ETFs).

(4) Domestic equities which, taken as a whole, attempt to replicate the Standard and Poor's 400 Mid-Cap Index or another index of similar characteristics and approved by resolution of the Council as a component of the annual [LAND SALE] Permanent Funds Asset Allocation Plan, including both mutual funds and exchange traded funds (ETFs).

(5) Domestic equities which, taken as a whole, attempt to replicate the Standard and Poor's 600 Small-Cap Index or another index of similar characteristics and approved by resolution of the Council as a component of the annual [LAND SALE] Permanent Funds Asset Allocation Plan, including both mutual funds and exchange traded funds (ETFs).

(6) International equities which, taken as a whole, attempt to replicate the Financial Times Stock Exchange Developed ex North America Index or another index of similar characteristics and approved by resolution of the Council as a component of the annual [LAND SALE] Permanent Funds Asset Allocation Plan, including both mutual funds and exchange traded funds (ETFs).

(7) Equities which, taken as a whole, attempt to replicate the universe of domestic real estate investment trusts as represented by the Standard and Poor's REIT composite index or another index of similar characteristics and approved by resolution of the Council as a component of the annual [LAND SALE] Permanent Funds Asset Allocation Plan, including both mutual funds and exchange traded funds (ETFs).

- (8) Emerging market equities which, taken as a whole, attempt to replicate the Financial Times Stock Exchange Emerging Index or another index of similar characteristics and approved by resolution of the Council as a component of the annual [LAND SALE] Permanent Funds Asset Allocation Plan, including both mutual funds and exchange traded funds (ETFs).
  - (9) Global infrastructure equities which, taken as a whole, attempt to replicate the STOXX Global Broad Infrastructure Index, or a substantially similar index, including both mutual funds and exchange traded funds.
  - (10) Investment grade domestic bonds which, taken as a whole, attempt to mirror the characteristics or replicate the Bloomberg Barclays Aggregate bond index or another index of similar characteristics and approved by resolution of the Council as a component of the annual [LAND SALE] Permanent Funds Asset Allocation Plan, including individual securities, mutual funds and exchange traded funds (ETFs).
  - (11) High yield domestic bonds which, taken as a whole, attempt to mirror the characteristics or replicate the Bloomberg Barclays U.S. Corporate High Yield Very Liquid bond index or another index of similar characteristics and approved by resolution of the Council as a component of the annual [LAND SALE] Permanent Funds Asset Allocation Plan, utilizing mutual funds and/or exchange traded funds (ETFs).
  - (12) Alternative beta funds which, taken as a whole, attempt to provide systematic exposure to trading strategies included in, or similar to, those within the Wilshire Liquid Alternatives Index, or another index of similar characteristics and approved by resolution of the Council as a component of the annual [LAND SALE] Permanent Funds Asset Allocation Plan, utilizing mutual funds and/or exchange traded funds (ETFs) that adhere to the limitations identified in subsection (a)(3) of this section.
- (c) Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or that could impair their ability to make impartial investment decisions. Such employees and officers shall disclose to the City Manager any material financial interests in financial institutions that conduct business with the City and such information shall be kept confidential to the extent otherwise allowed by law. Employees and officers shall subordinate their personal investment transactions to those of the City, particularly with regard to the timing of purchases and sales. A “material financial interest” in an entity is a financial interest of any kind, which, in view of all the circumstances, is substantial enough that it would, or reasonably could, affect the employee’s or officer’s judgment with respect to transactions to which the entity is a party.
- (d) The Finance Director shall submit to the City Council a quarterly investment report that summarizes recent and anticipated market conditions and that describes the City’s investment portfolio in terms of transactions during the quarter, maturities, risk characteristics, and investment return compared with both benchmark performance returns and with the City’s budgetary expectations.
- (e) The Finance Director shall establish custody and safekeeping procedures with regard to all investments authorized by this chapter. All such investment securities, or their related collateral securities, shall be either held by the City or by a custodial agent for the City.

**Section 2.** Direct the \$715,585.23 received to date and any addition proceed the City receives as a residual beneficiary of the Tamara Diane Cone Testamentary Trust be deposited into and accounted for in the Kenai Senior Center, Cone Memorial Trust Permanent Fund.



**Section 3.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

**Section 4.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 19<sup>TH</sup> DAY OF OCTOBER, 2022.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Introduced:                      October 5, 2022  
Enacted:                         October 19, 2022  
Effective:                         November 18, 2022



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Terry Eubank, Finance Director

**DATE:** September 29, 2022

**SUBJECT:** **Ordinance 3318-2022 Amending KMC 7.30 to Establish the Kenai Senior Center Cone Memorial Trust.**

---

The purpose of this memo is to recommend passage of Ordinance 3318-2022 which will amend KMC 7.30 Land Sale Permanent Funds to establish the Kenai Senior Center Cone Memorial Trust and codify a restriction that cumulative earnings of the fund may only be used for Kenai Senior Center Capital Projects. Cumulative earnings is defined as the market value at calendar year end minus the fund's inflation adjusted principal balance. In other words, only the investment earnings of the fund less the amount needed to inflation proof the fund, inflation is measured by the annual change in the Anchorage, Alaska Consumer Price Index for All Urban Consumers (CPI-U), may be used for acquisition of capital items or capital projects of the Kenai Senior Center.

As a residual beneficiary, the City has received to date \$715,585.23 in disbursements from the Tamara Diane Cone Testamentary Trust. The trust was established by the Chester and Mavis Cone for the benefit of their daughter. Tamara Cone passed on July 2, 2022 and the City was named as a 1/3 beneficiary of any remaining trust assets. Chester and Mavis were longtime Kenai residents who homesteaded in the Beaver Loop area of Kenai. Chester and Mavis owned and operated Better Concrete Corporation and the Beave Loop Laundromat and Cleaners. Chester was actively involved in the founding and formation of the City.

Establishing the Kenai Senior Center Cone Memorial Trust Permanent Fund will honor Chester and Mavis's wishes in leaving these funds to the Kenai Senior Center and ensure the lasting benefit of their gift for this and future generations of Kenai residents. Your support for passage or Ordinance 3318-2022 is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3319-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE KENAI BLUFF EROSION CAPITAL PROJECT FUND FOR CONSTRUCTION OF THE KENAI BLUFF STABILIZATION PROJECT.

WHEREAS, the Kenai Bluff Stabilization project has been the number one priority of the City of Kenai for over 30 years; and,

WHEREAS, in February of 2022 the project received federal funding in the amount of \$28 million; and,

WHEREAS, federal funding will cover 65% of the total cost of construction of the Project; and,

WHEREAS, the City’s match requirement towards construction of this project is 35%; and,

WHEREAS, the City has been pursuing funding for our local match through multiple sources, including the State of Alaska; and,

WHEREAS, during the State fiscal year 2022 legislative session, \$6.5 million was included in the State capital budget to support the Project; and,

WHEREAS, appropriation of this \$6.5 million Alaska Legislative Grant will help support the City’s 35% match requirement and is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That the following budget revision is authorized:

Kenai Bluff Erosion Capital Project Fund:

Increase Estimated Revenues –  
State Grants

\$6,500,000

Increase Appropriations –  
Construction

\$6,500,000

**Section 2.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.


**Section 3.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 19<sup>TH</sup> DAY OF OCTOBER, 2022.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced:                      October 5, 2022  
Enacted:                         October 19, 2022  
Effective:                         October 19, 2022





## MEMORANDUM

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

**FROM:** Paul Ostrander, City Manager

**DATE:** September 29, 2022

**SUBJECT:** **Ordinance 3319-2022 and Resolution 2022-71 - Kenai Bluffs Stabilization, State of Alaska \$6.5 Million Grant**

---

This memo is in support of both Ordinance 3319-2022 and Resolution 2022-71, legislation that authorizes the City Manager to execute a grant in the amount of \$6.5 million from the Alaska Department of Commerce, Community, and Economic Development, Division of Community and Regional Affairs and appropriates the money into the Kenai Bluff Erosion Capital Project Fund to support construction of the Project.

During the last State Legislative Session, the City was successful in getting this grant included in the State's Capital Budget. This grant is an important component of the City's required match of 35% of the total cost of the Project. With this grant, the City will have secured the necessary money to meet our required match if the project's total cost, design and construction, does not exceed \$35,000,000.

As we approach the completion of the efforts to get this important project built, a summary of the process that the City has navigated over the past 6 years is included for you information.

February 17, 2017 – City of Kenai attended the Tentatively Selected Plan (TSP) presentation given by Alaska USACE to the USACE HQ in Washington D.C. Signed Directors Report was scheduled for November 10, 2017.

June 10, 2017 – Schedule for Signed Directors Report slipped to April 31, 2018.

June 19, 2017 – Draft integrated feasibility report, environmental assessment and draft Finding of No Significant Impact (FONSI) was issued for agency and public comment.

July 5/6, 2017 – Public meetings held in Kenai, AK at the City Council Meeting on July 5 and at the Kenai Visitor and Cultural Center in Kenai on July 6.

August 22, 2017 – Realization by the USACE that additional federal funding was necessary in the amount of \$150,000 for the USACE to meet its 50% funding requirement to complete the

feasibility report. The City of Kenai provided their full funding amount of \$560,000 in February 2016. A congressional reprogramming request was submitted through OMB.

February 22, 2018 – OMB approves reprogramming request. The reprogramming request was delayed to the point that authorization for the project – expiring on May 12, 2018 – would lapse prior to Directors Report signature.

March 6, 2018 – Letter sent to Committee on Appropriations and the respective Committee Chairs.

April 4, 2018 – USACE Alaska District recognizes the need to request a waiver from the Assistant Secretary of the Army of Civil Works to extend the project authorization beyond May 12, 2018, but does not have sufficient funds left to process the waiver.

April 12, 2018 – Reprogramming approval signed by Representative Marcy Kaptur and Representative Mike Simpson, appropriating an additional \$150,000 of Federal money to the project.

April 26, 2018 – Time extension waiver package submitted to USACE HQ.

April 31, 2018 – Second scheduled signature date for Directors Report is missed. Because of the significant lapse in project funding, other projects were re-prioritized in front of the Kenai project; hence, the scheduled date for the signed Directors Report is changed to January 23, 2019, to allow time for USACE Alaska District to take the project back up and finalize the feasibility report package.

May 11, 2018 – Time extension granted by R.D. James, Assistant Secretary of the Army of Civil Works, increasing the total study time for the Kenai Bluffs Bank Stabilization Feasibility Study from 36 months to 44 months.

November 15, 2018 – Final integrated feasibility report and environmental assessment and finding of no significant impact submitted from USACE Alaska District to USACE HQ.

January 23, 2019 – Third scheduled signature date for Director's Report was missed. Re-scheduled for signature in late February.

March 1, 2019 – Fourth scheduled signature date for Director's Report was missed. Re-scheduled for April 30, 2019.

April 3, 2019 – Final submittal from USACE Alaska District to USACE HQ of feasibility report. Of note: according to USACE staff, nothing of substance changed from the feasibility report submitted on November 15, 2018 to this final report.

April 10, 2019 – Director's Report was signed by USACE HQ Director Of Civil Works, James C. Dalton, P.E. This was the same day that Senator Murkowski testified in front of the appropriations subcommittee to the Assistant Secretary of the Army (Civil Works), R.D. James and to the Commanding General and Chief of Engineers Lieutenant General Todd Semonite, questioning why the USACE process was so difficult to navigate, using the Kenai Bluffs Stabilization project as an example.



May 20, 2019 – Request from Alaska District to USACE HQ, signed by Colonel Phillip J. Borders to initiate Preconstruction Engineering and Design (PED) phase for the project with attachments from the City of Kenai including a letter committing the City to fully fund the PED phase at an estimated cost of \$1,000,000 and a Resolution from the Kenai City Council stating the same.

June 27, 2019 – A Finding of No Significant Impact (FONSI) Was signed by Colonel Phillip J. Borders, eliminating the need to prepare an Environmental Impact Statement.

July 31, 2019 – The City sent a request to the USACE Alaska District to complete the Design Agreement. This agreement outlines the responsibilities of the non-Federal sponsor and the USACE during the design phase.

September 15, 2020 – It took over 14 months to get the Design Agreement signed. Consistent communication with the USACE and our congressional delegation occurred during the entire period, but what should have been a much quicker turnaround labored for many months – far beyond what was expected or is reasonable. Although the Design Agreement implies that Federal Funding will be provided for the 65% match of the design effort, no Federal funding has been provided to date.

February 2021 – The City issued an RFP for the design of the project planning to fund the entire design with City dollars, a \$1,000,000 commitment with the intent of being reimbursed the 65% Federal obligation during construction.

August 2021 – HDR Engineering begins the design of the project. As the design begins, there is a limited amount of Federal funding that the Alaska District of the Corps of Engineers has to support the efforts of the City during the design process. They are able to provide limited input, putting the City at risk because without Corps oversight, the design effort may not meet Corps requirements in all aspects. This could result in the Corps not accepting all or a portion of the design for construction. Because the Corps signed the Design Agreement in September of 2020, the City was hopeful that the full Federal share of \$650,000 would be provided prior to the design effort beginning. Even though no Federal funding occurred, and considering the risks involved, the City strongly felt that it was essential to begin the design effort to keep the project moving forward.

December 2021 – At the City's request, Governor Dunleavy included \$6.5 million in State funding to support the City's efforts in the design and construction of our Project. If the legislature and the voters approve the Governor's proposed General Obligation Bond, this increases the total amount of match money the City has available to \$9.5 million. This would be a sufficient match amount to construct an approximately \$27 million project, with \$17.5 million in Federal funding.

February 2022 – The project received \$28 million in Federal funding through the Infrastructure Bill. This funding is sufficient to support a \$42 million project, comprised of \$28 million in Federal funding and \$14 million in local funding.

April 2022 – Now with sufficient funding, the Army Corps of Engineers, Alaska District kicks off their full engagement in support of the design efforts of the Project. This engagement will slow the ultimate completion of the design, with design approval expected late in the 2022 calendar year, but will assure that the Project as designed meets the requirements of the Corps.



June 2022 – Governor Dunleavy signed the State of Alaska Fiscal Year 2023 budget. Included in the capital budget was \$6.5 million in support of the Kenai Bluff Stabilization Project.

September 2022 – The Federally committed funds of up to \$28 million establishes the high end of total Project costs of \$42 million. The Project will be funded 65% by the Army Corps of Engineers, and 35% through a local match. Our current construction estimates indicate that it is likely that the Project will not exceed \$35 million. The City has secured \$9.7 million in State funding, comprised of the \$6.5 million that was included in the States fiscal year 2023 Capital Budget and \$3.2 million that remains from State grants from 2012 and 2015. The City has also committed \$2.55 million from our General Fund that was included in our 2023-2027 Capital Plan. This brings the total amount of secured match that the City has to \$12.25 million, sufficient to support a total Project cost of \$35 million, matching \$22.75 million in Federal funding.





Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2022-73**

A RESOLUTION AUTHORIZING A CONSTRUCTION CONTRACT AWARD FOR THE KENAI FIRE DEPARTMENT (KFD) FLOORING REPLACEMENT PROJECT.

WHEREAS, a formal Invitation to Bid was released on September 15, 2022 for the Kenai Fire Department Flooring Replacement Project which involves minor asbestos abatement in support of replacing worn out flooring materials with new vinyl composite tile flooring; and,

WHEREAS, in an effort to allow for the greatest competition the project elements were split with one bid item covering asbestos abatement and the second bid item covering the flooring replacement; and,

WHEREAS, contractors were allowed to bid on one or both items at their discretion; and,

WHEREAS, bids were due on October 6, 2022, and the following bids were received by the Public Works Department:

Contractor	Bid – Abatement	Bid – Flooring	Total
Aurora Flooring LLC	\$8,000	\$52,000	<b>\$60,000</b>
Eastside Carpet Co.	\$23,850	\$76,000	<b>\$99,850</b>
Alaska Abatement	\$12,500	-	-

; and,

WHEREAS, Aurora Flooring LLC was determined to have provided the lowest responsive and responsible bids; and,

WHEREAS, sufficient funding resides within the General Fund Public Safety Capital Project Fund, Project Code 289, to cover these costs; and,

WHEREAS, the Public Works Department recommends award to Aurora Flooring LLC in the best interest of the City.

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

**Section 1.** That the City Manager is authorized to execute a Construction Agreement with Aurora Flooring LLC in the amount of \$60,000 and to issue a Purchase Order in that same amount with an additional \$3,000 project contingency for the processing of potential change orders.

**Section 2.** That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 19<sup>TH</sup> DAY OF OCTOBER, 2022.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin, Director of Public Works  
**DATE:** October 11, 2022  
**SUBJECT:** Kenai Fire Department (KFD) Flooring Replacement Project

---

The purpose of this memo is to request council’s approval to award a construction agreement to Aurora Flooring LLC to complete flooring replacements and associated asbestos abatement at the Kenai Fire Department. This work will replace severely worn flooring materials with new. The selections made by the department are as detailed in the photos below.

A total of fifteen rooms, hallways and closets are intended to be completed with this project. Primary spaces include all of the Fire Department office spaces, lounge, kitchen and lobby areas.

This project was originally funded in Fiscal Year 2022s Capital Improvement Plan at \$50,000. With the discovery of asbestos within the project area additional funding was required to complete testing services to identify the locations asbestos was present prior to bidding the work. To date the overall project has received \$70,000 in total funding and is expected to be just enough to complete the project.

The asbestos to be remediated with this work is primarily located within the drywall mud and flooring mastic in several locations. It should be noted, the only remediation being completed with this project is directly in contact with the proposed work. We are not removing all of the drywall and remediating all of the asbestos within the overall building at this time. That would be a much larger project, significantly more expensive and impactful to Fire Department operations.

Flooring work is anticipated to take place over the winter months, once materials and supplies have been sourced and delivered to the project site. As the offices are occupied and in use daily, contractors will only work in half the spaces at a time to allow for furniture to be moved out of rooms in an effort to minimize the overall disruption to staff. This has been a priority project for the department, Council’s support is respectfully requested.

**SRF** Slip Retardant Flooring

# Rocky Road: 57022



PRODUCT DETAILS	
ITEM NUMBER	57022
COLLECTION	<a href="#">Safety Zone Tile</a>
COLOR	Rocky Road
SIZE	12 in. x 12 in. x 1/8 in. 305 mm x 305 mm x 3.2 mm
SHAPE	Tile

[DOWNLOAD DATA SHEET](#)

## Roppe 700 Series Wall Base 6 (Cove Base) Charcoal



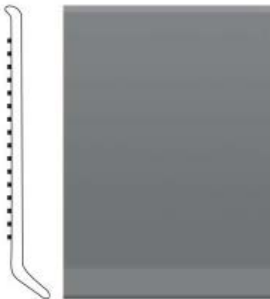
### 700 Series Wall Base 6 (Cove Base)

**Manufacturer:** Roppe  
**Color/Item:** Charcoal  
**SKU No.:** 123

[CHECK DELIVERY TIME](#)

**Availability:** In Stock  
**Condition:** New  
**Retail:** ~~\$4.73 LFT~~  
**Price:** \$234.00 Roll  
 \$1.95 LFT  
**Special Offer Expires 10/11/2022** ⓘ

Enter Rolls Needed:  [+ ADD TO QUOTE / BUY](#)



Click on image to enlarge

### Product Details

<b>Coverage:</b>	120 LFT	<b>Edges:</b>	Straight
<b>Roll(s):</b>	1 per Roll	<b>Application:</b>	Indoor only
<b>Length:</b>	120 LFT	<b>Install Type:</b>	Glue Down
<b>Thickness:</b>	0.125 Inch (3 MM)	<b>Warranty*:</b>	N/A 2 Years Commercial
<b>Width:</b>	6 Inch (152 MM)	<b>Usage:</b>	Commercial or Residential
<b>Weight:</b>	62 lbs.		
<b>Design:</b>	Wall Base		
<b>Composition:</b>	Rubber		



KENAI CITY COUNCIL – REGULAR MEETING  
OCTOBER 5, 2022 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
MAYOR BRIAN GABRIEL, PRESIDING

MINUTES

**A. CALL TO ORDER**

A Regular Meeting of the Kenai City Council was held on October 5, 2022, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:00 p.m.

**1. Pledge of Allegiance**

Mayor Gabriel led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Brian Gabriel, Mayor  
Tea Winger  
Glenese Pettey  
Henry Knackstedt

James Baisden  
Deborah Sounart  
Jim Glendening, Vice Mayor

A quorum was present.

Also in attendance were:

\*\*Silas Thibodeau, Student Representative  
Paul Ostrander, City Manager  
Scott Bloom, City Attorney  
Terry Eubanks, Finance Director  
Dave Ross, Police Chief  
Ben Langham, Lieutenant  
Linda Mitchell, Planning Director  
Scott Curtin, Public Works Director  
Lisa List, Public Works Assistant  
Shellie Saner, City Clerk

**3. Agenda Approval**

Mayor Gabriel noted the following additions to the Packet:

Add item F.2. **Public Hearing – Resolution No. 2022-64**  
• Postponement Memo

Add item J.3. **City Clerk Report**  
• October 4, 2022 Unofficial Results

**MOTION:**

Council Member Knackstedt **MOVED** to approve the agenda with the requested revisions and requested **UNANIMOUS CONSENT**. Council Member Pettey **SECONDED** the motion.

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

**4. Consent Agenda**

**MOTION:**

Council Member Knackstedt **MOVED** to approve the consent agenda. Council Member Baisden **SECONDED** the motion.

The items on the Consent Agenda were read into the record.

Mayor Gabriel opened the floor for public comment; there being no one wishing to be heard, the public comment period was closed.

**UNANIMOUS CONSENT** was requested.

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

\*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**

1. Scott Hayes, Executive Director of the Oregon Accreditation Alliance, presented the Kenai Police Department with their first award of Accreditation; he provided an overview of the goals established within the accreditation process.

There was discussion regarding this being one step toward building trust in our community; the 106 standards that the Kenai Police Department (KPD) must adhere to in order to maintain accreditation; and that this ensures that KPD Officers know the policies and procedures in place and are in line with best practices established within national standards.

**C. UNSCHEDULED PUBLIC COMMENTS**

Susan Smalley addressed the Council regarding her withdrawal as an Election Official; stated that she had never worked an election when a family member was on the ballot, nor did a family member run a write-in campaign while she was working as an official; and if anyone had concerns they could file a complaint with the Division of Elections.

Chera Wackler addressed the Council regarding the Peninsula Period Network a 501(c)(3) non-profit; stating it was a community lead volunteer organization dedicated to ending period poverty and reducing trauma associated with not having ready access to safe, hygienic period products; and the goal of the organization was to ensure period products were available in local schools.

Marion Nelson provided an update on the Biennial Juried show opening on October 6, 2022 and noted the success of the Harvest Auction.

**D. PUBLIC HEARINGS**

1. **Ordinance No. 3317-2022** - Increasing Estimated Revenues and Appropriations in the Airport Fund and Appropriating Funds in the Airport Snow Removal Equipment Capital Project Fund for the Purchase of Snow Removal Equipment Attachments and Installation of a Gate. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3317-2022. Council Member Baisden **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

Clarification was provided that Resolution 2022-67 adopted at the September 21, 2022 meeting authorized the City Manager to execute the grant agreement and this would accept those funds.

**VOTE:**

YEA: Pettey, Winger, Baisden, Gabriel, Glendening, Sounart, Knackstedt

NAY: None

\*\*Student Representative Thibodeau: YEA

**MOTION PASSED.**

2. **Resolution No. 2022-70** - Authorizing Changes to the Payment Terms of the Set Net Drive Street Improvement Special Assessment District, the Aliak, Mccollum, Japonski Streets Improvement Special Assessment District, the Thompson Park, Beaver Creek Alaska, Mack, Valhalla Heights and Sunset Rim Subdivisions Street Improvement Special Assessment District, the South Ames Road LID Street Improvement District, and the James Street and Kiana Lane Improvement Special Assessment District in an Effort to Resolve the Remaining Delinquent Accounts of the Districts. (Administration)

**MOTION:**

Council Member Baisden **MOVED** to adopt Resolution No. 2022-70. Council Member Knackstedt **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

Clarification was provided that liens were in place and this would not forgive the current balance, it would freeze the current balance and discontinue interest and penalty if the property owners entered into an agreement and payment terms.

**MOTION:**

Council Member Winger **MOVED** to amend Resolution No. 2022-70 to include provisions that the first payment was due upon entering the agreement. Vice Mayor Glendening **SECONDED** the motion.

There was discussion regarding requiring a payment upon entering the agreement may be a deterrent for some and that the intent of the ordinance resolve the delinquencies.

Council Member Winger requested **WITHDRAWAL** of the motion to amend, Vice Mayor Glendening **CONSENTED** to the withdrawal. (KMC 1.15.060(o))

**UNANIMOUS CONSENT** was requested.

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

3. **Resolution No. 2022-71** - Authorizing the City Manager to Execute a Grant from the Alaska Department of Commerce, Community, and Economic Development, Division of Community and Regional Affairs for the Kenai Bluff Stabilization Project. (Administration)

**MOTION:**

Council Member Baisden **MOVED** to adopt Resolution No. 2022-71. Council Member Sounart **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

Clarification was provided that this would authorize the City Manager to execute the grant; the bid process would begin in April 2023; and projected to award in June 2023.

**UNANIMOUS CONSENT** was requested.

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

4. **Resolution No. 2022-72** - Authorizing a Budget Transfer on the General Fund Decreasing City Manager Contingency, Increasing Non-Departmental Professional Services, and Authorizing a Change to a Purchase Order to Larson Engineering & Design for Tower Study. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-72. Council Member Baisden **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

Clarification was provided that this would allow further investigation to determine the structural strength of the guy wire anchor points, which was not included in the original scope of the tower analysis.

**UNANIMOUS CONSENT** was requested.

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

**E. MINUTES**

1. Joint Work Session of September 21, 2022. (City Clerk)
2. \*Regular Meeting of September 21, 2022. (City Clerk)

**F. UNFINISHED BUSINESS**

1. **Ordinance No. 3316-2022** - Amending Kenai Municipal Code 14.20.150-Conditional Use Permits, to Further Clarify Roles and Responsibilities of Applicants, the Planning Director, and the Planning Commission in the Conditional Use Process. (Glendening)

*[Clerk's Note: At the September 21, 2022 City Council Meeting, this Ordinance was Postponed to this Meeting; a Motions to Enact and a Motion to Amend are on the Floor.]*

Mayor Gabriel opened the floor for public comment.

Alex Douthit, Vice Chair of the Planning and Zoning Commission spoke in support of the ordinance, noting that the commission had reviewed it at their last meeting; it defined for new commissioners what they could do and provided more clarification on a few things.

There was discussion regarding whether or not the new language clarified what the commission could or could not do; that the ordinance did not change the functions of the code; and that conditional use permits were frequently contested and the additional clarification would be helpful.

Jeff Twait, Chair of the Planning and Zoning Commission spoke in support of the ordinance, noting that the ordinance did not change much; he stated concerns regarding some of the proposed language as it may make it easier for individuals to file an appeal.

There was discussion regarding the possibility of placing the clarification in a policy rather than code; the need for additional commissioner training and an orientation process for new commissioners; and the training opportunities available at the Alaska Municipal League Conference.

There being no one else wishing to be heard, the public comment period was closed.

Council discussion resumed on the motion to Amend Ordinance 3316-2022, Section 1 paragraph 14.20.150(a) to delete the proposed new language. The motion as follows was **MOVED** by Council Member Knackstedt and **SECONDED** by Council Member Pettey at the September 21, 2022 City Council Meeting:

“Intent. It is recognized that there are some uses that may be compatible with designated principal uses in specific zoning districts provided certain conditions are met. The conditional use permit procedure is intended to allow flexibility in the consideration of the impact of the proposed use on surrounding property and the application of controls and safeguards to assure that the proposed use will be compatible with the surroundings. The Commission may permit this type of use if the conditions and requirements listed in this chapter are met. The conditional uses are listed in the Land Use Table. Before a conditional use permit may be granted, the procedures specified in this chapter must be followed. The grant, denial, modification, or revocation of a conditional use permit is discretionary [BUT MUST BE BASED ON FINDINGS SUPPORTED BY SUBSTANTIAL EVIDENCE AND CITY ORDINANCES].”

Council Member Knackstedt requested **WITHDRAWAL** of the motion to amend, Council Member Pettey **CONSENTED** to the withdrawal. (KMC 1.15.060(o))

**VOTE:**

YEA: Winger, Baisden, Glendening, Sounart

NAY: Gabriel, Knackstedt, Pettey

\*\*Student Representative Thibodeau: YEA

**MOTION PASSED.**

2. **Resolution No. 2022-64** - Approving the Renewal of a Lease Utilizing a Non-Standard Lease Form on Airport Reserve Lands Between the City of Kenai and the Federal Aviation Administration for the Automated Flight Service Station and Satellite Communication Network Facilities on Lot 7A-1 FBO Subdivision No. 5. (Administration)

*[Clerk's Note: At the September 21, 2022 City Council Meeting, this Resolution was Postponed to this Meeting; a Motion to Adopt is on the Floor.]*

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

It was noted that the Administration had requested postponement to the October 19, 2022 meeting.

**MOTION TO POSTPONE:**

Council Member Knackstedt **MOVED** to postpone Resolution No. 2022-64 to October 19, 2022. Council Member Baisden **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion to postpone.

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

**G. NEW BUSINESS**

1. **\*Action/Approval** – Bills to be Ratified. (Administration)

Approved by the consent agenda.

2. **\*Action/Approval** – Purchase Orders Over \$15,000. (Administration)

Approved by the consent agenda.



3. **\*Action/Approval** – Consent to Assignment and Assumption of Lease Agreement of ADL 37765, ATS 770, to TK Enterprises, LLC. (Administration)

Approved by the consent agenda.

4. **\*Ordinance No. 3318-2022** – Renaming and Amending Kenai Municipal Code Chapter 7.30 Land Sale Permanent Funds to Establish the Kenai Senior Center Cone Memorial Trust and Directing All Proceeds Received as a Residual Beneficiary from the Tamara Diane Cone Testamentary Trust to be Deposited into such Fund. (Administration)

Introduced by the consent agenda and Public Hearing set for October 19, 2022.

5. **\*Ordinance No. 3319-2022** - Increasing Estimated Revenues and Appropriations in the Kenai Bluff Erosion Capital Project Fund for Construction of the Kenai Bluff Stabilization Project. (Administration)

Introduced by the consent agenda and Public Hearing set for October 19, 2022.

6. **Discussion** – City Manager Job Description (Mayor Gabriel)

Clarification was provided that the Supervisory Subcommittee would review the job description with the Human Resource Director and bring the revisions back to Council for approval.

There was discussion regarding an additional two weeks before starting the recruitment process and the upcoming holiday schedule would not provide sufficient time for a new manager to spend some time with the current manager.

**MAIN MOTION:**

Council Member Knackstedt **MOVED** to direct the Supervisory Subcommittee to work with the Human Resource Director on revisions to the City Manager Job Description and to bring the revised job description back at the October 19, 2022 Council Meeting. Council Member Baisden **SECONDED** the motion.

There was discussion regarding using the 2016 job description to initiate the recruitment process and indicate that 2022 job description modifications were pending; the need to establish a salary range and minimum qualifications prior to advertising the position.

There was discussion regarding the use of the 2016 job description to initiate the recruitment process and note on the recruitment notice that 2022 job description modifications were pending; the need to establish a salary range and minimum qualifications prior to release of the recruitment notice.

**SECONDARY MOTION:**

Council Member Knackstedt **MOVED** that the recruitment notice be advertised with a salary range of Depending on Experience (DOE). Council Member Baisden **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the secondary motion.

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

**SECONDARY MOTION:**

Council Member Knackstedt **MOVED** to amend the primary motion as follows:

“Direct the Employee Supervisory Subcommittee to work with the Human Resource Director on revisions to the City Manager job description without further Council approval and bring the revised job description back at the October 19, 2022 Council Meeting.”

Council Member Baisden **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the secondary motion.

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

Clarification was provided that a yes vote on the primary motion as amended would allow the subcommittee to review and approve the minimum qualifications of the City Manager job description for advertising with a salary range of DOE.

**SECONDARY MOTION:**

Council Member Baisden **MOVED** to authorize the Supervisory Subcommittee to approve the recruitment notice prior to the Human Resource Director releasing it. Council Member Knackstedt **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the secondary motion.

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

**VOTE ON MAIN MOTION AS AMENDED:**

YEA: Baisden, Gabriel, Glendening, Sounart, Knackstedt, Pettey, Winger

NAY: None

**MAIN MOTION AS AMENDED PASSED UNANIMOUSLY.**

**H. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging

Council Member Knackstedt reported on the September 29, 2022 Work Session, next meeting October 13, 2022.

2. Airport Commission

No report, next meeting October 13, 2022.

3. Harbor Commission

No report, next meeting November 7, 2022.

4. Parks and Recreation Commission

No report, next meeting October 6, 2022.

5. Planning and Zoning Commission

No report, next meeting October 12, 2022.

6. Beautification Committee

Council Member Sounart reminded everyone about the Pumpkin Festival scheduled for Saturday, October 8, 2022, next meeting October 11, 2022.

7. Mini-Grant Steering Committee

Mayor Gabriel reported that an application had been received and a meeting would be scheduled.

**I. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Second Annual Pumpkin drop would be on Saturday.
- BDO is currently performing the annual audit.
- Attended the Harvest Auction and it was awesome.
- Stated his appreciation for all of the Election workers and thanked his supporters.

**J. ADMINISTRATION REPORTS**

1. City Manager – City Manager Ostrander reported on the following:
  - Leadership training on Monday and the second session would be on Thursday.
  - Resignation of the Kenai Chamber of Commerce Director.
  - Changes to the options for Employee Health Care.
  - Update on the Spruce Bark Beetle Mitigation RFP.

There was discussion regarding street light maintenance; an update on the Dog Park development and ongoing projects in the Public Works Department.

2. City Attorney – City Attorney Bloom – None.
3. City Clerk – City Clerk Saner reported on the following:
  - October 4, 2022 Unofficial Election Results.
  - Election night procedures.

**K. ADDITIONAL PUBLIC COMMENTS**

1. Citizen Comments (*Public comments limited to (5) minutes per speaker*) – None.
2. Council Comments

Council Member Pettey noted her attendance at the Harvest Auction; thanked all Election Officials, those who voted and those who helped with her campaign.

Council Member Sounart noted that although working as an Election Official was a long day, it was also a great day and that the real work begins after the polls close; and she thanked the Clerk's Office for their part in the election process.

Council Member Winger noted that she worked as a volunteer for the Kenai River Marathon and although it was not a Boston qualifier people still traveled from out of state to participate; reminded everyone of the upcoming fall events; thanked all of the Election Officials; congratulated Alex Douthit on his election; and on behalf of Student Representative Thibodeau she reported that Homecoming week was a success.

Vice Mayor Glendening reminisced his time serving on the Council and noted that he was grateful for the opportunity to work with others.

Council Member Baisden thanked the Election Officials and those who ran for office; he reported that the Volley Ball Booster raised \$16,000 towards fighting cancer.

Council Member Knackstedt thanked the Election Officials; he thanked Susan Smalley for her years of service working as an Election Official; and the Planning Commissioners who testified.

**L. EXECUTIVE SESSION – None.****M. PENDING ITEMS – None.****N. ADJOURNMENT****O. INFORMATIONAL ITEMS**

1. Purchase Orders Between \$2,500 and \$15,000.
2. CIRCAC Director's Report

There being no further business before the Council, the meeting was adjourned at 9:13 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of October 5, 2022.

---

Michelle M. Saner, MMC  
City Clerk

*\*\* The student representative may cast advisory votes on all matters except those subject to executive session discussion. Advisory votes shall be cast in the rotation of the official council vote and shall not affect the outcome of the official council vote. Advisory votes shall be recorded in the minutes. A student representative may not move or second items during a council meeting.*

DRAFT



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2022-64**

A RESOLUTION APPROVING THE RENEWAL OF A LEASE UTILIZING A NON-STANDARD LEASE FORM ON AIRPORT RESERVE LANDS BETWEEN THE CITY OF KENAI AND THE FEDERAL AVIATION ADMINISTRATION FOR THE AUTOMATED FLIGHT SERVICE STATION AND SATELLITE COMMUNICATION NETWORK FACILITIES ON LOT 7A-1 FBO SUBDIVISION NO. 5.

---

WHEREAS, the lease to the Federal Aviation Administration (FAA) for Automated Flight Service Station (AFSS) and Satellite Communication Network facilities on Lot 7A-1 FBO Subdivision No. 5, expires on September 30, 2022; and,

WHEREAS, on June 8, 2022, the FAA submitted an application for a lease renewal of the City owned facility within the Airport Reserve, described as the AFSS, a 10,812 square foot building located on Lot 7A-1 FBO Subdivision No. 5; and,

WHEREAS, the proposed lease would be mutually beneficial and would conform with Kenai Municipal Code for zoning, Kenai's Comprehensive Plan, the Airport Land Use Plan, Airport Layout Plan, Federal Aviation Administration regulations, Airport Master Plan, Airport Improvement Program grant assurances, and Airport operations; and,

WHEREAS, the City of Kenai did not receive a competing lease application within thirty (30) days of publishing a public notice of the lease application from the FAA; and,

WHEREAS, at their regular meeting on September 14, 2022, the Planning and Zoning Commission reviewed the lease application and recommended approval by the City Council.

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

**Section 1.** The Council of the City of Kenai approves the attached non-standard space lease form by the FAA for the lease of Lot 7A-1, Block 2, FBO Subdivision, locate within the Airport Reserve, to the FAA for the use of an automated flight service station.

**Section 2.** The City Manager is authorized to execute the lease between the City of Kenai, Lessor, and the FAA, Lessee.

**Section 3.** That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5<sup>th</sup> DAY OF OCTOBER, 2022.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk



## MEMORANDUM

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

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Max Best, Interim Planning Director

**DATE:** August 15, 2022

**SUBJECT:** **Resolution No. 2022-64 – Approving the Renewal of a Lease on Airport Reserve Lands between the City of Kenai and the Federal Aviation Administration for the Automated Flight Service Station Facility on Lot 7A-1, FBO Subdivision No. 5.**

---

The City has received a request for a renewal of the Federal Aviation Administration (FAA) lease of the Automated Flight Service Station (AFSS). The FAA has leased the space for the purpose of operating the AFSS and Satellite Communication Network (SACOM) facilities dating back to 1983.

The lease agreement is for Lot 7A-1, FBO Subdivision No. 5, a 3.445 acre parcel the parcel contains the City owned Automated Flight Service Station a 10,812 square foot building.

Pursuant to Kenai Municipal Code 21.10.060 Lease application review, notice of the lease application was posted in the Peninsula Clarion and stated competing applications may be submitted for the parcel within 30 -days to the City. The 30 -day window from publication ended on July 16, 2022, and to-date, no competing applications have been submitted to the City.

The parcel is within the Airport Light Industrial (ALI) Zone. Pursuant to KMC 14.20.065, the purpose of the ALI Zone is to protect the viability of the Kenai Municipal Airport as a significant resource to the community by encouraging compatible land uses and reducing hazards that may endanger the lives and property of the public and aviation users. The proposed aeronautical use is a permitted and compatible use in the ALI Zone.

The Imagine Kenai 2030 Comprehensive Plan outlines goals, objectives, and action items for the City, including this one pertaining to the Kenai Municipal Airport:

Objective T- 1: Support future development near or adjacent to the airport when such development is in alignment with the Kenai Municipal Airport's primary mission, "To be the commercial air transportation gateway to the Kenai Peninsula Borough and Cook Inlet."

The proposed use complies with the Imagine Kenai 2030 Comprehensive Plan by supporting development on lease lots with development that is in alignment with the Kenai Municipal Airport's marketing strategy.

Please review the attached materials.

Your consideration is appreciated.

Attachments:

City of Kenai Land Lease Application from FAA

470 N. Willow Street Map & Plat







## City of Kenai Land Lease Application

Application for:	<input type="checkbox"/> New Lease
<input type="checkbox"/> Amendment	<input type="checkbox"/> Extension
<input type="checkbox"/> Assignment	<input type="checkbox"/> Renewal

Application Date:	5/25/2022
-------------------	-----------

### Applicant Information

Name of Applicant:	Department of Transportation - Federal Aviation Administration						
Mailing Address:	2200 S 216th St	City:	Des Moines	State:	WA	Zip Code:	98198
Phone Number(s):	Home Phone:		Work/ Message Phone:				
E-mail: (Optional)							
Name to Appear on Lease:	Federal Aviation Administration						
Mailing Address:	2200 S 216th St	City:	Des Moines	State:	WA	Zip Code:	98198
Phone Number(s):	Home Phone:		Work/ Message Phone:		206-231-3058		
E-mail: (Optional)							
Type of Applicant:	<input type="checkbox"/> Individual (at least 18 years of age) <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Government <input type="checkbox"/> Limited Liability Company (LLC) <input type="checkbox"/> Other _____						

### Property Information and Term Requested

Legal description of property (or, if subdivision is required, a brief description of property):	
7A-I, Block 2 FBO Subdivision No. 5, according to Plat No. 92-60, in the Kenai Recording District, Third Judicial District, State of Alaska. Comprising more or less 3.445 acres, and a 3.214 acre building restr. clear zone easement	
Does the property require subdivision? (if Yes, answer next questions)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Subdivision costs are the responsibility of the applicant unless the City Council determines a subdivision serves other City purposes:	
1. Do you believe the proposed subdivision would serve other City purposes?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
2. If determined it does not, applicant is responsible for all subdivision costs.	Initials _____
If an appraisal is required to determine the minimum price on the land, applicant is responsible for the deposit to cover costs associated with appraisal. If a sale is approved, the cost of the appraisal will be either refunded or credited to the applicant.	Initials _____
It is the responsibility of the applicant to cover recording costs associated with lease.	Initials _____
Do you have or have you ever had a Lease with the City? (if Yes, answer next question)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
1. Legal or brief description of property leased:	
<small>7A-I, Block 2 FBO Subdivision No. 5, according to Plat No. 92-60, in the Kenai Recording District, Third Judicial District, State of Alaska. Comprising more or less 3.445 acres, and a 3.214 acre building restriction clear zone easement at 470 North Willow Street, Kenai, Alaska.</small>	
Request a Lease with an Option to Purchase once development requirements are met?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Requested term for Initial Lease or Renewal (based on Term Table, not to exceed 45 years): TBD	
Requested term for Lease Extension (based on Term Table, not to exceed a total of 45 Years):	
Requested Starting Date: 10/01/2022	

### Proposed Use and Improvements

Proposed Use (check one):       Aeronautical      |       Non-Aeronautical

---

Do you plan to construct new or additional improvements? (if Yes, answer next five questions)       YES     NO

1. Will the improvement change or alter the use under an existing lease?       YES     NO

2. What is the proposed use of the improvement? N/A

3. What is the estimated value of the improvement? N/A

4. What is the nature and type of improvement?  
N/A

5. What are the dates construction is estimated to commence and be completed?  
(generally, construction must be completed within two years)  
Estimated Start Date:      Estimated Completion Date:

Describe the proposed business or activity intended:  
This space will be used by the Federal Aviation Administration for our Automated Flight Service Station and Satellite Communications Center (currently in place under prior lease with the City of Kenai)

How does the proposed lease support a thriving business, residential, recreational, or cultural community?  
FAA is tasked with supporting the safety of the National Airspace. The operations are critical for flight safety in the local area of Kenai as well as for national flights throughout the country.

Lease Assignment Only: What is the name of the individual or legal entity the lease is to be assigned?  
N/A

### Lease Renewal Only

Renewal of an Existing Lease (at least one year of term remaining): Requires new development.  
Lease Term based on: Estimated cost of new improvements and    |    Purchase Price (optional)

Renewal of an Expiring Lease (less than one year of term remaining): Does not require new development.  
Lease Term based on:  Purchase Price  Professional Estimate of Remaining Useful Life  
 Fair Market Value appraisal and/or  Estimated cost of new improvements (optional)

Requested Term for Renewal Based on Term Table, not to exceed 45 Years: **TBD**

Submitting an application for a lease does not give the applicant a right to lease or use the land requested in the application. The application shall expire twelve (12) months after the date the application has been made if the City and the applicant have not, by that time, entered into a lease, unless the City Council for good cause grants an extension for a period not to exceed six (6) months. The City has no obligation to amend, renew or extend a lease and may decline to do so upon making specific findings as to why a lease renewal, extension, or amendment is not in the best interest of the City

Signature:	CORI A BEEKMAN <small>Digitally signed by CORI A BEEKMAN Date: 2022.06.08 06:30:16 -07'00'</small>	Date:	06/08/2022
Print Name:	Cori Beekman	Title:	RECO

<p>For City Use Only:</p> <p><input type="checkbox"/> General Fund      <input type="checkbox"/> Airport Reserve Land</p> <p><input type="checkbox"/> Airport Fund      <input type="checkbox"/> Outside Airport Reserve</p> <p>Account Number: _____</p>	<p>Date Application Fee Received: _____</p> <p>Date Application Determined Complete: _____</p> <p>30-Day Notice Publication Date: _____</p> <p>City Council Action/Resolution: _____</p>
---	--



Basic Tools

Tool Labels X



☆ 04336033

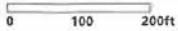
**PARCEL ID: 04336033**  
**Municipal**  
**Institutional**

**Owner:**  
KENAI CITY OF  
210 FIDALGO AVE STE 200  
KENAI, AK 99611

**Legal:**  
T 6N R 11W SEC 32 SEWARD MERIDIAN  
KN 0920060 FBO SUB NO 5 LOT 7A-1

**Physical Addresses:**  
470 N WILLOW ST

[Add to Results](#) [View Additional Details](#)  
[Run a Report](#)

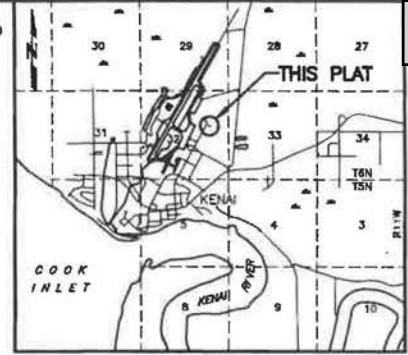




NOTE: NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.

**LEGEND**

- SET 5/8" REBAR WITH 1 1/2" ALCAP
- ⊙ FOUND 5/8" REBAR WITH 1 1/4" PLASTIC CAP
- ⊙ FOUND 1/2" REBAR WITH 1" PLASTIC CAP
- FOUND 1/2" REBAR
- ⊙ FOUND 3 1/4" ALCAP MONUMENT
- (R1) RECORD DATA - KR D 78-225
- (R2) RECORD DATA - KR D 84-145
- (R3) RECORD DATA - KR D 90-62
- (M) MEASURED DATA



**VICINITY MAP**  
SCALE: 1" = 1 MILE

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

*[Signature]*  
CITY MANAGER  
CITY OF KENAI  
210 FIDALGO STREET  
KENAI, AK 99611

**NOTARY'S ACKNOWLEDGEMENT**

FOR: City of Kenai, Clares Brown  
SUBSCRIBED AND SWORN BEFORE ME THIS 29th  
DAY OF September, 1992  
*[Signature]*  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES: 7/10/96

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF July 20, 1992  
BY: *[Signature]*  
AUTHORIZED OFFICIAL

KPB FILE NO. 92-068

**FBO SUBDIVISION NO. 5**

A RESUBDIVISION OF LOT 7A, BLOCK 2, FBO SUBDIVISION NO. 2 AND A PORTION OF THE NE1/4, SEC. 32, T6N, R11W, S.M., AK.

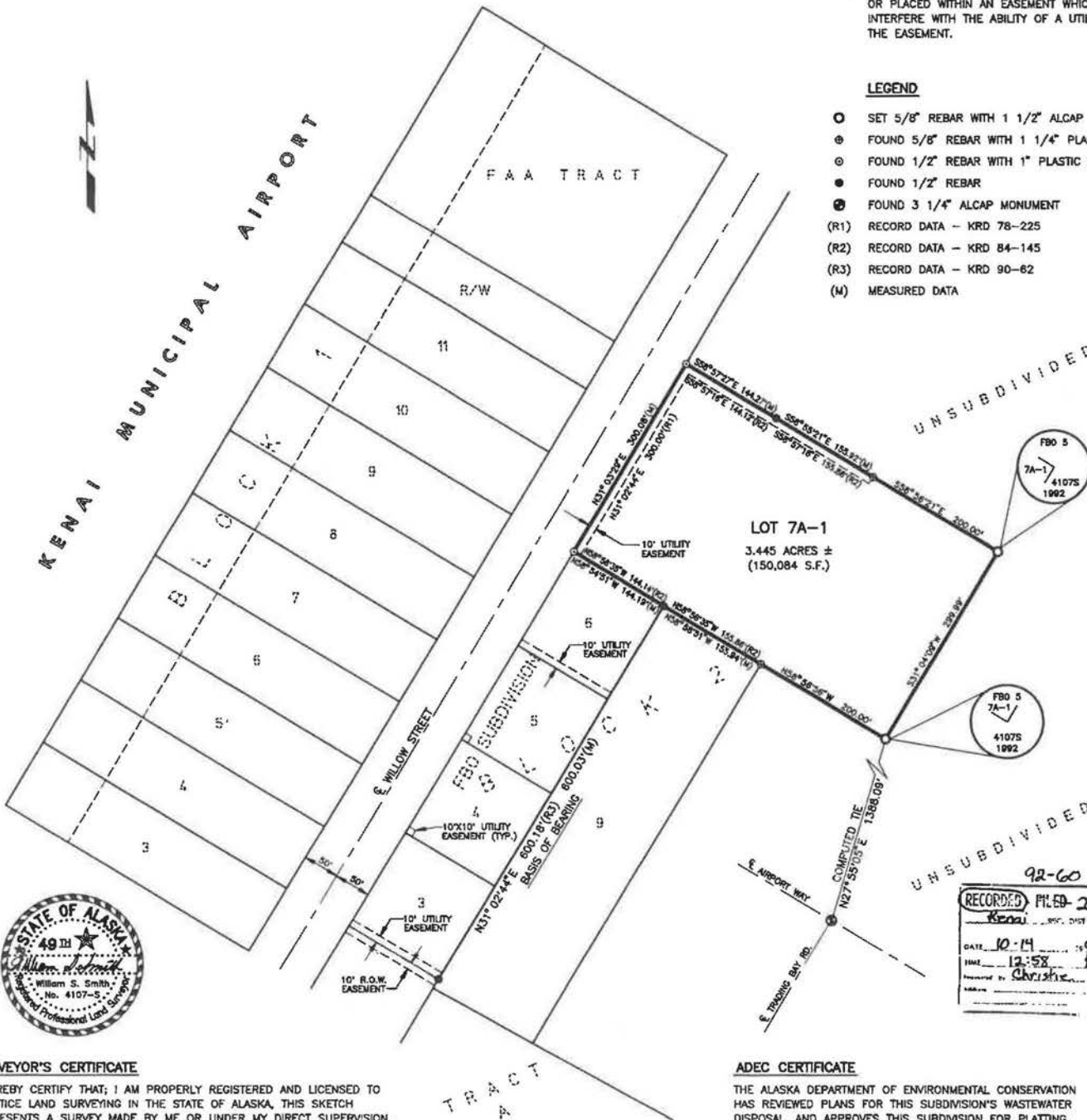
LOCATED WITHIN THE NE1/4, SEC. 32, T6N, R11W, S.M., AK, CITY OF KENAI, KENAI RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA

CONTAINING 1 LOT OF 3.445 ACRES ±

**RAYTHEON SERVICE COMPANY**

550 W. 7th AVENUE, SUITE 1320  
ANCHORAGE, AK 99501  
279-5400

SURVEY DATE:	8-21-92	PLATTED:	
DRAWN:	BWC	FIELD BOOK:	N/A
CHECKED:	WSS	SCALE:	1" = 100'
DATE PREPARED:	9-28-92	PREPARED FOR:	FAA



**ADEC CERTIFICATE**

THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION HAS REVIEWED PLANS FOR THIS SUBDIVISION'S WASTEWATER DISPOSAL, AND APPROVES THIS SUBDIVISION FOR PLATTING.

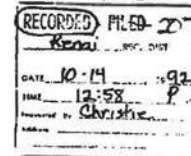
*[Signature]* **EE** **9-29-92**  
SIGNATURE TITLE DATE



**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT, I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THIS SKETCH REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT TO THE NORMAL STANDARDS OF PRACTICE OF LAND SURVEYORS IN THE STATE OF ALASKA.

SURVEYOR'S SIGNATURE: *[Signature]* DATE: 9/22/92



**PAYMENTS OVER \$15,000.00 WHICH NEED COUNCIL RATIFICATION  
COUNCIL MEETING OF: OCTOBER 19, 2022**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPARTMENT</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
PERS	PERS	VARIOUS	LIABILITY	110,987.13
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	106,651.48
REBORN AGAIN JANITORIAL	SEPTEMBER SERVICES	AIRPORT	REPAIR & MAINTENANCE	4,231.25

**INVESTMENTS**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>MATURITY DATE</b>	<b>AMOUNT</b>	<b>Effect. Int.</b>
---------------	--------------------	----------------------	---------------	---------------------



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3320-2022**

AN ORDINANCE ACCEPTING AND APPROPRIATING A DONATION FROM HILCORP ENERGY COMPANY TO ASSIST WITH THE ANNUAL AREA-WIDE SENIOR THANKSGIVING DINNER.

WHEREAS, annually the Kenai Senior Center hosts a Thanksgiving Dinner that is open to seniors from all over the Central Peninsula; and,

WHEREAS, the City has received a donation from Hilcorp Energy Services in the amount of \$3,500 for the purchase of food and supplies for the dinner; and,

WHEREAS, it is in the best interest of the city of Kenai to accept and appropriate this donation for the purposes described above.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That the City Manager is authorized to accept a donation from Hilcorp Energy Company in the amount of \$3,500 and to expend the donated funds to fulfill the purpose and intent of the donation and this ordinance.

**Section 2.** That the estimated revenues and appropriations be increased as follows:

Senior Citizen Special Revenue Fund:	
Increase Estimated Revenues –	
Donations	<u>\$3,500</u>
Increase Appropriations –	
Congregate Meals – Operating Supplies	\$2,000
Home Meals – Operating Supplies	<u>1,500</u>
	<u>\$3,500</u>

**Section 3.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.


**Section 4.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 2<sup>ND</sup> DAY OF NOVEMBER, 2022.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced: October 19, 2022  
Enacted: November 2, 2022  
Effective: November 2, 2022





# 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:** Kathy Romain, Senior Center Director

**DATE:** October 10, 2022

**SUBJECT:** Ordinance No. 3320-2022 – Hilcorp Energy Services Donation

Hilcorp Energy Services has donated \$3,500 for the annual Areawide Senior Thanksgiving Dinner to be held on Friday, November 18, 2022. This is the ninth year Hilcorp has provided funding for this event. During the COVID-19 years, we were able to provide curbside and home-delivered meals. This year we will have in-house dining, as well as curbside and home-delivered meals for this event.

The Areawide Senior Thanksgiving Dinner is a tradition that began in 1976. A Homemakers Club provided and served the first meal. From there it grew and has been passed on through Unocal, Agrium, and Marathon Oil and since 2012, Hilcorp has continued the tradition by providing the funding and the volunteers. We are fortunate to live in a community that celebrates the elders who helped make Alaska what it is today.

The donation will be used as follows:

Congregate Meals – Operating Supplies	\$2,000
Home Meals – Operating Supplies	<u>1,500</u>
Total Donation	<u>\$3,500</u>

Thank you for your consideration.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Shellie Saner, City Clerk

**DATE:** October 10, 2022

**SUBJECT:** **Discussion – Cancellation of December 7, 2022 City Council Meeting to Accommodate Alaska Municipal League Conferences**

---

Alaska Municipal League (AML) has scheduled its 2022 Annual Local Government Conference in Anchorage for December 7-9. In past years, when AML held their conference in late November, Council's second meeting in November would often be cancelled to allow Council Members to attend.

Our request is for you to consider cancellation of the December 7, 2022 City Council Meeting, to accommodate those Council Members who want to attend this year's AML Conference. Cancelling this meeting would also help the Clerk's Office, whose conference ends on Tuesday, December 6<sup>th</sup>.

Pursuant to City Charter, a meeting may be cancelled by a majority of council members for any reason as long as at least twenty (20) regular meetings are held each year and at least one each month. If the December 7<sup>th</sup> meeting is cancelled, we would still be in compliance with this requirement.

Your consideration is appreciated.



# KENAI

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

## MEMORANDUM

**TO:** City Council Members

**FROM:** Mayor Brian Gabriel

**DATE:** October 10, 2022

**SUBJECT:** Discussion – Supervisory Subcommittee Report on City Manager Recruitment

The Supervisory Subcommittee met on Friday, October 7 and worked with the Human Resources Director on revisions to the City Manager job description and approved the recruitment notice. The revised job description and recruitment notice are attached.

The position was advertised on the City’s Job Opportunities page on October 10, 2022 with a closing date of October 28, 2022. Additional advertising will be accomplished through the Peninsula Clarion, Anchorage Daily News, Alaska Municipal League, International City & County Manager’s Association, Alaska Job Center, and the City of Kenai – Government Facebook page.

If there are no objections from the City Council, the proposed schedule for recruitment is as follows:

October 10 – October 28	Receive Applications
October 19, Regular Council Meeting	Election Results Certified (new terms begin 10/23/22) Discussion Item – City Manager Recruitment
October 19 – October 28	Subcommittee Develops Recommended Interview Questions and Applicant Screening Process
November 2, Regular Council Meeting	New Supervisory Subcommittee Selected Council May Convene into Executive Session to Finalize Interview Questions and Applicant Selection Process
November 3 – November 10	Subcommittee Develops Top Candidate List and Delivers All Applications to Council
November 10, Special Meeting	Council Selects Top Candidates for Interviews Council May Convene into Executive Session
November 17/18, Special Meeting	Council Conducts City Manager Applicant Interviews Council May Convene into Executive Session to select a candidate

This schedule may be modified to accommodate additional interviews and selection of finalist contingent upon reference and background checks.

Attached: City Manager Job Description, City Manager Job Posting

## CITY OF KENAI CITY MANAGER

TITLE: CITY MANAGER  
SUPERVISOR: CITY COUNCIL  
NO. SUPERVISED: 110 - 125  
NORMAL HOURS/WK: 40  
SERVICE TYPE: EXEMPT

**GENERAL DESCRIPTION** The City Manager serves as the Chief Administrative Officer of the City of Kenai and is appointed by and reports to the Mayor and the City Council. The City Manager performs all duties and assumes all responsibilities required by Alaska Statutes, the City Code and the Charter of the City of Kenai and works with the broadest level of independence. This position requires daily contact with elected, administrative, federal, state and local officials, as well as the public.

### **ESSENTIAL DUTIES AND RESPONSIBILITIES**

1. Plan, direct, coordinate, and administer the activities of all departments in carrying out the requirements of City ordinances, rules, regulations, and policies of the City Council.
2. Appoint, supervise, evaluate, discipline, or terminate, all directors, or heads of administrative departments and all other administrative officers and employees of the City in accordance with City personnel policies.
3. Administer the City's personnel program, supervise, directly or indirectly, all administrative departments, agencies, officers, and employees of the City.
4. Prepare an annual budget and submit it to the Council, be responsible for budget administration after appropriations are made, and recommend to the Council any necessary changes in the estimates and appropriations.
5. Submit a report to the Council at the end of the fiscal year on the finances and administrative activities of the City for the preceding year; report regularly to Council concerning the status of all assignments, projects, and functions of the City.
6. Keep the Council advised of the financial condition and future needs of the City, and make such recommendations on matters of policy and other matters to the Council as necessary.
7. Hold staff meetings with all department heads to insure adequate cross-communication between the departments and the City Manager as relates to current and pending actions of the City. In addition, in preparing annual budgets, include informational input from all department heads.

8. Work through duly elected appointees/ representatives of the Planning Commission (City of Kenai and Kenai Peninsula Borough) and the Borough Assembly, so that all matters relating to those bodies may be addressed as a unified City action.
9. Keep an active checklist of Council questions and problems and attempt to answer or dispose of the same as prioritized by the Council.
10. Present all lease applications to the City Council. Where applicable, the applications will first be presented to the Kenai Planning Commission for its consideration.
11. Enter into contracts and purchase agreements not to exceed the amount authorized by the Council or by City Code.
12. Act as the Council's representative before any body, assemblage, or business meeting not within the boundaries of the City of Kenai.
13. Submit proposed ordinances and resolutions.
14. Administer oaths of office and affirmations in any matter pertaining to the affairs and government of the City.
15. Have regular, reliable, and predictable attendance at work.
16. Perform other related duties as requested by the City Council or as required by law.

### **MINIMUM QUALIFICATIONS**

1. Bachelor's degree in public administration or an equivalent combination of experience and training providing at least five (5) years of high level administrative and/or management experience requiring independent judgment and initiative, preferably in the area of municipal government.
2. Possess or obtain a valid Alaska driver's license within thirty (30) days of employment and prior to operating a City vehicle. Applicants will be required to submit a Division of Motor Vehicles record upon request.
3. The applicant (or employee after hire) must pass a background check, including but not limited to a criminal background check and credit report in accordance with the Fair Credit Reporting Act (FCRA).
4. The employee must be available to work varying schedules including weekends, evening, and holidays and the may be asked to respond to emergency call outs when available.

5. At the time of appointment, the applicant need not be a resident of the City or State; but, the employee must reside with the City while serving as City Manager.

### **WORKING ENVIRONMENT**

The work environment is typically in an indoor office and community room setting, adequately heated, lighted, and ventilated. The City Manager must work during daytime and nighttime hours. The employee must attend public meetings, often at night. The appointee must occasionally travel to other areas in the community, particularly public office buildings.

### **PHYSICAL DEMANDS**

While performing the duties of this job, the employee is regularly required to communicate orally and to use hands dexterously to operate office equipment (e.g., computers, telephones, photocopiers, keyboards, scanners, and other general office equipment). The employee must be able to communicate orally in person and on the telephone. The employee is frequently required to sit for long periods of time and is occasionally required to stand, walk, stoop, bend, crouch, lift, and reach with hands and arms. The employee must occasionally transport up to 40 pounds. Specific vision abilities required include close vision and ability to adjust focus. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

### **MISCELLANEOUS INFORMATION**

The City of Kenai is an equal opportunity employer. Employment is based on qualifications free of personal and political considerations, with equal opportunity for all with no discrimination on the basis of race, color, religion, sex, national origin, age, disability, marital status, changes in marital status, pregnancy, parenthood, genetic information or any other basis prohibited by law.



**CITY OF KENAI**  
invites applications for the position of:

## City Manager

---

<b>SALARY:</b>	\$125,000.00 - \$165,000.00 Annually
<b>DEPARTMENT:</b>	Administration
<b>OPENING DATE:</b>	10/10/22
<b>CLOSING DATE:</b>	10/28/22 05:00 PM
<b>JOB DESCRIPTION:</b>	



The City Manager serves as the Chief Administrative Officer of the City of Kenai and is appointed by and reports to the Mayor and the City Council. The City Manager performs all duties and assumes all responsibilities required by Alaska Statutes, the City Code and the Charter of the City of Kenai and works with the broadest level of independence. This position requires daily contact with elected, administrative, federal, state and local officials, as well as the public.

Established in 1960, the City of Kenai (population 7,742, 29 square miles) is located on the Kenai Peninsula where the world-famous Kenai River meets the Cook Inlet. Kenai's history, community, location, outdoor recreational opportunities, and diverse economy have proven Kenai as the Heart of the Kenai Peninsula. For more information on the City of Kenai, visit [www.kenai.city](http://www.kenai.city) or the city-affiliated website, [www.ilovekenai.com](http://www.ilovekenai.com).

### ESSENTIAL DUTIES AND RESPONSIBILITIES:

1. Plan, direct, coordinate, and administer the activities of all departments in carrying out the requirements of City ordinances, rules, regulations, and policies of the City Council.
2. Appoint, supervise, evaluate, discipline, or terminate, all directors, or heads of administrative departments and all other administrative officers and employees of the City in accordance with City personnel policies.
3. Administer the City's personnel program, supervise, directly or indirectly, all administrative departments, agencies, officers, and employees of the City.
4. Prepare an annual budget and submit it to the Council, be responsible for budget administration after appropriations are made, and recommend to the Council any necessary changes in the estimates and appropriations.
5. Submit a report to the Council at the end of the fiscal year on the finances and administrative activities of the City for the preceding year; report regularly to Council concerning the status of all assignments, projects, and functions of the City.
6. Keep the Council advised of the financial condition and future needs of the City, and make such recommendations on matters of policy and other matters to the Council as necessary.
7. Hold staff meetings with all department heads to insure adequate cross-communication between the departments and the City Manager as relates to current and pending actions of the City. In addition, in preparing annual budgets, include informational input from all department heads.
8. Work through duly elected appointees/ representatives of the Planning Commission (City of Kenai and Kenai Peninsula Borough) and the Borough Assembly, so that all matters relating to those bodies may be addressed as a unified City action.
9. Keep an active checklist of Council questions and problems and attempt to answer or dispose of the same as prioritized by the Council.

10. Present all lease applications to the City Council. Where applicable, the applications will first be presented to the Kenai Planning Commission for its consideration.
11. Enter into contracts and purchase agreements not to exceed the amount authorized by the Council or by City Code.
12. Act as the Council's representative before any body, assemblage, or business meeting not within the boundaries of the City of Kenai.
13. Submit proposed ordinances and resolutions.
14. Administer oaths of office and affirmations in any matter pertaining to the affairs and government of the City.
15. Have regular, reliable, and predictable attendance at work.
16. Perform other related duties as requested by the City Council or as required by law.

### MINIMUM QUALIFICATIONS:

1. Bachelor's degree in public administration or an equivalent combination of experience and training providing at least five (5) years of high level administrative and/or management experience requiring independent judgment and initiative, preferably in the area of municipal government.
2. Possess or obtain a valid Alaska driver's license within thirty (30) days of employment and prior to operating a City vehicle. Applicants will be required to submit a Division of Motor Vehicles record upon request.
3. The applicant (or employee after hire) must pass a background check, including but not limited to a criminal background check and credit report in accordance with the Fair Credit Reporting Act (FCRA).
4. Employee must be available to work varying schedules including weekends, evening, and holidays and the may be asked to respond to emergency call outs when available.
5. At the time of appointment, the applicant need not be a resident of the City or State; but, the employee must reside with the City while serving as City Manager.

### SUPPLEMENTAL INFORMATION:

All applicants are required to submit a resume and cover letter as attachments to their application.

Please note the essential duties and responsibilities listed are not designed to cover or contain a comprehensive listing of activities, duties or responsibilities that are required of the employee for this job. Duties, responsibilities and activities may be added, removed or changed at any time with or without notice prior to employment.

This is an appointed position with health and retirement benefits. The successful candidate must be willing to enter into an employment agreement for a minimum of three (3) years with the salary and terms and conditions of employment negotiated with the City Council.

The applicant pool acquired during this recruitment may be used for up to ninety (90) days after this recruitment closes.

Applications may be subject to public disclosure.

---

APPLICATIONS MAY BE FILED ONLINE AT:  
<http://www.kenai.city>

Position #00187  
 CITY MANAGER  
 CC

210 Fidalgo Ave  
 Kenai, AK 99611  
 (907) 283-8242

[ccunningham@kenai.city](mailto:ccunningham@kenai.city)

---

### City Manager Supplemental Questionnaire

- \* 1. Have you carefully read the minimum qualifications for this position, and do you certify that you possess the required education and/or experience to meet the minimum qualifications?  
 Yes    No
- \* 2. To complete your application for this position a cover letter is required. Have you attached the required cover letter? Failure to submit a cover letter may lead to a determination your application is incomplete and removal from consideration for this position with the City of Kenai.



Yes  No

\* Required Question



# 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:** Paul Ostrander, City Manager  
**DATE:** October 19, 2022  
**SUBJECT:** Discussion - Work Session with Kenaitze Indian Tribe, Tribal Council

---

The Kenaitze Indian Tribe and City Administrations have been working to strengthen the relationship between the two organizations. Through discussions with their Executive Director, Peter Evon, the topic of a joint work session was suggested. The purpose of a joint work session would be to provide an opportunity for the Tribal Council and City Council to discuss items that are important to their organizations and explore ways they could partner on future projects.

Administration is recommending November 2, 2022 for the work session. November 2 coincides with a Tribal Council meeting that ends at 4 pm that day, so a work session just prior to the regularly scheduled City Council meeting from 4:45 to 5:45 should work well for their Council Members.

Work sessions have already been scheduled to be held just prior to the regularly scheduled City Council meetings to discuss the 2024-2028 Capital Improvement plan on November 16, 2022 and for a budget goals work session on December 21, 2022.

Administration is respectfully requesting Council to schedule a joint work session with the Tribal Council from 4:45 to 5:45 on November 2, 2022.

**KENAI PLANNING & ZONING COMMISSION –  
REGULAR MEETING  
OCTOBER 12, 2022 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR JEFF TWAIT, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai Planning & Zoning Commission was held on October 12, 2022, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

**1. Pledge of Allegiance**

Chair Twait led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Commissioners present: J. Twait, A. Douthit, G. Woodard, V. Askin, J. Halstead, G. Greenberg, D. Fikes

Commissioners absent: None.

Staff/Council Liaison present: Planning Director L. Mitchell, Vice Mayor J. Glendening, Deputy Clerk M. Thibodeau

A quorum was present.

**3. Agenda Approval**

**MOTION:**

Commissioner Halstead **MOVED** to approve the agenda as presented. Commissioner Askin **SECONDED** the motion. There being no objection; **SO ORDERED.**

**4. Consent Agenda**

**MOTION:**

Commissioner Halstead **MOVED** to approve the consent agenda. Commissioner Woodard **SECONDED** the motion. There being no objection; **SO ORDERED.**

\*All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a commission 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.

5. \*Excused Absences – None.

**B. APPROVAL OF MINUTES**

1. \*Regular Meeting of September 14, 2022

Approved by the consent agenda.

**C. SCHEDULED PUBLIC COMMENTS – None.**

D. **UNSCHEDULED PUBLIC COMMENTS** – None.

E. **CONSIDERATION OF PLATS** – None.

F. **PUBLIC HEARINGS** – None.

G. **UNFINISHED BUSINESS** – None.

H. **NEW BUSINESS**

1. **Action/Approval** – Approving a time extension for the finalization of Beaver Loop Acres Addition No. 2 Preliminary Plat.

**MOTION:**

Commissioner Askin **MOVED** to approve a time extension for the finalization of Beaver Loop Acres Addition No. 2 Preliminary Plat. Vice Chair Douthit **SECONDED** the motion.

Director Mitchell provided a staff report noting that the preliminary plat had originally been approved in 2020 with an expiration timeframe of two years; the applicant had asked for a time extension to finalize. She explained that the Kenai Peninsula Borough would not typically approve a time extension request without approval from the Kenai Planning & Zoning Commission, but they made an exception and conditionally approved it due to time constraints on the plat expiration.

**VOTE:**

YEA: Askin, Woodard, Douthit, Fikes, Greenberg, Halstead, Twait

NAY: None.

**MOTION PASSED UNANIMOUSLY.**

I. **PENDING ITEMS** – None.

J. **REPORTS**

1. City Council – Vice Mayor Glendening reported on the actions of the October 5, 2022 City Council Meeting.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the October 10, 2022 Kenai Peninsula Borough Planning Meeting.
3. City Administration – Planning Director Mitchell reported on the following:
  - Planning Department is fully staffed; she and Planning Assistant Karrie Barone both began working with the City within the past few weeks.
  - Anticipates future work sessions which will look at administrative Planning processes and the role of the Commission.
  - Working on a special project to finalize the Land Management Plan.
  - Sent out reminders for Conditional Use Permit annual reports.
  - The Planning Department has 11 active applications and 10 open code-enforcement cases.

K. **ADDITIONAL PUBLIC COMMENTS** – None.

L. **INFORMATION ITEMS** – None.

M. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting Date: October 26, 2022

**N. COMMISSION COMMENTS & QUESTIONS**

Commissioner Woodard congratulated the City Council election winners and retirees.

Commissioner Askin reported feedback from the public regarding an applicant whose permit had been denied. Congratulated Commissioner Douthit and Vice Mayor Glendening.

Commissioner Halstead noted that it had been a privilege working with Commissioners Askin and Douthit, and will be great additions to the City Council; congratulated Vice Mayor Glendening on his retirement.

Commissioner Greenberg congratulated the City Council election winners, Planning Director Mitchell and Vice Mayor Glendening.

Commissioner Fikes congratulated Vice Mayor Glendening on his retirement, and looks forward to hearing from him in the future.

Vice Chair Douthit noted that it will be his last meeting; congratulated Commissioner Askin and Vice Mayor Glendening. Noted that he looks forward to working with Planning Director Mitchell.

Chair Twait noted that he is looking forward to filling the Commission vacancies and working with Planning Director Mitchell.

**O. ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 7:36 p.m.

Minutes prepared and submitted by:

---

Meghan Thibodeau  
Deputy City Clerk



# KENAI

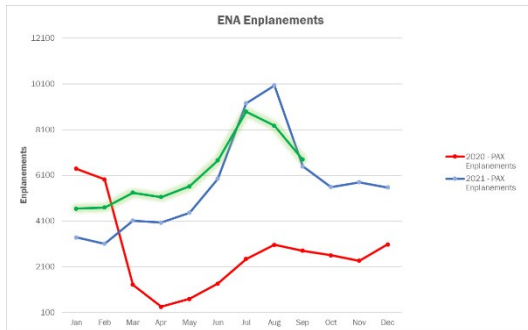
City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Eland Conway, Airport Manager  
**DATE:** October 12, 2022  
**SUBJECT:** Kenai Municipal Airport (ENA) Mid-Month Report

### Enplanements

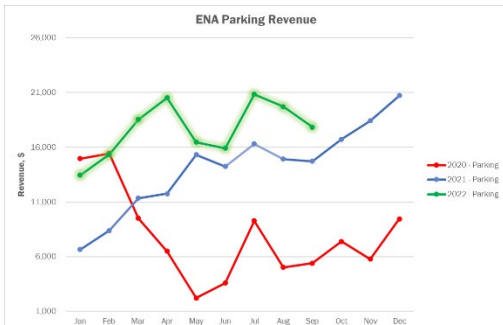
Rebounding from a decline in July and August, enplanements are up 4.62% YOY for the month of September. ENA enplanements continue to trend upward toward pre-pandemic levels up 10% YTD compared to 2021.



	2021	2022	% Δ
<b>PAX Enplanements</b>	<b>PAX Enplanements</b>	<b>PAX Enplanements</b>	<b>% Δ</b>
Jan	3389	4646	▲ 37.09%
Feb	3112	4695	▲ 50.87%
Mar	4127	5349	▲ 29.61%
Apr	4035	5150	▲ 27.63%
May	4464	5621	▲ 25.92%
Jun	5953	6760	▲ 13.56%
Jul	9259	8896	▼ -3.92%
Aug	10035	8276	▼ -17.53%
Sep	6500	6800	▲ 4.62%
<b>Total</b>	<b>50874</b>	<b>56193</b>	<b>▲ 10.46%</b>

### Parking Revenue

Parking revenue continues to perform strong YOY, up 21% in the month of September, and up 40% YTD compared to 2021.



	2021	2022	% Δ
<b>Parking</b>	<b>Parking</b>	<b>Parking</b>	<b>% Δ</b>
Jan	6,626	13,448	▲ 103%
Feb	8,373	15,338	▲ 83%
Mar	11,315	18,532	▲ 64%
Apr	11,757	20,530	▲ 75%
May	15,309	16,467	▲ 8%
Jun	14,236	15,920	▲ 12%
Jul	16,295	20,847	▲ 28%
Aug	14,924	19,719	▲ 32%
Sep	14,714	17,848	▲ 21%
<b>Total</b>	<b>113,548</b>	<b>158,649</b>	<b>▲ 40%</b>

## ENA Snow Fighters

Annually, ENA supplements the depth of our Team of Snow Fighters with seasonal operators and temporary call-in equipment operators. The Airport has extended conditional offers to seven temporary equipment operators—six are returning Veteran Snow Fighters. The Airport will also benefit from two returning seasonal operators.

These positions are a critical part of keeping the airport safe, open and operating throughout the winter season.

## For Lease

Suite 120, in the Kenai Municipal Airport's newly renovated terminal features modern Class A+ commercial/retail/professional space. This space garners the most exposure on the Kenai Peninsula—more than 180,000 passengers pass through the Kenai Municipal Airport annually.

### Suite 120 Features

- » 300 square feet
- » 100% generator backup power
- » Includes all utilities
- » Convenient
- » FREE Employee Parking

To learn more, visit <https://bit.ly/Suite120>





## MEMORANDUM

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

**THROUGH:** Paul Ostrander, City Manager

**THROUGH:** Dave Ross, Police Chief

**FROM:** Jessica “JJ” Hendrickson, Animal Control Chief

**DATE:** October 2, 2022

**SUBJECT:** **September 2022 Monthly Report**

This month the Kenai Animal Shelter took in **57** animals. Animal intake and disposition:

DOGS:				
	INTAKE	29	DISPOSITION	19
	Waiver	7	Adopted	5
	Stray	10	Euthanized	3
	Impound	1	Claimed	9
	Protective Custody	1	Field Release	1
	Quarantine	1	Transferred	1
	Microchips	8	Other Dispositions	
	Other Intakes	1		
CATS:				
	INTAKE	26	DISPOSITION	26
	Waiver	10	Adopted	21
	Stray	16	Euthanized	2
	Impound	0	Claimed	3
	Protective Custody	0	Field Release	
	Quarantine	0	Transferred	



Microchips	0	Other Dispositions	0
Other Intakes	0		0
OTHER ANIMALS:			
INTAKE	2	DISPOSITION	0
Guinea Pig	2	Chinchilla	0
Rabbit	0	Rabbit	0
Other	0	Guinea Pig	0
DOA:	10	OTHER STATISTICS:	
Dog	9	Licenses (City of Kenai Dog Licenses)	6
Cat	1		
Rabbit	0		

- 7 Animal dropped with After Hours (days we are closed but cleaning and with KPD)
- 25 Animals are *known* borough animals
- 14 Animals are *known* City of Kenai
- 10 Animals are *known* City of Soldotna
- 1 Animals from unknown location
- 26 Field Investigations & patrols
- 6.20 Volunteer Hours Logged
- 2 Citations
- 0 Educational Outreach

Statistical Data:

- 539 2020 YTD Intakes
- 459 2021 YTD Intakes
- 366 2022 YTD Intakes





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Lana Metcalf, Controller

**DATE:** October 12, 2022

**SUBJECT:** Finance Department, October 2022 Mid-Month Report

---

Auditors completed their fieldwork on October 6<sup>th</sup> and a draft of the FY2022 Annual Comprehensive Financial Report is near completion for their review. Presentation to the Council should be at the first meeting in January.

The department is assisting the Parks and Rec department on completion of its section of the City's Dip Net report. The report is a summation of information from various departments and includes a detailed analysis of the revenues from and cost to operate the event.

With the assistance of a consultant, the department is working on implementation of Governmental Accounting Standards Board (GASB) Pronouncement 87 dealing with the accounting for leases. This new pronouncement requires all leases to be valued and presented on the City's financial statements at their present value. Implementation will be completed for the City's FY2022 Annual Comprehensive Financial Report.

Preparation will soon begin for the FY24 annual budget. Historical and future projections are typically provided to departments in December of each year to assist in their budget preparation and much work takes place in putting this information together. In preparation for the budget process the department is seeking comments or requests from Council members on specific improvements they would like to see or information they would like included in the FY2024 budget process.



# 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:** Tony Prior, Fire Chief

**DATE:** October 5, 2022

**SUBJECT:** Fire Department Mid-Month Report – September

Calls for service for September increased compared to 2021 as we prepare for colder weather and increased uses of heating systems and icy roads. Here is the breakdown for September 2022.

September	2021	2022	% change
Totals	117	137	17.1%
EMS	81	100	23.5%
All Other	36	37	2.8%
Year total	1065	1123	5.4%

### Training:

- All personnel we busy training in preparation for promotional exams. Including; Officer training, Engineer training and Firefighter training.

### Projects/Grants:

- We have signed agreements with State of Alaska Division of Forestry, as well as USDA Forest Service to proceed with our CWPP projects. The next step is to develop a RFP to put out to bid and begin project work this late Fall.
- Internal promotional processes have been completed for the positions of Captain and Engineer. We are excited to announce the Promotion of Scott Summers to the position of Fire Captain and Dustin Voss to the position of Fire Engineer. All personnel who tested performed very well and I am proud of the depth of personnel who are able to fill the positions above their current ones. This means that they have been working and training very hard to be ready for these promotional processes.
- We will begin Fire Prevention month (October) with this year’s theme of “Get Up! Get Out! Get Safe!” We will be in all the local schools teaching all ages of students in fire safety that is pertinent to age groups.



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Christine Cunningham, Human Resources Director  
**DATE:** October 12, 2022  
**SUBJECT:** Human Resources Activity – September 2022

---

### Recruitment

Human Resources worked with the Fire Department and Kenai Municipal Airport to actively recruit a Fire Engineer, Firefighter, and Temporary Equipment Operators. The Fire Engineer position followed an internal recruitment process. Applications continue to trend low; however, the City saw an increase in applications for the Firefighter position. The City is currently recruiting for a City Manager.

### Safety/Training

Three accidents were reported; one resulted in property damage, and two resulted in a near-miss injury. As part of the City’s participation in a Loss Control Incentive Program, all employees will be required to take a “Preventing Slips, Trips, and Falls” course before June 30, 2023.

### Special Projects

The Employee Handbook update was finalized and distributed to all employees.

A total of 44 city employees responded to the Employee Health Benefits survey:

- Most respondents indicated a positive level of understanding of how to use health plan benefits and features and a positive level of satisfaction with benefits.
- Most respondents were interested in having more than one medical plan from which to choose and learning more about a Health Savings Account (HSA).
- Most respondents indicated that they have delayed seeking medical, dental, or vision services at least once due to cost concerns, were not aware of preventive care benefits, and have not used telemedicine.

Detailed survey results were distributed to employees. Human Resources will continue working with the City’s Health and Benefits Consultant to recommend health and benefit plan amendments or options and provide year-end reminders, refreshers, and resources to employees in the coming months.

Human Resources began work with the Administration and a working group of Department Heads to complete a comprehensive review of the City’s personnel practices and processes in key areas (recruitment, pay and benefits, policies and procedures) and provide recommendations. A new timeline was established with a goal to provide recommendations to the City Manager by January.



## MEMORANDUM

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





**THROUGH:** Paul Ostrander, City Manager

**FROM:** Hannah Meyer, Assistant to the Library Director

**DATE:** October 10, 2022

**SUBJECT:** Library Mid-Month Report for September 2022

### September 2022 at a Glance

Items Borrowed		Sep-21	Sep-22	2022 YTD
Physical		5,766	6,435	59,014
Digital		1,457	1,497	13,857
<b>Services</b>				
New Memberships		49	69	490
Room Reservations		90	141	1,087
<b>Programs</b>				
Number of Programs		19	32	270
Program Attendance		76	200	4,120
<b>Technology Sessions</b>				
Computer sessions		424	564	4,485
WiFi Sessions		6,041	7,842	66,837
Early Literacy Station Sessions		44	229	2,262

## September 2022 programming highlights

- 32 library programs – 200 attendees
  - 8 Story Times (total of 94 participants)
  - 2 American Girl Clubs (total of 14 participants)
  - 3 Lego Clubs (total of 16 participants)
  - 4 Chess Clubs (total of 5 participants)
  - 2 Writing Groups (total of 2 participants)
  - Bad Art (7 participants)
  - Crafternoon (5 participants)
  - Favorite Fish DIY kit (16 kits given away)
  - Freezer Biscuits (2 participants)
  - Guess the Planet (1 participant)
  - Infant Play Time (10 participants)
  - Raspberry Pi Club (4 participants)
  - Scat and Tracks (1 participant)
  - Senior Center Tech Class (4 participants)
  - Teen Advisory Board (7 participants)

## September 2022 library services highlights

- Volunteers logged 11 hours this past month. Tasks included shelving and program support.
- Our study and conference rooms were used by 141 individuals/groups for a total of 280 hours.
- Last month of the quarter is Reference Tally Month: we answered over 845 reference and technology questions.
- Spooky season is just around the corner! Events to check out this month include:
  - Literary Haunted House – October 25<sup>th</sup> – 31<sup>st</sup>
  - Pumpkin Decorating Contest (week of October 3<sup>rd</sup>)
  - 2-line Poem Competition (ends October 21<sup>st</sup>)
  - Stuffed Animal Taxidermy, Pumpkin Pancakes, Pet Ghosts in a Bottle, Book Pumpkins, and more!
- Hold locker has been installed and initial tests have been completed. Next step is to conduct staff training and invite patrons to try out our new 24/7 holds pickup service. The total cost of the locker was lower than anticipated due to a discount from the vendor. We were able to purchase cleaning supplies and PPE with the leftover money. The purchase of the hold locker and the cleaning supplies/PPE was made possible by the IMLS and the Department of Education and Early Development, Division of Library, Archives & Museums.





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Brad Walker, Parks & Recreation Director  
**DATE:** October 8, 2022  
**SUBJECT:** **Mid-month Report – September 2022**

---

- The department had one shelter reservations for the month of September.
- Most all Temporary Parks employees have left for the season. There were two left to help with the Kenai River Marathon set up.
- The Kenai River Marathon went excellent. It was a beautiful day for the event. Total of 180 runners for all three events. A new course record was set this year. All park staff including Director and Assistant Director worked the event with the Chamber's staff.
- Staff worked on clean up and preparation of soccer fields for Kenai Kennel Club event over Labor Day weekend.
- Director and Assistant Director attended a virtual ARPA (Alaska Recreation and Parks Association) committee meeting.
- Staff set up Silver Salmon Derby banners at Three Bears.
- Director worked with Wreaths Across America for Dec. event in the City of Kenai.
- Staff worked at Municipal park cleaning up beetle kill trees, removing graffiti, removing old metal posts/bollards, cleaning up broken concrete pads, and grading gravel paths.
- Director and Assistant Director worked with the Chamber of Commerce for planning the 2022 Kenai River Marathon that took place on September 25.
- Director met with Fire Chief and DNR Forestry Department to put together a beetle kill tree removal plan for Ryan's Trail.
- Staff installed new gravel path to board walk at Cunningham park
- Park Director worked on inventory and uploading numerous auction items for the public auction in September.
- Glass panels for ice rink were delivered to MPF for installing at the rink
- Winterization of all parks completed by September 30<sup>th</sup>.
- Director and Assistant Director met with TCAA to discuss upcoming Men's City League Basketball League.
- Received LED light order for MPF scoreboard. LED light replacement scheduled for week of Oct. 17<sup>th</sup>.



- Circulation motor #1 control board and power control board burnt up due to over voltage. Parts were ordered but have a 3-4-week lead time. Voltage regulators will be installed on both systems to prevent over voltage type issues from happening again.
  - Control board, power boards, and voltage regulators scheduled to be delivered Oct 17<sup>th</sup>. They will be scheduled for install as soon as we have them.
  
- **The Kenai Recreation Center August visitation**
  - Gym Check In: 1264
  - Reserved Gym Hours: 42
  - Weight/Cardio Room Check In: 831
  - Showers/Sauna: 286
  - Racquetball: 52
  - Wallyball: 9
  - Other: 17
  - Student: 941
  - Kenai City Employee: 51







## MEMORANDUM

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

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Linda Mitchell, Planning Director

**DATE:** October 12, 2022

**SUBJECT:** Planning and Zoning – September 2022 Monthly Report

### Application Summary

Planning and Zoning received 5 new applications in September and carried over 6 from the previous months. Action was taken on 5 of them.

Applications	No. Received	Carried Over	Completed	Under Review
<i>Planning</i>				
Building Permit	1	0	1	0
Easement	1	0	0	1
Plat	1	0	0	1
Zoning Amendment	0	1	1	0
<i>Lands &amp; Leases</i>				
Purchase	0	2	1	1
New Lease	1	2	1	2
Renewal	0	1	0	1
Assignment	1	0	1	0
<b>Total</b>	<b>5</b>	<b>6</b>	<b>5</b>	<b>6</b>

### Code Enforcement

Planning and Zoning received 6 new complaints in September for a cumulative total of 10 active cases. Planning staff conducted 6 site visits and closed 12 cases.

Violations	No. of Active Cases	Carried Over	New	Closed
<b>Total</b>	<b>10</b>	<b>4</b>	<b>6</b>	<b>12</b>

### Before and After Highlight



### Planning and Zoning Commission

One Planning and Zoning Commission meeting was held in the month of September and the following actions occurred.

- Planning and Zoning Commission recommended approval for the following resolution.
  1. **Resolution PZ2022-23** – Recommending the Kenai City Council Enact Ordinance 3316-2022 Amending Kenai Municipal Code 14.20.150-Conditional Use Permits, To Further Clarify Roles And Responsibilities Of Applicants, The Planning Director, And The Planning Commission In The Conditional Use Process.
- Planning and Zoning Commission recommended approval for the following agenda items.
  1. **Action/Approval** – Recommending the Kenai City Council Approve Ordinance 3311-2022 Determining That Real Property Described as Lot 5, Block 1, Gusty Subdivision Addition No. 1, According to Plat No. 83-126 Kenai Recording District, City-Owned Airport Land Located Outside The Airport Reserve, is Not Needed for a Public Purpose, Waiving KMC 22.05.095 Methods of Sale or Disposal and Authorizing The Sale of The Property to Aaron Swanson dba Forever Business Plaza LLC.
  2. **Action/Approval** – Recommending the Kenai City Council Approve Ordinance No. 3312-2022 Determining Lot 4, Block 1, Gusty Subdivision Addition No. 1 Amended Is Not Needed for a Public Purpose and Approving The Execution of a Lease With an Option to Purchase Between The City Of Kenai And Aaron Swanson for The Property.
  3. **Action/Approval** – Recommending the Kenai City Council Approve Resolution No. 2022-XX – Approving the Renewal of a Lease on Airport Reserve Lands between the City of Kenai and the Federal Aviation Administration for the Automated Flight Service Station Facility on Lot 7A-1, FBO Subdivision No. 5.
  4. **Action/Approval** – Recommending the Kenai City Council Enact Ordinance 3314-2022 Extending The Time Period for Completion of The Action Items Necessary for



The Conditional Donation of An Approximate 2 Acre Parcel to be Subdivided From A Portion Of The 6.8 Acre More or Less Portion of The East of Tract 4a, Baron Park 2020 Replat (KPB Parcel No. 04501035) to Triumvrate Theatre for The Development of a Theatre Facility.

### City Council

Two City Council meetings were held in the month of September and the following actions occurred.

- Kenai City Council adopted the following legislations:
  - **Ordinance No. 3305-2022** - Conditionally Granting Certain Foreclosed City-Owned Properties Described as Lots 8 & 11, Block 9 and Lot 4, Block 10, Mommsen's Replat of Additions No. 1 & 2 (Parcel Numbers 03910211, 03910208 and 03910304) to Central Peninsula Habitat for Humanity, Inc. for Construction of Housing.
  - **Ordinance No. 3311-2022** - Determining that Real Property Described as Lot 5, Block 1, Gusty Subdivision Addition No. 1, According to Plat No. 83-126 KRD, City-Owned Airport Land Located Outside the Airport Reserve, is not Needed for a Public Purpose, Waiving KMC 22.05.095 Methods of Sale or Disposal and Authorizing the Sale of the Property to Aaron Swanson DBA Forever Business Plaza LLC.
  - **Substitute Ordinance No. 3312-2022** - Determining Lot 4, Block 1, Gusty Subdivision Addition No. 1 Amended is not Needed for a Public Purpose and Approving the Execution of a Lease with an Option to Purchase Between the City of Kenai and Aaron Swanson DBA Forever Business Plaza LLC. for the Property.
  - **Ordinance No. 3314-2022** - Extending the Time Period for Completion of the Action Items Necessary for the Conditional Donation of an Approximate 2 Acre Parcel to be Subdivided from a Portion of the 6.8 Acre More or Less Portion of the East of Tract 4A, Baron Park 2020 Replat (KPB Parcel No. 04501035) to Triumvirate Theatre for the Development of a Theatre Facility.
  - **Ordinance No. 3316-2022** - Amending Kenai Municipal Code 14.20.150-Conditional Use Permits, to Further Clarify Roles and Responsibilities of Applicants, the Planning Director, and the Planning Commission in the Conditional Use Process.
- Kenai City Council postponed the following legislation:
  - **Resolution No. 2022-64** - Approving the Renewal of a Lease Utilizing a Non-Standard Lease Form on Airport Reserve Lands Between the City of Kenai and the Federal Aviation Administration for the Automated Flight Service Station and Satellite Communication Network Facilities on Lot 7A-1 FBO Subdivision No. 5.





# 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:** David Ross, Police Chief

**DATE:** October 4, 2022

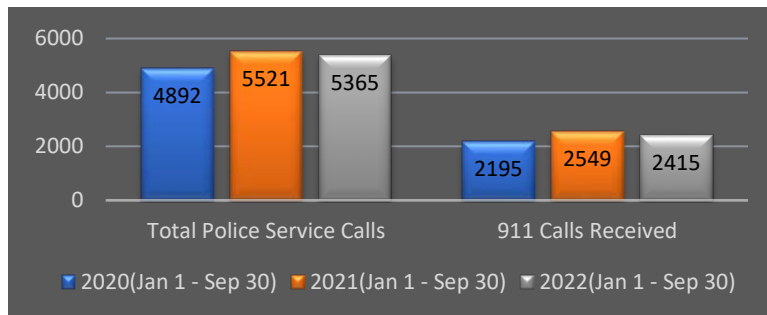
**SUBJECT:** Police & Communications Department Activity – September 2022

Police handled 591 calls for service in September. Dispatch received 261 9-1-1 calls. Officers made 38 arrests. Traffic enforcement resulted in 273 traffic contacts and 68 traffic citations. There were 6 DUI arrests. Officers investigated 7 motor vehicle collisions in September. There were three collisions involving animals and no collisions involving drugs or alcohol.

One KPD supervisor attended a three day 'Physical Security Assessment' training in Anchorage. Two dispatchers attended a three-day FBI training on NIBRS, for national law enforcement data collection.

The School Resource officer continued teaching DARE to two classes at Mountain View Elementary. He also taught cell phone and internet safety classes at Kenai Middle School. In addition to teaching, he assisted with a number of police related call and security issues with the local schools. KPD also assisted with the Home Coming parade for KCHS.

KPD was awarded its law enforcement accreditation through the Oregon Accreditation Alliance.





# 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:** Scott Curtin, Public Works Director  
**DATE:** October 2022  
**SUBJECT:** **Mid-Month Report; Public Works / Capital Projects**

---

### ***Airport Fund Projects:***

- Kenai Municipal Airport Sand Storage Facility – Orion Construction is currently under contract in the amount of \$2,289,000. The project has experienced extreme supply chain issues. June 7<sup>th</sup>, 2022 received confirmation from Orion that Steel Building is now on order through Superstructures, wall and roof panel submittals are in process as of August 9, 2022. *The steel has arrived and is currently being stored on site. Change Order 1 is pending to extend the contract time, it will be a no cost change order, with a new Substantial Completion date intended for September 30, 2023. Construction will start in May 2023 and is expected to move quickly.*
- Kenai Municipal Airport Airfield Drainage – Project consists of the replacement of approximately 500 lf of failing storm water pipelines located in the safety area off the northern end of the runway. 10/13/21 Contract Documents were executed with BMGC LLC in the amount of \$360,225. Airport staff has requested this project hold off until 2022 for operational concerns. With the addition of Kenai Aviation to the airport the availability of runway closure times has been further reduced. Staff is working to reduce the length of the available runway for a limited period of time, three weeks range, to allow the contractor to work with minimal limitations within the project area. This will slightly delay the start of the project to allow for the required notifications to take place. A monitoring well was installed to verify water table elevation in the project area on June 6<sup>th</sup>. Conditions continue to be monitored, work anticipated to start likely October/November 2022, working a revised Construction Safety Phasing Plan (CSPP) in coordination with the FAA and expecting the runway to be shortened for a period of time to allow the work to be completed. The revised CSPP has been approved by the FAA and this work is anticipated to be completed during *November 2022 with the runway being shortened for a period of time to accommodate the Contractor.* Update: The water table within the project area is currently very high, measured at 47" below grade on 9/12/22 which may make the viability of construction starting this fall extremely challenging.



We are not sure if we can successfully dewater the project area to a depth of 12-14' and complete the work. Conditions continue to be monitored daily. *The float plane basin will begin to be drained on October 17, 2022 and will likely take a few weeks. We are hopeful this will allow dewatering of the project area to be more effective as the current water table remains very high. Contractor is scheduled to start dewatering operations first week of November.*

- Kenai Municipal Airport Snow Removal Equipment (SRE) – *Equipment has arrived, staff is undergoing training on new equipment. Grant is entering closeout.*
- Kenai Municipal Airport Runway Rehabilitation Project – This project known as Task 4 within HDL Engineering Consultants LLC term service agreement with the City shall provide an initial assessment of the current condition of the airport runway. This will include geotech work, coring numerous locations of the runway. This work will provide the necessary information to coordinate with the FAA to seek grant funding for an overall runway rehabilitation project which will ultimately include the runway, taxiways, drainage, lighting, markings, etc. On August 4<sup>th</sup>, 2021 HDL Engineering and staff successfully completed geotech borings of the runway after hours. On October 13<sup>th</sup>, 2021 HDL Engineering, City staff and the FAA discussed the findings of the geotech report. On December 6, 2021 the City received the draft Engineer's Design Report (EDR) along with the draft Geotechnical Report. Ordinance 3278-2022 was approved on April 20<sup>th</sup>, 2022 to secure HDLs services through Bid Phase with a contract amendment of \$781,833 executed on May 6, 2022, bringing the total cost of design to \$1,031,833. Update: 9/14/22 Design team continues to develop design documents. Environmental services are now engaged with pending decisions on PFAS scope being discussed. The City anticipates formal 35% Design documents available for review in October 2022. Project is currently tracking for Runway Rehab Construction in 2025 with the Taxiways 2026 the following year.
- Kenai Municipal Airport (KMA) Terminal Landscaping – A Request for Proposals for Landscape Design Services was released on July 14, 2022 with proposals due on July 28, 2022 where Earthscape LLC was determined to have provided the highest scoring proposal at a cost of \$28,255. The Purchase Order to Earthscape LLC was approved by Council at the 9/7/22 council meeting. Design work is anticipated to continue through the winter months with a construction bid expected for spring 2023.
- Kenai Municipal Airport (KMA) Operations Building HVAC Controls Upgrade & Boiler Replacement – *This project was released for RFP on July 19, 2022 with proposals due on August 16, 2022. MBA Consulting Engineers was the successful proposer awarded under Resolution 2022-63 approved by Council at the September 7, 2022 Council Meeting. Contract Documents are in process and design work is anticipated to continue through the winter months.*

#### **General Fund Projects:**

- USACE Bluff Erosion – Council approved Resolution 2021-35 at the June 2, 2021 meeting awarding an agreement to HDR along with issuance of a purchase order in the amount of \$791,832.68. July 6, 2021 the formal agreement between the City of Kenai and HDR was executed. On January 2, 2022 the City received 35% Design Documents from HDR, staff was able to review those documents with HDR uploading them to the Corps website on January 25<sup>th</sup>. On March 3<sup>rd</sup> federal funding in the amount of \$650,000 was received by the





USACE to be used toward the design effort of the project. This allows Corps staff to bill time to the project in support of our efforts. On March 10<sup>th</sup> the City submitted a letter for Request for Work in Kind, to cover the expenses the City has incurred through HDR Engineers Inc. in the amount of \$248,676.73, which covers progress from July through November 2021. 65% Design Docs were received ahead of schedule on April 28<sup>th</sup>. Value Engineering Workshop was conducted with USACE on June 21-24, 2022 at JBER. This completed the requirement of completion of a VE Study for the project. Final 65% documents with the items addressed at the VE Study workshop were received 8/25/22. *Advanced Technical Review (ATR) with the Corp began 9/15/22, with an ATR Workshop on October 3, 2022. The project continues tracking toward an April 3, 2023 Invitation to Bid release for Construction with an anticipated Construction Contract award anticipated in May/June 2023. Project continues to track well and as expected. The City Manager presented Resolution 2022-71 to Council at the October 5, 2022 meeting accepting a State Grant 23-DC-007 for \$6,500,000 in support of the Sponsor share of the project. This grant is a tremendous step toward fulfilling the City's responsibility of the current 35% percent match of the overall project. This project continues to be very active, more info to come as we approach the end of the calendar year and work toward 95% design documents.*

- Recreation Center Improvements – The Public Works Department released an RFP on November 18, 2021 with proposals due on December 10, 2021 to provide professional AE services for the Kenai Rec Center. This project will provide a code assessment of the facility, architectural drawings for a complete roof replacement of the facility, and mechanical / electrical drawings for the replacement of aging HVAC equipment. Update: Resolution 2022-06 was approved at the 1/19/22 council meeting to award a design agreement to K+A Design Studios in the amount of \$92,085. Design agreement has now been executed and project meetings are set to begin in mid-February. Resolution 2022-09 within the February 16<sup>th</sup> packet is combining funding from several smaller projects into this one larger one. On March 21<sup>st</sup> the design team provided the code assessment for the facility identifying several issues which are under review by Public Works Staff. On August 17, 2022 council approved a PO increase to include rain leader design to address storm water concerns. Total authorized design to date is \$108,085. *Update: Design has run behind schedule, however bid documents were received for review on October 4, 2022. Project release for construction bids is anticipated for November 2022 with work continuing through the summer of 2023.*
- Multi-purpose Facility – *The Building Maintenance Department completed all of the pressure washing and rust prevention coatings in house. That portion of the project was completed on time and on budget and allowed for ice to go back in on schedule. Staff continues to work on ventilation solutions as well as some UV Heat lamps to replace the natural gas heaters suspended from the ceiling near the seating areas. Once a scope of work is finalized by the department these additional items will be released for bids. Currently roughly \$71,000 of the \$155,000 in funding has been expended.*
- Cemetery Expansion – This project is located at the corner of First Ave and Float Plane Rd and will provide for additional burial space as the existing adjacent cemetery has reached capacity. The Public Works Department using in house personnel has already cleared, leveled and graded the site, and placed and compacted a gravel sub-base for the parking area. Staff has successfully surveyed in 64 adult plot sites and 12 infant plot sites. These



sites are available through the Clerk's office. *The Parks & Recreation Commission is currently considering alternatives to fencing the cemetery in an effort to utilize those funds toward completing other items. Work will be suspended through the winter with the parking lot paving taking place early summer 2023.*

- Kenai Fire Department Flooring Replacement – This project will be replace aging flooring materials within the station. Based on the age of the facility and previous encounters with asbestos, a Proposal Quote Request was released on 12/1/21 with proposals due on 12/10/21 to sample and test for asbestos containing materials within the proposed work area. Contract was awarded on 12/20/21 with a Notice to Proceed granted on 1/11/21 with report due back to City on 2/14/22. The results of the testing will determine our next course of action. If asbestos is discovered steps to conduct abatement will need to be completed prior to replacement of flooring materials. The testing costs are \$4,112 at this time. May 18<sup>th</sup> council meeting has an Ordinance requesting an additional \$20,000 in supplemental funding to complete abatement and allow the project to proceed. Update: Supplemental funding approved and request for quotes is in progress to complete the asbestos abatement previously identified. Invitation to Bid released on 9/15/22, work anticipated to carry well into the winter months. *Bids were received on October 6, 2022 and there is a resolution within this Council packet for a contract award to Aurora Flooring LLC in the total amount of \$60,000.*
- Kenai Fire Department Apparatus Bay Coating – Ordinance 3315-2022 is up for Council approval on 9/21/22 to provide supplemental funding to allow the project to bid. Once additional funds are approved project is prepped for bid release. Existing budget was \$45,000 with approval of Ordinance 3315-2022 new budget will be \$60,000. This work involves cleaning and replacement of concrete floor markings with the installation of a new concrete sealer to protect and extend the life of the garage bay floors. *Bid documents are being finalized for a bid release later this month October 2022.*
- Visitor Center Roof Replacement – Request for Proposal Documents are pending to obtain professional services to provide bid ready construction documents for the planned roof replacement at the Visitors Center. RFP release is anticipated for late January 2022 to provide for shingle replacements during the summer months 2022. Update: A Proposal Quote Request was released on January 25<sup>th</sup> with proposals due on February 15<sup>th</sup> to provide Bid Ready Construction documents for this project. Council can expect to see legislation in March awarding the design agreement. Update: K+A Architecture was the successful proposer and 95% design documents were provided for staff review on May 31, 2022. Invitation to Bid for construction was released on 6/21/22 with bids due on 7/19/22. Two bids were received and were both well in excess of budgeted amounts. Project is unable to be awarded at this time and will be adjusted slightly with the intent of rebidding 1<sup>st</sup> quarter 2023.
- Kenai Dog Park – *Council has provided \$63,000 in funding toward this project. On October 10<sup>th</sup>, 2022 Polar North Construction began work on the concrete pavilion pad with a concrete pour schedule for 10/13/22 weather pending. Fireweed Fence has also started reinstallation of the fence work the same week. The high water table within the park area continues to cause flooding issues within the park area. Public Works staff has roughed in some drainage trenches which have helped, we plan on expanding on that work and then placing some drainage rock so the repairs will be permanent. Project will continue into May/June 2023 as weather allows. Public Works staff has collected numerous items from the dog park committee including park benches, signage, agility equipment, etc. and have items stored in our warm storage area to be installed next spring.*





*Pavilion Pad prepping for concrete*



*Fireweed Fence placing posts*

- Roadway Improvements – Nelson Engineering was the successful proposer to provide bid ready construction documents for improvements to Wildwood Dr, Willow Ave, First St. as well as multiple smaller misc. repairs. Update: Contract documents have been executed, geotech soil borings have been completed, site survey work has begun. Wildwood Drive 65% design docs were received on July 14, 2022 for review. 95% documents are pending after discussions on adding water sewer utilities in a few locations that are not currently existing to avoid future damages to the roadway. Geotech and site surveys have been completed on First Ave and Willow Street project areas, with design work expected to start as Wildwood design is finished. Projects will not be ready for bid release this season and will be released for bids first quarter 2023.





***Water & Sewer Fund Projects:***

- Waste Water Treatment Plant Replacement Sludge Press – Resolution 2020-95 approved at the December 16, 2020 Council meeting authorized HDL Engineering to begin the Design Phase of the WWTP Replacement Sludge Press. Contract Documents were executed on January 6, 2021 with a Notice to Proceed issued on January 11, 2021. A Request for Proposals from press manufactures was released on April 27, 2021 with proposals due on May 25<sup>th</sup>, 2021. Resolution 2021-42 to award an equipment purchase agreement to Andritz Corp in the amount of \$285,000 was approved by Council at the June 16, 2021 meeting. The screw press is on order and is expected to arrive in Kenai in late *October 2022*. A formal Invitation to Bid for Construction was released on June 7<sup>th</sup>, 2022. Bids were originally due on June 28<sup>th</sup> but the deadline was extended to July 22<sup>nd</sup> due to a lack of bidders interested in the project. On July 22<sup>nd</sup> two bids were received, with Blazy Construction being the lowest responsive responsible bidder at a cost of \$1,437,913. Ordinance 3302-2022 awarded the Construction Agreement to Blazy Construction on 8/17/22. Work is now actively underway and is anticipated to run through March 2023. *Concrete for screw press foundation was poured on October 11, 2022. Screw press delivery remains on track for end of October arrival.*



- Kenai Wellhouse Relocation – Contract was executed with Polar North Construction on August 4, 2021 in the amount of \$243,172.25. *Update: 9/7/22 Council meeting approved a PO Increase to cover Change Order 1 costs associated with site grading in the total amount of \$9,792.13. Contract is nearing completion with final punch list items being completed.*
- Lift Station Renovations – Resolution 2021-58 awarded HDL Engineering agreement in the amount of \$59,560 to provide bid ready construction documents for three lift stations. HDL has completed on site evaluations and are nearing completion of three sites to receive upgrades. These locations included the stations at mile posts 13 and 14, which are near the soccer fields and Spur / Redoubt Ave respectively, as well as a station on Lawton Drive. These locations are intended to receive new pumps and pump control panels as part of this project. *Update: After determination of which lift stations would receive renovations to start, a design meeting was held on 12/3/21 to discuss pump and control panel design. Basis of design memo received on January 6, 2022. Update: Design documents are approaching*



95% with a revised anticipated release for Construction Bids late October 2022. Construction will continue through the summer of 2023.

- Wastewater Plant Digester Blowers Replacements – HDL Engineering was authorized to proceed on design documents for this project through passage of Resolution 2022-29 on May 18, 2022. Design Agreement is currently in the amount of \$382,513 and will provide bid ready construction documents for the replacement of two 40+ year old blowers at the WWTP. The Department received 35% Design Study Report on September 23, 2022 and the project is currently moving toward 65% design documents. A grant for this project has been applied for through Senator Murkowski's office through the Congressional Directed Spending (CDS) program. We are awaiting word on if we were successful in receiving grant funds. This is a high priority project for the department and is anticipated to provide further energy savings similar to the aeration basin blower replacement project completed a few years ago.

#### **Senior Citizens Fund Projects:**

- Senior Center Front Entry Modifications – Capital Project Manager is developing scope of work for this project to address operation of automatic entry doors.

#### **Congregate Housing Fund Projects:**

- Vintage Pointe Boiler Replacement – A RFP for design services was released on October 6, 2022 with proposals due on November 3, 2022. Design work will continue into the winter with a construction bid release expected at the end of the first quarter 2023. This project will replace outdated boiler heat systems for the facility as well as providing a direction on backup power generation to support the heating system when grid power is unavailable.

#### **Other Projects Information:**

- DOT Kenai Spur Highway to Sports Lake Rd – This project continues to wait for appropriation of state funds. No new information to report at this time.
- DOT Bridge Access Road Bike Path – Council passed Resolution 2021-53 on August 4, 2021 authorizing the City Manager execute a memorandum of agreement with DOT for design, construction, and maintenance of the Kenai Bridge Access Road Pathway project. In speaking with representatives from DOT the state has not provided funding as yet for this project to move forward. To date the City has appropriated \$294,947 in support of this project which is intended to provide a 1.2 mile path connecting the paths between the Spur Highway and Beaver Loop. Total cost of project per DOT estimates equals \$3,266,301. Per communications with the DOT, design funding is in place and they are waiting on final signatures for the Reimbursable Services Agreement (RSA) with DNR. Once the RSA is approved they will be able to begin design work. Process is expected to be completed by the end of January. Update: Formal kickoff meeting took place on March 30<sup>th</sup> with the City Manager and Public Works Director in attendance. From appearances this design process will be a slow one, we are not anticipating seeing construction on the path this calendar year. Will continue to update as more information becomes available. Update: A site meeting will be taking place between the City, DNR, & DOT on 6/9/22 to review the project. HDL Engineering appears to be conducting surveying services in support of the project, crews were in the area on 6/7/22. On June 29, 2022 the City Manager & Public Works Director met with DOT representatives and discussed projects. State funding continues to be an issue.





## MEMORANDUM

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

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Kathy Romain, Senior Center Director

**DATE:** October 10, 2022

**SUBJECT:** September 2022 Monthly Report

As the Kenai Senior Center moved into the month of September many Seniors attended a day trip to Hope as one final goodbye to the summer. Other activities enjoyed by area seniors were Card Making with Kimberly, Seasonal Wreath making with Marcia, and the Adult Coloring Class.

Growing Strong, Tai Chi, and TOPS continue to be well-attended activities. Additionally, many express appreciations for the return of weekly Blood Pressure checks. This month the KSC was also able to coordinate with the Safeway Pharmacy to provide seniors with a Flu-shot Clinic held at the Center.

To close out the month the Kenai Senior Center held a Fall dance. It was well-enjoyed as area seniors brought refreshments and joined other area seniors for fun and camaraderie. Participants expressed appreciation and the want for monthly dances to be held in the future.

	2022	2021
Home Delivered Meals	1835	2262
Individuals	95	94
Dining Room (Congregate) Meals	778	457
Individuals	126	93
Transportation (1-way rides)	191	0
Individuals	19	0
Grocery Shopping Assistance	10/57	10/57
Writers Group	9	36
Caregiver Support Group	7	16
Growing Stronger Exercise	32	218
Tai Chi Class	9	50
TOPS Weight Loss Class	14	28
Bluegrass & Music Sessions	56	264
Card Games	41	427
Wii Bowling	8	71
Arts & Crafts	38	56
Total Event Sign-ins *	1888	1925
Individuals *	194	150
Vintage Pointe Manor Vacancies	2	2

\* (not including home meals clients)

**PURCHASE ORDERS BETWEEN \$2,500.00 AND \$15,000.00 FOR COUNCIL REVIEW**  
**COUNCIL MEETING OF: OCTOBER 19, 2022**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPT.</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
RED MOUNTAIN ARSENAL	AMMUNITION	POLICE	OPERATING SUPPLIES	3,593.15
PROTECTIMUS LTD.	AUTHENTICATION TOKENS	NON-DEPARTMENTAL	OPERATING SUPPLIES	3,237.40



September 28, 2022

**KENAITZE**  
**INDIAN**  
**TRIBE**

Kenai Senior Center  
City of Kenai  
210 Fidalgo Ave.  
Kenai, AK 99611

Dear Kenai Senior Center,

On behalf of the Kenaitze Indian Tribe, I would like to express our support for your services and efforts to our community through a donation of \$1,000.00. We believe that Kenai Senior Center provides important assistance and support addressing the needs of our residents.

With this donation we hope to help your cause and encourage continuation of your endeavors for the lasting benefit of our shared community. We would love to hear how we have been able to contribute, so please do not hesitate to write us at:

**Attn: Natália Flores**  
**Kenaitze Indian Tribe**  
**P.O. BOX 988**  
**Kenai, AK 99611**

The health and wellbeing of our community and cooperation for supporting its needs is important to the Tribe as we deliver a variety of programs and services that promote the wellness of our people and the region. We wish you much success in your continued work for our shared community.

If you have any questions, please do not hesitate to contact our Executive Office Supervisor, Natália Flores, through email [NFlores@kenaitze.org](mailto:NFlores@kenaitze.org).

Sincerely,

Peter Evon  
Executive Director of Tribal Administration

www.kenaitze.org

Phone: 907-335-7200 • FAX: 855-335-8865

P.O. Box 988 • Kenai, AK 99611