



Kenai City Council - Regular Meeting

December 21, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

****Telephonic/Virtual Information on Page 4****

www.kenai.city

Agenda

A. CALL TO ORDER

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

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

B. 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. 3321-2022** - Repealing Kenai Municipal Code Sections 13.30.030- Night Parking Prohibited, 13.30.050- Signs Bearing the Legend, and 13.30.100- Parking Prohibited on Kenai Avenue, and Reenacting and Renaming Kenai Municipal Code 13.30.030- Street Parking Prohibitions, to Allow Greater Flexibility in Regulating Street Parking in the City. (Legal)
 - **Substitute Ordinance No. 3321-2022** - Repealing Kenai Municipal Code Sections 13.30.030 - Night Parking Prohibited, 13.30.050 - Signs Bearing the Legend, and 13.30.095 - Parking Prohibited on Kenai Avenue, and Reenacting and Renaming Kenai Municipal Code 13.30.030 - Street Parking Prohibitions, to Allow Greater Flexibility in Regulating Street Parking in the City. (Legal)
2. **Ordinance No. 3322-2022** - Increasing Estimated Revenues and Appropriations in the General Fund for Costs in Excess of Budgeted Amounts for Public Works Street Lighting Repairs and Maintenance. (Administration)
3. **Ordinance No. 3323-2022** - Accepting and Appropriating Grants from the U.S. Department of Homeland Security Passed Through the State of Alaska Department of Military and Veterans' Affairs for the Purchases of Public Safety Radios, Police In-Car Video Systems, and a Cyber Security Assessment. (Administration)
4. **Resolution No. 2022-78** - Commending the Kenai Central High School Girls as the Alaska Division 3A State Girls Volleyball Champions for the Year 2022. (Baisden)

- [5.](#) **Resolution No. 2022-79** - Approving the Purchase of Motorola Mobile Radios for the Police and Fire Departments Under a Sole Source Purchase from Motorola Solutions Using NASPO Valuepoint Contract Pricing. (Administration)
- [6.](#) **Resolution No. 2022-80** - Authorizing the Purchase of Watchguard Police In-Car Video Systems Under a Sole Source Purchase from Motorola Solutions Using NASPO Valuepoint Contract Pricing. (Administration)
- [7.](#) **Resolution No. 2022-81** - Amending the City of Kenai Schedule of Rates, Charges and Fees by Adding a Fee for City League Basketball. (Administration)
- [8.](#) **Resolution No. 2022-82** - Authorizing a Service Contract and Corresponding Purchase Order for the 2022 Community Wildfire Protection Plan Mitigation Project. (Administration)
- [9.](#) **Resolution No. 2022-83** - Requesting the Governor of the State of Alaska Declare an Economic Disaster for 2021 and 2022 for the Upper Cook Inlet East Side Set Net Fishery and Supporting a Recovery Plan. (Administration)

E. MINUTES

- [1.](#) *Special Meeting of November 10, 2022. (City Clerk)
- [2.](#) *Special Meeting of November 16, 2022. (City Clerk)
- [3.](#) *Work Session of November 16, 2022. (City Clerk)
- [4.](#) *Regular Meeting of November 16, 2022. (City Clerk)
- [5.](#) *Special Meeting of November 22, 2022. (City Clerk)
- [6.](#) *Special Meeting of November 28, 2022. (City Clerk)

F. UNFINISHED BUSINESS

G. NEW BUSINESS

- [1.](#) ***Action/Approval** - Bills to be Ratified. (Administration)
- [2.](#) ***Action/Approval** - Special Use Permit to American Red Cross of Alaska for General Office Space at the Alaska Regional Fire Training Center. (Administration)
- [3.](#) ***Action/Approval** - Special Use Permit to Alaska Sure Seal, Inc. for Snow Storage. (Administration)
- [4.](#) ***Action/Approval** - Special Use Permit to Schillings Alaska, Inc. for Snow Storage. (Administration)
- [5.](#) ***Ordinance No. 3324-2022** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing the Purchase of Airport Snow Removal Equipment. (Administration)
- [6.](#) ***Ordinance No. 3325-2022** - Accepting and Appropriating Donations to the Kenai Community Library for the Purchase of Program Supplies and Equipment. (Administration)
- [7.](#) ***Ordinance No. 3326-2022** - Increasing Estimated Revenues and Appropriations in the General Fund Parks, Recreation and Beautification Department, and Authorizing an Increase to the Multi-Purpose Facility Management Services Purchase Order to Red Line Sports for Additional Ice Maintenance Services. (Administration)
- [8.](#) ***Ordinance No. 3327-2022** - Increasing and Decreasing Estimated Revenues and Appropriations to Reallocate Grant Funds Previously Appropriated for Construction of a

Pedestrian Bridge in the Kenai Municipal Park to Playground Equipment Replacement at the Softball Greenstrip. (Administration)

- [9.](#) ***Ordinance No. 3328-2022** - Increasing Estimated Revenues and Appropriations in the Airport Snow Removal Equipment Capital Project Fund to Provide Supplemental Funding for the Kenai Municipal Airport's Snowblower and Increasing the Existing Purchase Order to Craig Taylor Equipment. (Administration)
- [10.](#) ***Ordinance No. 3329-2022** - Increasing Estimated Revenues and Appropriations in the General and Visitor Center Improvement Capital Project Funds to Provide Supplemental Funding for the Roof Replacement Project. (Administration)
- [11.](#) ***Ordinance No. 3330-2022** - Increasing Estimated Revenues and Appropriations in the General and Recreation Center Improvement Capital Project Funds to Provide Supplemental Funding for the Kenai Recreation Center Improvements Project. (Administration)
- [12.](#) **Action/Approval** - Approving an Employment Agreement Between the City of Kenai and City Manager Terry Eubank. (City Council)
- [13.](#) **Action/Approval** - Commission and Committee Appointments. (Administration)
- [14.](#) **Action/Approval** - Authorizing the City Manager to Execute a Memorandum of Understanding between the Kenaitze Indian Tribe and the City of Kenai Fire Department. (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

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. CIRCAC Directors Report

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

Join Zoom Meeting

<https://us02web.zoom.us/j/84848663804>

Meeting ID: 848 4866 3804 **Passcode:** 378729

OR

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

Meeting ID: 848 4866 3804 **Passcode:** 378729



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**CITY OF KENAI
ORDINANCE NO. 3321-2022**

AN ORDINANCE REPEALING KENAI MUNICIPAL CODE SECTIONS 13.30.030- NIGHT PARKING PROHIBITED, 13.30.050- SIGNS BEARING THE LEGEND, AND 13.30.100- PARKING PROHIBITED ON KENAI AVENUE, AND REENACTING AND RENAMING KENAI MUNICIPAL CODE 13.30.030- STREET PARKING PROHIBITIONS, TO ALLOW GREATER FLEXIBILITY IN REGULATING STREET PARKING IN THE CITY.

WHEREAS, street parking regulations that address public safety, summer and winter maintenance activities, and allow for sufficient residential, recreational and business needs best serve the City; and,

WHEREAS, the City has a variety of residential neighborhoods and business areas with varying densities, lot sizes and street widths that have different street parking needs and maintenance requirements; and,

WHEREAS, it is unnecessarily cumbersome to regulate street parking specifics through an ordinance process that often requires 60 days at a minimum to become effective; and,

WHEREAS, the current City Ordinances addressing street parking do not provide the necessary flexibility to meet the City's needs; and,

WHEREAS, KMC 13.30.030- Night Parking Prohibited, prohibits parking on all City Streets between 4:00 a.m. and 8:00 a.m. from October 1st to May 1st the following year; and,

WHEREAS, this requirement treats all City streets the same, and fails to address winter street maintenance needs that occur outside the specified 4 hours; and,

WHEREAS, a preferred approach is to allow the City Manager or designee with input from various departments to determine parking prohibitions for each street and delineate the same with clearly posted signage giving adequate public notice; and,

WHEREAS, likely these parking restrictions would include seasonal prohibitions for on street parking strictly enforced during weather events requiring winter maintenance; and,

WHEREAS, KMC 13.30.050- Signs Bearing the Legend, designates where seasonal parking signs are to be placed within the City; and,

WHEREAS, KMC 13.30.095- Parking Prohibited on Kenai Avenue, prohibits parking on Kenai Avenue at all times with limited exceptions; and,

WHEREAS, while it likely will be necessary to maintain current parking prohibitions on Kenai Avenue, a better approach to street parking prohibitions throughout the City is to allow the City Manager or designee to address parking prohibitions City wide after input from various city departments as needed; and,

WHEREAS, this Ordinance will not impact current parking regulations in the City that are adequately signed to provide sufficient public notice, unless and until such signage is changed or removed.

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

New Text Underlined; [DELETED TEXT BRACKETED]

Section 1. Repeal, Rename and Reenact Section 13.30.030 of Kenai Municipal Code: That Kenai Municipal Code, Section 13.30.030-Night parking prohibited, is hereby repealed, renamed, and reenacted as follows:

13.30.030 [NIGHT PARKING PROHIBITED] STREET PARKING PROHIBITIONS.

[AFTER OCTOBER 1ST OF EACH FALL AND UNTIL MAY 1ST OF THE FOLLOWING YEAR, NO PERSON SHALL LEAVE ANY VEHICLE UNATTENDED ON ANY CITY STREET BETWEEN THE HOURS OF 4:00 A.M. AND 8:00 A.M. OF ANY DAY] The City Manager or designee will designate street parking restrictions in the City effective after posting of signage sufficient to provide reasonable public notice. Changes to street parking in the City will be reported to the City Council as soon as practicable.

Section 2. Repeal of Section 13.30.050 of Kenai Municipal Code: That Kenai Municipal Code, Section 13.30.050-Signs Bearing the Legend, is hereby repealed:

[13.30.050 SIGNS BEARING THE LEGEND.

(A) SIGNS BEARING THE LEGEND: "PARKING PROHIBITED ON ALL CITY STREETS 4:00 A.M. TO 8:00 A.M., OCTOBER 1 TO MAY 1," SHALL BE PLACED IN THE LOCATIONS LISTED BELOW AND AT SUCH OTHER LOCATIONS AS THE CITY MANAGER MAY DESIGNATE SO AS TO PUT VEHICLE OWNERS AND OPERATORS ON NOTICE OF THE REGULATIONS.

(B) MILE 4, KENAI SPUR HIGHWAY TO MILE 15 OF THE KENAI SPUR HIGHWAY, ON ARTERIALS LEADING FROM THE KENAI SPUR ROAD TO PRIMARY RESIDENTIAL AND COMMERCIAL AREAS.

(C) WITHIN THE SUBDIVISION LYING SOUTH OF THE KENAI RIVER AND WEST OF THE KENAI BRIDGE, COMMONLY KNOWN AS VIP PARK ESTATES, VIP RANCH ESTATES, AND VIP COUNTRY ESTATES.

(D) STREETS MISSING THE ABOVE-MENTIONED SIGNS ARE STILL SUBJECT TO THE PROVISIONS OF KMC [13.30.030](#) THROUGH [13.30.040](#).]

Section 3. Repeal of Section 13.30.095 of Kenai Municipal Code: That Kenai Municipal Code, Section 13.30.095-Parking prohibited on Kenai Avenue, is hereby repealed, renamed, and reenacted as follows:

[13.30.095 Parking prohibited on Kenai Avenue.

NO PERSON SHALL PARK A VEHICLE ON KENAI AVENUE. THE ONLY EXCEPTION TO THIS IS IN AREAS MARKED FOR "LOADING/UNLOADING ONLY" AND/OR SPACES MARKED "HANDICAPPED." VEHICLES IN VIOLATION OF THIS SECTION SHALL BE SUBJECT TO IMPOUND. A SIGN BEARING A LEGEND SIMILAR TO "PARKING PROHIBITED ON KENAI AVENUE EXCEPT IN DESIGNATED LOADING/UNLOADING AND HANDICAPPED ZONES IS PROHIBITED. VIOLATORS ARE SUBJECT TO IMPOUND" SHALL BE PLACED AT

THE CORNER OF SOUTH SPRUCE AND KENAI AVENUE AND ANY OTHER PLACE DEEMED APPROPRIATE BY THE CITY MANAGER.]

Section 4. Nothing in this ordinance shall affect current parking restrictions in the City designated by signage sufficient to give the public reasonable notice of parking restrictions, unless changed by the City Manager or designee. This Ordinance also does not restrict parking restrictions in other parts of code.

Section 5. 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 6. 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 21ST DAY OF DECEMBER, 2022.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced: November 16, 2022
Enacted: December 21, 2022
Effective: January 20, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Scott Bloom, City Attorney
DATE: November 9, 2022
SUBJECT: Ordinance No. 3321-2022

After discussion with City Council at the November 2, 2022 regular Council meeting, Administration met and discussed current street parking restriction and changes that could be made to meet various City needs including snow maintenance activities. The current regulations are a one size fits all, that prohibits winter parking from 4:00 to 8:00 am on all city streets and prohibits parking on Kenai Avenue. Discussions with the Public Works Department and Police Department emphasized two main points: 1) not all maintenance activities occur between 4:00 and 8:00 in the morning, so this restriction is generally insufficient; 2) there are many areas of the City with different densities, uses and street widths that make a one size fits all approach to city parking ineffective. The proposed changes to street parking ordinances in this section eliminate current specific parking restrictions and provides authority to the City Manager or designee to regulate parking in the City effective after posting of signage providing adequate public notice and requires reporting of changes to the Council. This approach allows parking restrictions to vary in areas of the City as needed and allows changes to be made without a lengthy 60 day ordinance. Administrative discussion concluded with a plan to post signage where needed prohibiting all winter parking on streets with signage to include language that it will be strictly enforced during snow maintenance activities. Additionally Administration will work to provide improved public notice, both in general and targeted to certain areas of City maintenance needs and parking restrictions. The legal department will work with the State Court System to make necessary changes to the City's minor offense schedule to effectively enforce violations of City parking regulations.

Your consideration is appreciated.



Sponsored by: Legal

**CITY OF KENAI
ORDINANCE NO. 3321-2022 (SUBSTITUTE)**

AN ORDINANCE REPEALING KENAI MUNICIPAL CODE SECTIONS 13.30.030- NIGHT PARKING PROHIBITED, 13.30.050- SIGNS BEARING THE LEGEND, AND 13.30.095- PARKING PROHIBITED ON KENAI AVENUE, AND REENACTING AND RENAMING KENAI MUNICIPAL CODE 13.30.030- STREET PARKING PROHIBITIONS, TO ALLOW GREATER FLEXIBILITY IN REGULATING STREET PARKING IN THE CITY.

WHEREAS, street parking regulations that address public safety, summer and winter maintenance activities, and allow for sufficient residential, recreational and business needs best serve the City; and,

WHEREAS, the City has a variety of residential neighborhoods and business areas with varying densities, lot sizes and street widths that have different street parking needs and maintenance requirements; and,

WHEREAS, it is unnecessarily cumbersome to regulate street parking specifics through an ordinance process that often requires 60 days at a minimum to become effective; and,

WHEREAS, the current City Ordinances addressing street parking do not provide the necessary flexibility to meet the City's needs; and,

WHEREAS, KMC 13.30.030 - Night Parking Prohibited, prohibits parking on all City Streets between 4:00 a.m. and 8:00 a.m. from October 1st to May 1st the following year; and,

WHEREAS, this requirement treats all City streets the same, and fails to address winter street maintenance needs that occur outside the specified 4 hours; and,

WHEREAS, a preferred approach is to allow the City Manager or designee with input from various departments to determine parking prohibitions for each street and delineate the same with clearly posted signage giving adequate public notice; and,

WHEREAS, likely these parking restrictions would include seasonal prohibitions for on street parking strictly enforced during weather events requiring winter maintenance; and,

WHEREAS, KMC 13.30.050 - Signs Bearing the Legend, designates where seasonal parking signs are to be placed within the City; and,

WHEREAS, KMC 13.30.095 - Parking Prohibited on Kenai Avenue, prohibits parking on Kenai Avenue at all times with limited exceptions; and,

WHEREAS, while it likely will be necessary to maintain current parking prohibitions on Kenai Avenue, a better approach to street parking prohibitions throughout the City is to allow the City Manager or designee to address parking prohibitions City wide after input from various city departments as needed; and,

WHEREAS, this Ordinance will not impact current parking regulations in the City that are adequately signed to provide sufficient public notice, unless and until such signage is changed or removed.

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

New Text Underlined; [DELETED TEXT BRACKETED]

Section 1. Repeal, Rename and Reenact Section 13.30.030 of Kenai Municipal Code: That Kenai Municipal Code, Section 13.30.030 - Night parking prohibited, is hereby repealed, renamed, and reenacted as follows:

13.30.030 [Night Parking Prohibited] Street Parking Prohibitions.

[AFTER OCTOBER 1ST OF EACH FALL AND UNTIL MAY 1ST OF THE FOLLOWING YEAR, NO PERSON SHALL LEAVE ANY VEHICLE UNATTENDED ON ANY CITY STREET BETWEEN THE HOURS OF 4:00 A.M. AND 8:00 A.M. OF ANY DAY] The City Manager or designee will designate street parking restrictions in the City effective after posting of signage sufficient to provide reasonable public notice. Changes to street parking in the City will be reported to the City Council as soon as practicable.

Section 2. Repeal of Section 13.30.050 of Kenai Municipal Code: That Kenai Municipal Code, Section 13.30.050 - Signs Bearing the Legend, is hereby repealed:

[13.30.050 SIGNS BEARING THE LEGEND.

- (A) SIGNS BEARING THE LEGEND: "PARKING PROHIBITED ON ALL CITY STREETS 4:00 A.M. TO 8:00 A.M., OCTOBER 1 TO MAY 1," SHALL BE PLACED IN THE LOCATIONS LISTED BELOW AND AT SUCH OTHER LOCATIONS AS THE CITY MANAGER MAY DESIGNATE SO AS TO PUT VEHICLE OWNERS AND OPERATORS ON NOTICE OF THE REGULATIONS.
- (B) MILE 4, KENAI SPUR HIGHWAY TO MILE 15 OF THE KENAI SPUR HIGHWAY, ON ARTERIALS LEADING FROM THE KENAI SPUR ROAD TO PRIMARY RESIDENTIAL AND COMMERCIAL AREAS.
- (C) WITHIN THE SUBDIVISION LYING SOUTH OF THE KENAI RIVER AND WEST OF THE KENAI BRIDGE, COMMONLY KNOWN AS VIP PARK ESTATES, VIP RANCH ESTATES, AND VIP COUNTRY ESTATES.
- (D) STREETS MISSING THE ABOVE-MENTIONED SIGNS ARE STILL SUBJECT TO THE PROVISIONS OF KMC 13.30.030 THROUGH 13.30.040.]

Section 3. Repeal of Section 13.30.095 of Kenai Municipal Code: That Kenai Municipal Code, Section 13.30.095-Parking prohibited on Kenai Avenue, is hereby repealed as follows:

[13.30.095 PARKING PROHIBITED ON KENAI AVENUE.

NO PERSON SHALL PARK A VEHICLE ON KENAI AVENUE. THE ONLY EXCEPTION TO THIS IS IN AREAS MARKED FOR "LOADING/UNLOADING ONLY" AND/OR SPACES MARKED "HANDICAPPED." VEHICLES IN VIOLATION OF THIS SECTION SHALL BE SUBJECT TO IMPOUND. A SIGN BEARING A LEGEND SIMILAR TO "PARKING PROHIBITED ON KENAI AVENUE EXCEPT IN DESIGNATED LOADING/UNLOADING AND HANDICAPPED ZONES IS PROHIBITED. VIOLATORS ARE SUBJECT TO IMPOUND" SHALL BE PLACED AT THE CORNER OF SOUTH SPRUCE AND KENAI AVENUE AND ANY OTHER PLACE DEEMED APPROPRIATE BY THE CITY MANAGER.]

Section 4. Nothing in this ordinance shall affect current parking restrictions in the City designated by signage sufficient to give the public reasonable notice of parking restrictions, unless changed by the City Manager or designee. This Ordinance also does not restrict parking restrictions in other parts of code.

Section 5. 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 6. Effective Date: This ordinance shall take effect May 1, 2023.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF DECEMBER, 2022.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced:	November 16, 2022
Enacted:	December 21, 2022
Effective:	May 1, 2023



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Scott Bloom, City Attorney
DATE: December 15, 2022
SUBJECT: **Substitute Ordinance No. 3321-2022**

Administration requests Council “move to amend Ordinance 3321-2022 by Ordinance 3321-2022 (Substitute)”

The substitute ordinance corrects the original title by replacing “13.30.100 – Parking prohibited on Kenai Avenue” with “13.30.095 – Parking prohibited on Kenai Avenue.” In addition, the end of Section 3, “hereby repealed, renamed, and reenacted as follows:” was replaced with “hereby repealed as follows:”

Finally the substitute amends the effective date to May 1, 2023, as the current snow conditions are not conducive to placing additional signage in the City.

Your consideration is appreciated.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3322-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND FOR COSTS IN EXCESS OF BUDGETED AMOUNTS FOR PUBLIC WORKS STREET LIGHTING REPAIRS AND MAINTENANCE.

WHEREAS, the Public Works Department annually quotes Street Light Utility Locate, Repair and Maintenance Services; and,

WHEREAS, Kachemack Electric was the successful firm this year providing unit pricing for requested services with the FY2023 budget starting with \$28,000 in available funding; and,

WHEREAS, with the end of the first fiscal quarter we anticipate expending approximately \$23,000 of the current budget with additional necessary repairs pending; and,

WHEREAS, the additional requested funding is intended to allow the department to continue to effectively maintain the Street Lights through the remainder of the fiscal year; and,

WHEREAS, due to the amount of funding appropriated throughout this ordinance, the City will competitively procure the additionally anticipated services above the original contract amount.

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:

General Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$50,000</u>

Increase Appropriations –	
Street Lighting – Repair and Maintenance	<u>\$50,000</u>

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 21ST DAY OF DECEMBER, 2022.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:  _____

Introduced: November 16, 2022
Enacted: December 21, 2022
Effective: December 21, 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: Scott Curtin, Director of Public Works

DATE: November 7, 2022

SUBJECT: **Ordinance No. 3322-2022 - Costs in Excess of Budgeted Amounts for Public Works Street Lighting Repairs and Maintenance**

The purpose of this memo is to request Council's approval to provide supplemental funding to the Street Lighting operational budget. The annual FY23 budget as adopted by Council provided \$28,000 in available funding to start the year.

The Public Works Department contracts annually for Street Light Maintenance and Locate services, with Kachemack Electric being the current service provider. The service agreement provides the following unit prices: \$103.50/locate, \$127.00/light for assessment, \$127.00/light for minor repairs, \$255.75/line break labor only. Materials and equipment purchased in support of the work are payable at actual suppliers invoice plus 20% for OH&P.

Through the end of the first quarter the department has processed approximately 125 Utility locate requests costing roughly \$13,000 and has assessed 47 street lights with approximately 6 requiring additional parts / labor at a rough total cost of \$10,000.

The supplemental funding being requested is intended to cover expenses through the remainder of the fiscal year. Utility locate costs are expected to slow down through the winter months picking back up in April, May, June. The additional funding will allow the department to continue with some of the more expensive and extensive repairs to ensure the lighting remains operational for years to come.

Council's support is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3323-2022**

AN ORDINANCE ACCEPTING AND APPROPRIATING GRANTS FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY PASSED THROUGH THE STATE OF ALASKA DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS FOR THE PURCHASES OF PUBLIC SAFETY RADIOS, POLICE IN-CAR VIDEO SYSTEMS, AND A CYBER SECURITY ASSESSMENT.

WHEREAS, the City of Kenai received a notice from the State of Alaska Department of Military and Veterans' Affairs that it was awarded a total of \$229,500 for grant projects under the 2022 State Homeland Security Program; and,

WHEREAS, three Kenai projects were awarded funding under these grant programs, including; \$112,000 for police and fire mobile radios, \$35,000 for a Cyber Security Assessment, and \$82,500 for police in-car video systems; and,

WHEREAS, the public safety departments in the City of Kenai have been involved in a multi-year project to upgrade all radio systems to newer manufacturer supported technologies that meet current industry standards and this project will complete the replacement of the public safety mobile radios; and,

WHEREAS, the Police Department evaluated new in-car video systems in 2021 and started the process of replacing those systems, and these funds will allow the completion of that project and the equipment will be consistent across all the police vehicles; and,

WHEREAS, the Finance Department, which includes IT services for the City, is responsible for the security of the City's technology infrastructure within the City will use these funds for a Cyber Security Assessment to provide an evaluation to determine where further improvements may be made; and,

WHEREAS, the acceptance of these grant funds does not require matching funds, and the acceptance of these funds 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 City Manager is authorized to accept grants from the U.S. Department of Homeland Security passed through the State of Alaska Department of Military and Veterans' Affairs in the amount of \$229,500 for the replacement of public safety radios, replacement of police in-car video systems, and to have a cyber security assessment conducted. The City Manager is also authorized to execute any required grant documents, and expend the funds in accordance with this Ordinance and the grant's provisions and conditions.

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

Public Safety Capital Project Fund:	
Increase Estimated Revenues –	
Federal Grants	<u>\$229,500</u>
Increase Appropriations –	
Mobile Radio Replacement -- Machinery & Equipment	\$ 112,000

Police In-Car Video Systems – Machinery & Equipment	82,500
Cyber Security Assessment – Professional Services	<u>35,000</u>
	<u>\$229,500</u>

Section 4. 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 5. 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 21st DAY OF DECEMBER, 2022.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced:	November 16, 2022
Enacted:	December 21, 2022
Effective:	December 21, 2022



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: David Ross, Police Chief
DATE: November 2, 2022
SUBJECT: Ordinance No. 3323-2022, Accepting and Appropriating DHS Grant

Grants were applied for by the City of Kenai, under the 2022 Homeland Security Program, and three of those grant requests were funded totaling \$229,500. The City received notice of award of a \$112,000 grant for the City to continue its police and fire public safety radio replacements. The second grant awarded is for \$35,000 for a Cyber Security Assessment. The third grant is for \$82,500, and will complete a project to update all police in-car video systems. As a result of these grants two equipment replacement projects will not require City funding and have been removed from the five-year capital plan.

I am respectfully requesting consideration of the ordinance accepting and appropriating the currently awarded grant funds for the purposes they were intended.



Sponsored by: Baisden

**CITY OF KENAI
RESOLUTION NO. 2022-78**

A RESOLUTION COMMENDING THE KENAI CENTRAL HIGH SCHOOL GIRLS AS THE ALASKA DIVISION 3A STATE GIRLS VOLLEYBALL CHAMPIONS FOR THE YEAR 2022.

WHEREAS, the Girls Division 3A Alaska State Volleyball Championships were held at the Alaska Airlines Center in Anchorage on November 10 -12, 2022; and,

WHEREAS, the Kenai Cardinals Girls Varsity Volleyball Team won their first state championship in school history; and,

WHEREAS, under the direction of Head Coach Tracie Beck and Assistant Coaches Shawnee Wisnewski, Maata Finau, Bruce King, and Brad Houser, the team was undefeated in regular season play; and,

WHEREAS, 2022 3A State Championship awards were presented to Region MVP and Outstanding Hitter Emma Beck; Best Setter Jorgi Phillips; All-Tournament Team Cali Holmes, Kim Chanley, Jorgi Phillips and Emma Beck; and,

WHEREAS, members of the Volleyball team were: Kimberly Chanley, Kate Wisnewski, Cali Holmes, Avia Miller, Jaycie Castillo, Chloe Grimm, Emma Beck, Jorgi Phillips, Camilla Gonzalez, Stella Selanoff, Grace Beiser, Ashlyn Potton, Genesis Trevino, Ellsi Miller; and,

WHEREAS, we also commend Team Managers Maggie Kumferman, Brooke Summers, Tait Cooper and team supporters Kate Wisnewski, Ashlyn Potton, Chloe Grimm, Ellsi Miller, and Stella Selanoff for their encouragement and support helping the team succeed.

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

Section 1. That the Kenai City Council commends the Kenai Central High School Girls Volleyball team for their performance in winning the Division 3A State Championship.

Section 2. That a copy of this resolution will be provided to Kenai Central High School Principal Dan Beck, Head Coach Tracie Beck and Team Members.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF DECEMBER, 2022.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2022-79**

A RESOLUTION APPROVING THE PURCHASE OF MOTOROLA MOBILE RADIOS FOR THE POLICE AND FIRE DEPARTMENTS UNDER A SOLE SOURCE PURCHASE FROM MOTOROLA SOLUTIONS USING NASPO VALUEPOINT CONTRACT PRICING.

WHEREAS, the City of Kenai received and accepted a grant award from the U.S. Department of Homeland Security passed through the State of Alaska Department of Military and Veteran's Affairs for the purchases of emergency services mobile radios, in the amount of \$112,000 (Ordinance 3323-2022); and,

WHEREAS, the Police and Fire Departments both have complete inventories of Motorola Radios, have personnel with experience working on and programming the Motorola Radios, and have accessories in place for managing these radios; and,

WHEREAS, these funds will purchase 15 radios and complete the current mobile radio replacements for both the Police and Fire Departments; and,

WHEREAS, the granting authority has approved a sole source procurement method for these radios; and,

WHEREAS, Motorola Solutions is the only source for the Motorola APX 6500 radios to be purchased and those radios are covered in NASPO Valuepoint contract pricing that is standardized and ensures the lowest price available on the products; and,

WHEREAS, KMC 7.15.070(b)(1) allows the City of Kenai to purchase equipment without giving an opportunity for competitive bidding if the equipment can only be furnished by a single dealer or which has a uniform price wherever bought.

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

Section 1. That the City Manager is authorized to make a sole source purchase, per City Code, in lieu of the City conducting a bid process.

Section 2. That the City Manager is authorized to issue a purchase order to Motorola Solutions in an amount not to exceed \$112,000 for purchase Motorola mobile radios, software, and accessories.


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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF DECEMBER, 2022.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: David Ross, Police Chief

DATE: November 28, 2022

SUBJECT: **Resolution No. 2022-79 – Sole Source for Motorola Radios.**

The City of Kenai applied for and received a grant through the State of Alaska Department of Military and Veterans' Affairs in the amount of \$112,000 for the purchase of mobile radios for the police and fire departments, and some software updates to police portable radios. This grant will be the last in a series of grants that have been obtained over the last few years to replace all police and fire portable and mobile radios.

This memo is intended to support the resolution for a sole source purchase for those radios, software, and accessories from Motorola Solutions. The quotes we have total \$109,351.97, so no additional city funds will be required for this purchase.

There are a number of reasons to use a sole source with Motorola for this purchase. KPD and KFD are both fully equipped with Motorola radios, and their personnel have experience working on and programming the Motorola radios. The departments also have accessories in place for managing these radios. This will replace the remaining radios with the same ones that we have been buying, making both maintenance and operations consistent across all the vehicles. The mobile radios that are currently in use by both departments have proven extremely reliable, with availability of maintenance from the vendor when required. The Motorola APX6500 radios to be purchased are covered under the NASPO Valuepoint contract that is standardized and ensures the lowest price available on the products. A sole source purchase has been approved by the granting agency, the State of Alaska Department of Military and Veterans' Affairs.

The Council will be considering the ordinance (3323-2022) to accept and appropriate these grant funds at the same meeting this resolution is heard.

I am respectfully requesting consideration of the resolution authorizing the purchase from Motorola Solutions in an amount up to \$112,000, which is the amount of the grant.



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2022-80**

A RESOLUTION AUTHORIZING THE PURCHASE OF WATCHGUARD POLICE IN-CAR VIDEO SYSTEMS UNDER A SOLE SOURCE PURCHASE FROM MOTOROLA SOLUTIONS USING NASPO VALUEPOINT CONTRACT PRICING.

WHEREAS, the City of Kenai received and accepted a grant award from the U.S. Department of Homeland Security passed through the State of Alaska Department of Military and Veteran's Affairs for the purchase of police in-car video systems, in the amount of \$82,500 (Ordinance 3323-2022); and,

WHEREAS, in 2021 the Police Department evaluated three vendors with three separate in-car video systems, and that analysis led to the start of those in-car video system replacements with the Watchguard system; and,

WHEREAS, the department has already upgraded 3 of the vehicles for approximately \$19,000 and a part of that update the City shop and the City IT departments have spent considerable time on the project setting up the new systems and the server storage; and,

WHEREAS, it is important to continue the replacement with the system that has already been selected for a number of reasons including efficiency, consistency among officers, maintenance of equipment, maintenance of software and server, and City shop installation; and,

WHEREAS, these funds will purchase 14 additional in-car video systems and complete the replacement in all the patrol vehicles; and,

WHEREAS, the granting authority has approved a sole source procurement method for these in-car video systems; and,

WHEREAS, Motorola is the only source for the WatchGuard 4RE In-Car video systems to be purchased and those systems are covered under NASPO Valuepoint contract pricing that is standardized and ensures the lowest price available on the products; and,

WHEREAS, KMC 7.15.070(b)(1) allows the City of Kenai to purchase equipment without giving an opportunity for competitive bidding if the equipment can only be furnished by a single dealer or which has a uniform price wherever bought.

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

Section 1. That the City Manager is authorized to make a sole source purchase, per City Code, in lieu of the City conducting a bid process.

Section 2. That the City Manager is authorized to issue a purchase order to Motorola Solutions in an amount not to exceed \$82,500 for the purchase of police in-car video systems.


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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF DECEMBER, 2022.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 



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: David Ross, Police Chief
DATE: November 28, 2022
SUBJECT: **Resolution No. 2022-80 – Sole Source for Police In-Car Video.**

The City of Kenai applied for and received a grant through the State of Alaska Department of Military and Veterans' Affairs in the amount of \$82,500 for the purchase of police in-car video systems.

This memo is intended to support the resolution for a sole source purchase for those in-car video systems from Motorola Solutions. The quote we have totals \$82,420.70, so no additional city funds will be required for this purchase.

The primary reason for a sole source for this purchase is that we have already begun the replacement of our in-car camera systems with Watchguard cameras that are sold by Motorola. In 2021 we evaluated three different camera systems by three different vendors and determined the best and most cost-effective solution, of the three, was the Watchguard. We have since purchased and installed three of those units. The City shop and City IT Department both spent substantial time installing the equipment and setting up the software and server for the uploads of video. It is very important to maintenance and operation of fleet equipment like video systems, for them to be consistent across the fleet. The Watchguard 4-RE video systems to be purchased are covered under the NASPO Valuepoint contract that is standardized and ensures the lowest price available on the products. A sole source purchase has been approved by the granting agency, the State of Alaska Department of Military and Veterans' Affairs.

The Council will be considering the ordinance (3323-2022) to accept and appropriate these grant funds at the same meeting this resolution is heard.

I am respectfully requesting consideration of the resolution authorizing the purchase from Motorola Solutions in an amount up to \$82,500, which is the amount of the grant.



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2022-81**

A RESOLUTION AMENDING THE CITY OF KENAI SCHEDULE OF RATES, CHARGES AND FEES BY ADDING A FEE FOR CITY LEAGUE BASKETBALL.

WHEREAS, the Twin City League Athletic Association will no longer be operating City League Basketball; and,

WHEREAS, without a City League Basketball in Kenai, it will limit adult recreation opportunities in the City of Kenai; and,

WHEREAS, the City has in the past provided a City League Basketball Program at the Kenai Recreation Center; and,

WHEREAS, creating the league and charging each team \$325.00 dollars will cover all the costs associated with operations and supplies for the league; and,

WHEREAS, each year, City League Basketball has brought in over 100 people weekly from Kenai and the surrounding communities during the winter months; and,

WHEREAS, City League Basketball has been an important part of the culture in Kenai for the last 40 years.

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

Section 1. That a fee of \$325.00 dollars will be added to the FY23 Fee Schedule and will be charged to each team that participates in City League Basketball as follows:

PARKS AND RECREATION FEES

Multipurpose Facility

-hourly rate (reservation) \$165.00

Kenai Recreation Center

-Weights/Cardio/Sauna - includes weight/cardio room, shower, sauna and gym.

(must be 16 or older unless accompanied by guardian)

-Adults \$5.00

-College Students \$2.50

-High School Students and younger FREE

-Seniors (55 and older) \$2.50

-Adult 10 visit punch card \$40.00

-Adult Monthly Pass \$50.00

-College Student & Senior Monthly Pass \$25.00

-Basketball/Pickleball - includes basketball gym and showers

-Adults \$3.00

-College Students \$3.00

-High School Students and younger	FREE
-Adult & College Student Monthly Pass (All Ages)	\$25.00
-Gym Punch Card - 12 Visits (All ages)	\$25.00
- <u>City League Basketball (per team)</u>	<u>\$325.00</u>

-Racquetball & Wallyball Court Rentals - per hour and includes showers for participants.

-Adult Racquetball	\$10.00
-Racquetball Punch Card (10 hours all ages)	\$80.00
-Adult Wallyball	\$12.00
-Wallyball Punch Card (10 hours all ages)	\$100.00

-Facility Rental - per hour

-Gym	\$50.00
-1/2 Gym	\$25.00
-Non-profit Youth Athletic Programs	FREE

Parks/Gazebos/Gardens

-Picnic Shelter	
8:00am - 3:00pm	\$20.00
4:00am - 11:00pm	\$20.00
-Gazebo	
8:00am - 3:00pm	\$25.00
4:00am - 11:00pm	\$25.00
-Community Garden Plot (each)	\$20.00
-Adopt-A-Bench (Includes bench, installation and maintenance. Freight charges additional at actual cost.)	\$595.00

Personal Use Fishery

-Personal Use Fishery Day Use Parking	
5 am to Midnight (vehicle or up to two atv's)	\$21.00
-Personal Use Fishery Overnight Parking	
Before noon of the first day to noon of the second day (vehicle or up to two atv's and one tent)	\$57.75
-After noon of the first day to noon of the second day (vehicle or up to two atv's and one tent)	\$47.25
-Personal Use Fishery Camping (one tent)	\$26.25
-Personal Use Fishery Vehicle Drop Off (vehicle or up to two atv's per day)	\$10.50

Section 2. That this Resolution takes effect immediately upon passage

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF DECEMBER, 2022.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



MEMORANDUM

TO: Kenai City Council
Through: City Manager, Paul Ostrander
FROM: Tyler Best, Assistant Parks and Recreation Director
DATE: December 8, 2022
SUBJECT: **Resolution No. 2022-81 - City League Basketball Fee**

City League Basketball has been around since the Kenai Rec Center was built and has provided health and wellness opportunities to our adult community for nearly forty years. Last year Twin City Athletic Association took over the operation of the City League and had an excellent inaugural year. However, they decided not to operate it again due to complications in finding referees and the rising cost of running the league this year.

Refereeing has been on the decline for the last several years, and because of this many municipal-operated leagues are turning over to self-call leagues. Self-call leagues alleviate the need for hiring officials, lowering the league's cost while still providing the community with an excellent health and wellness opportunity.

Parks and Recreation has communicated with all of the teams from last year's City League, and seven of them have said they would play in a Self-Call League. Resolution 2022-81 provides a fee that would cover staffing time, cost of goods, and all gym time involved in the league.

Your consideration is appreciated.



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2022-82**

A RESOLUTION AUTHORIZING A SERVICE CONTRACT AND CORRESPONDING PURCHASE ORDER FOR THE 2022 COMMUNITY WILDFIRE PROTECTION PLAN MITIGATION PROJECT.

WHEREAS, Public Works in coordination with the Fire Department released the 2022 Community Wildfire Protection Plan Mitigation Project on November 3, 2022 with bids due on December 13, 2022; and,

WHEREAS, this project provides for the removal of beetle kill trees in the drainage area known as Shqui Tsatnu Creek which extends from behind the waste water plant and municipal park up to Redoubt Avenue behind the Woodlands Subdivision; and,

WHEREAS, the project was separated into four area maps encompassing a total area of 148 acres with approximately 105 acres identified for mitigation; and,

WHEREAS, the following five bids were received on bid day:

Bidders	Base Bid Total
<i>Doug Koch Professional Tree Service</i>	<i>\$282,000</i>
Turn Again Tree Care	\$300,000
ATS – Alaska Maintenance & Construction	\$354,376
H Construction	\$405,000
D&L Construction	\$693,000

; and,

WHEREAS, Doug Koch Professional Tree Service was found to be the lowest responsive responsible bidder and the Administration recommends award to Doug Koch Professional Tree Service in the best interest of the City; and,

WHEREAS, funding for this project is provided by grant funds from the Department of Natural Resources, Division of Forestry and Fire Protection and the USDA, Forest Service Fire, Fuels & Aviation Management, State and Private Forestry Alaska Region.

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 service agreement and corresponding purchase order to Doug Koch Professional Tree Service in the amount of \$282,000.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF DECEMBER, 2022.


Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Resolution No. 2022-82

Page 2 of 2

Approved by Finance: 



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Scott Curtin, Public Works Director

DATE: December 13, 2022

SUBJECT: **Resolution 2022-82 – Community Wildfire Protection Plan (CWPP)**

This Resolution provides for a contract award for the 2022 Community Wildfire Protection Plan Mitigation Project, which seeks to address significant beetle kill trees within the Shqui Tsalnu Creek drainage area. The project was well viewed, with five bids received. Doug Koch Professional Tree Services, a local contractor, was the successful bidder at a total proposed cost of \$282,000.

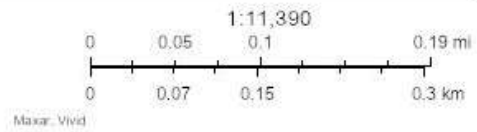
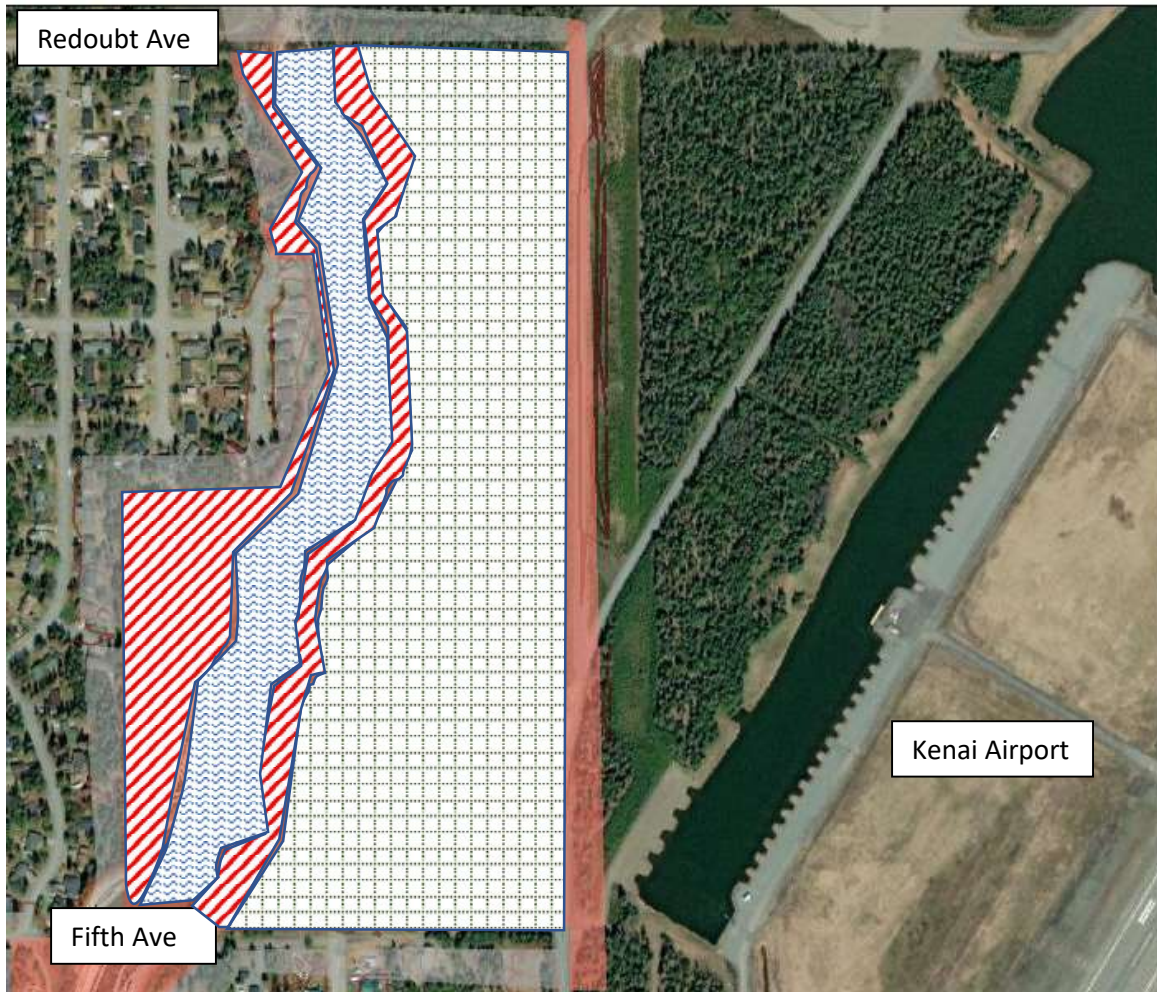
The Maps attached to this memo highlight the areas to be addressed. The terrain varies with some areas requiring hand felling due to lack of accessibility for larger equipment. The slash site recently established adjacent to the soccer fields will be a staging area for the project.

Fire Chief Prior successfully applied for and received grant funding from the Department of Natural Resources Division of Forestry and Fire Protection to sufficiently cover the costs associated with this Work. This project will be a large step in mitigating approximately 105 acres of City property.




Would also like to extend a thank you to Diane Campbell with the Alaska Division of Forestry and Fire Protection who assisted in the development of the bid documents and in responding to Plan Holder questions.

North end of gully, Redoubt Ave to Fifth Ave

Kenai gully CWPP-north

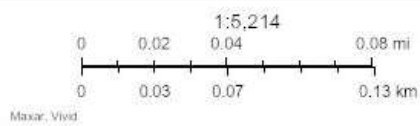
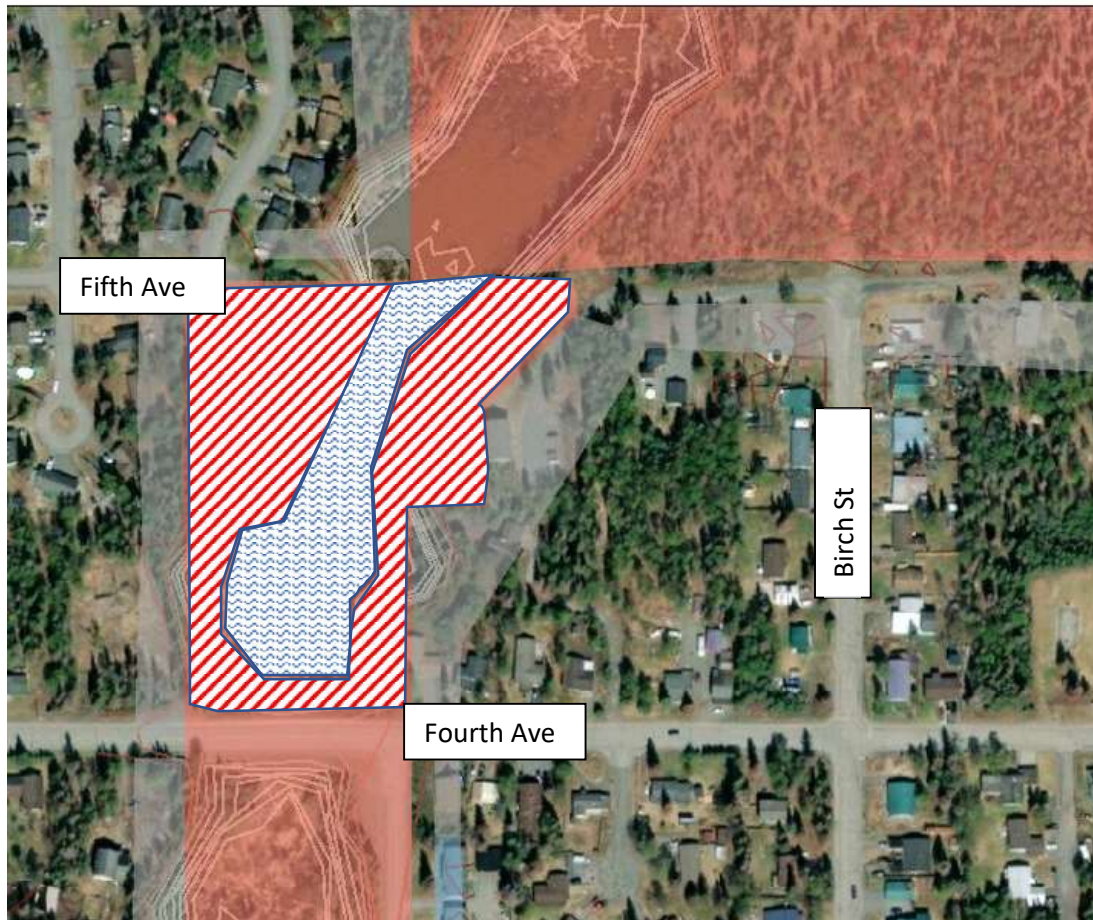


LEGEND




	= flat area; suitable for either mechanical or hand-falling; cut & limb, deck logs where accessible
	= steep area; hand-falling only; lop & scatter
	= watery/marshy; no tree removal here

Mid-gully, Fifth Ave to Fourth Ave

Kenai gully CWPP-4-5

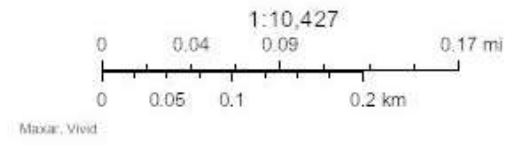
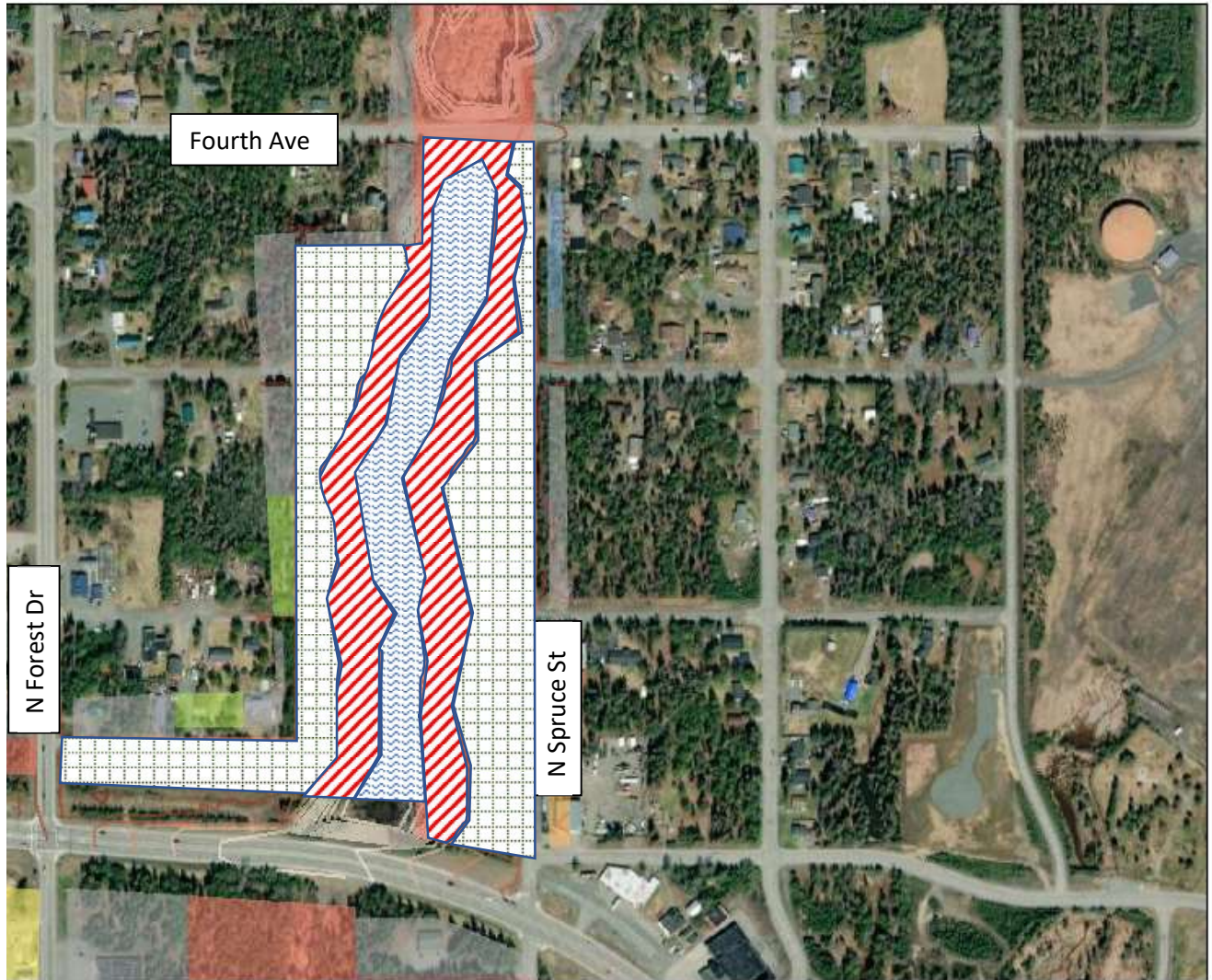


LEGEND




	= flat area; suitable for either mechanical or hand-falling; cut & limb, deck logs where accessible
	= steep area; hand-falling only; lop & scatter
	= watery/marshy; no tree removal here

Mid-gully, Fourth Ave to Kenai Spur Hwy

Kenai gully CWPP-mid

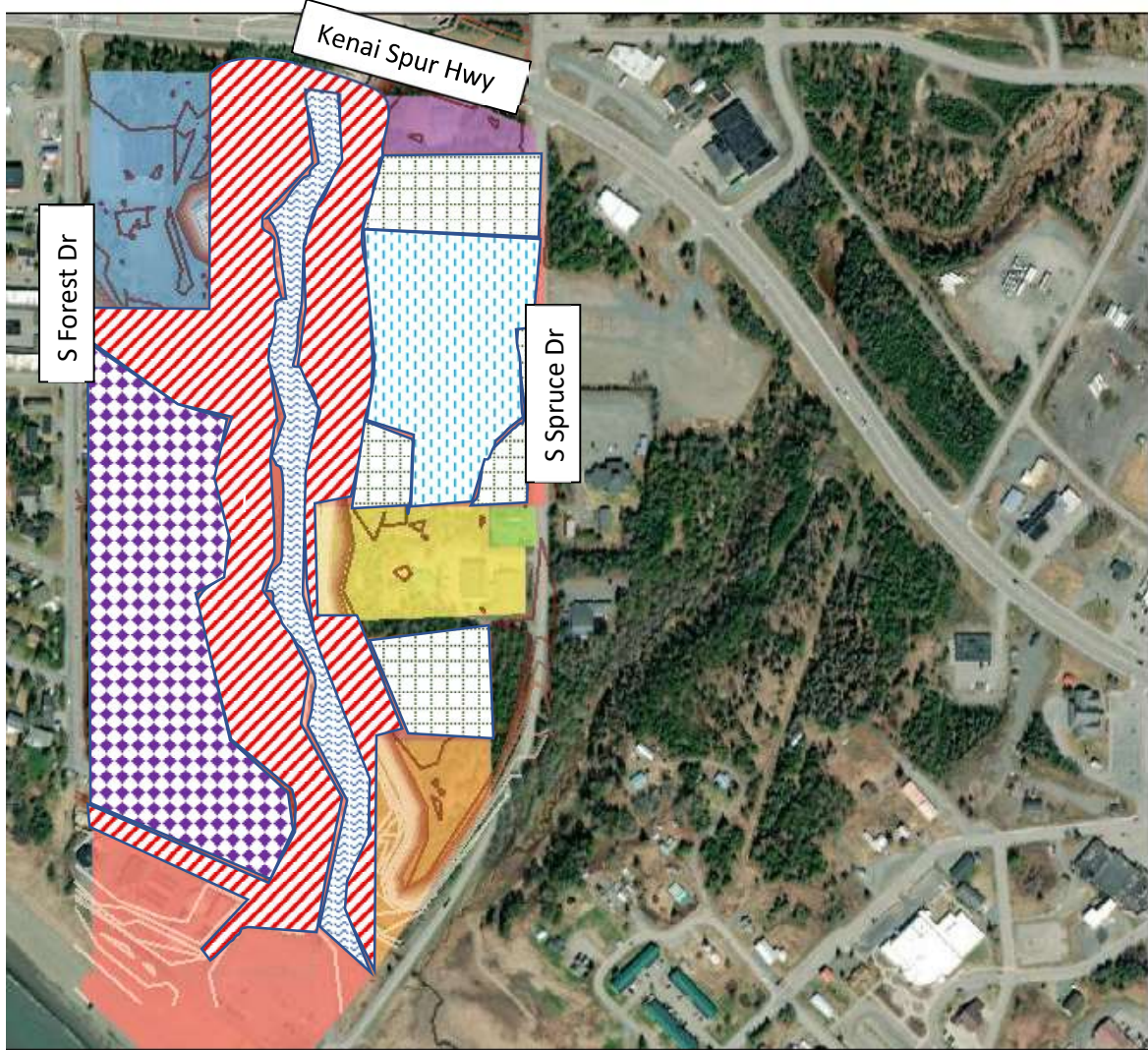


LEGEND






	= flat area; suitable for either mechanical or hand-falling; cut & limb, deck logs where accessible
	= steep area; hand-falling only; lop & scatter
	= watery/marshy; no tree removal here

South of Kenai Spur Hwy

Kenai gully CWPP-south



LEGEND

-  = flat area; suitable for either mechanical or hand-falling; cut & limb, deck logs where accessible
-  = steep area; hand-falling only; lop & scatter
-  = watery/marshy; no tree removal here
-  = municipal park; likely hand-falling only; full haul-off
-  = recreational area; no removal needed



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2022-83**

A RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF ALASKA DECLARE AN ECONOMIC DISASTER FOR 2021 AND 2022 FOR THE UPPER COOK INLET EAST SIDE SET NET FISHERY AND SUPPORTING A RECOVERY PLAN.

WHEREAS, the City of Kenai recognizes and supports the positive economic and cultural impact of commercial fisheries in the Upper Cook Inlet Region; and,

WHEREAS, the City supports the Upper Cook Inlet salmon fishery and City residents, families and businesses that participate in the salmon fishery along with other users of this fishery's resource; and,

WHEREAS, commercial fishing harvests in the East Side Setnet Fishery in the Upper Cook Inlet were 63% and 90% less than the average 5 year gross ex-vessel value (excluding prior disaster years 2018 and 2020) for 2021 and 2022 respectively; and,

WHEREAS, the dramatic decline threatens the livelihood of the individuals, families, and businesses participating in the fishery, and jeopardizes the continued viability of the industry in the Upper Cook Inlet Region; and,

WHEREAS, much of the loss for the 2021 and 2022 seasons was due to harvest restrictions imposed through the management plan based on low Chinook abundance; and,

WHEREAS, a Governor's State of Alaska disaster declaration creates a means for financial assistance for those involved in the fishery and could also provide assistance for science and resource management benefiting all users; and,

WHEREAS, it is in the best interest of the City of Kenai to request that Governor Mike Dunleavy declare an Economic Disaster in the Upper Cook Inlet Fisheries Region, and to support a recovery plan that directly assists fisheries participants and benefits all users of this important natural resource.

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

Section 1. That the City Council of the City of Kenai requests that Governor Mike Dunleavy declare an Economic Disaster in the Upper Cook Inlet Fisheries Region and that the State of Alaska implement a recovery plan that benefits commercial fisheries users and others that rely on this important fisheries resource.

Section 2. That a copy of this Resolution be provided to Governor Mike Dunleavy, Senator Jesse Bjorkman, Representative Justin Ruffridge, and Kenai Peninsula Borough Mayor Mike Navarre.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF DECEMBER, 2022.

Brian Gabriel Sr., Mayor

ATTEST:

New Text Underlined: [DELETED TEXT BRACKETED]

Michelle M. Saner, MMC, City Clerk

**KENAI CITY COUNCIL – SPECIAL MEETING
NOVEMBER 10, 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 Special Meeting of the Kenai City Council was held on November 10, 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
Henry Knackstedt
Alex Douthit

James Baisden, Vice Mayor
Victoria Askin

A quorum was present.

Absent:

Teea Winger

Also in attendance were:

Christine Cunningham, Human Resource Director
Shellie Saner, City Clerk

3. Agenda Approval

MOTION:

Council Member Knackstedt **MOVED** to approve the agenda and requested **UNANIMOUS CONSENT**. Vice Mayor Baisden **SECONDED** the motion.

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

B. EXECUTIVE SESSION

- 1. Review and Discussion of Applications Submitted for the City Manager Position. *[AS 44.62.310(C)(2) a Subject that Tends to Prejudice the Reputation and Character of an Applicant.]*

MOTION:

Council Member Knackstedt **MOVED** to enter into executive session to review the applications submitted for the City Manager position which may be a subject that tend to prejudice the reputation and character of an applicant pursuant to AS 44.62.310(C)(2).

All applicants for consideration have been notified of their statutory right to have the discussion regarding their application take place in public session and were requested to notify the City Clerk if they wish to have the discussion take place in public session.

The City Clerk received no requests from any applicant to have the discussion regarding their application to take place in public session.

The Executive Session will include Mayor Gabriel, City Council Member, Human Resource Director Cunningham and City Attorney Bloom via teleconference if needed.

Vice Mayor Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

[Clerk's Note: Council Member Sounart arrived at 6:05 p.m.]

MOTION:

Council Member Knackstedt **MOVED** to reconvene into regular session. Council Member Sounart **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

[Clerk's Note: The Council entered into Executive Session at 6:04 p.m. and reconvened into regular session at 6:45 p.m.]

C. NEW BUSINESS

- 1. Selection of Candidates to be Interviewed for the City Manager Position.

Council selected the following applicants for interviews:

- Elke B. Doom
- Anton L. Graff
- Terry Eubank
- David Ross

- 2. Set a Special Meeting for City Manager Candidate Interviews.

A Special Meeting for City Manager interviews was scheduled for November 16, 2022; interviews were to be scheduled for two-hour intervals beginning as early as 8:00 a.m.

D. PUBLIC COMMENTS – None.

E. ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 6:49 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of November 10, 2022.

Michelle M. Saner, MMC
City Clerk

**KENAI CITY COUNCIL – SPECIAL MEETING
NOVEMBER 16, 2022 – 8:00 A.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
MAYOR BRIAN GABRIEL, PRESIDING**

MINUTES

A. CALL TO ORDER

A Special Meeting of the Kenai City Council was held on November 16, 2022, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 8:00 a.m.

1. Pledge of Allegiance

Mayor Gabriel led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Brian Gabriel, Mayor
Teea Winger
Alex Douthit
Henry Knackstedt

James Baisden, Vice Mayor
Deborah Sounart
Victoria Askin

A quorum was present.

Also in attendance were:

Christine Cunningham, Human Resource Director
Scott Bloom, City Attorney
Randi Broyles, Assistant to the City Manager
Tony Prior, Fire Chief
Shellie Saner, City Clerk

3. Agenda Approval

MOTION:

Council Member Knackstedt **MOVED** to approve the agenda and requested **UNANIMOUS CONSENT**. Vice Mayor Baisden **SECONDED** the motion.

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

B. INTERVIEWS

1. City Council Interviews of City Manager Applicant Finalists.

Elke B. Doom was interviewed by the City Council.

[Clerk's Note: Following the interview with Elke B. Doom City Council recessed from 9:04 a.m. through 9:57 a.m.]

Anton Graff was interviewed by the City Council.

[Clerk's Note: Following the interview with Anton Graff City Council recessed from 11:23 a.m. through 12:00 p.m.]

Terry Eubank was interviewed by the City Council.

[Clerk's Note: Following the interview with Terry Eubank City Council recessed from 1:20 p.m. through 1:31 p.m.]

David Ross was interviewed by the City Council.

C. PUBLIC COMMENTS – None.

D. EXECUTIVE SESSION

1. City Council Discussion of Interviews and Qualifications of City Manager Applicant Finalists. *[AS 44.62.310(C)(2)(D)(5) a Subject that Tends to Prejudice the Reputation and Character of an Applicant, and Meetings of the Governmental Body when Holding a Meeting Solely to Act Upon Matters of Professional Qualifications.]*

MOTION:

Council Member Knackstedt **MOVED** to enter into executive session to discuss the interviews and qualifications of the City Manager applicant finalists pursuant to AS 44.62.310(C)(2)(D)(5) a subject that tends to prejudice the reputation and character of an applicant; and meetings of governmental body when holding a meeting solely to act upon matters of professional qualifications.

All applicants for consideration have been notified of their statutory right to have the discussion regarding their application take place in public session. All applicants elected to have the discussion regarding their interview and application take place in Executive Session.

The executive session will include Mayor Gabriel, City Council Members, City Attorney Bloom, Human Resource Director Cunningham and City Clerk Saner if requested.

Vice Mayor Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

[Clerk's Note: City Council entered into Executive Session at 2:17 p.m. and reconvened into regular session at 4:32 p.m.]

MOTION:

Council Member Knackstedt **MOVED** to reconvene into regular session. Vice Mayor Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

MOTION:

Council Member Knackstedt **MOVED** to conditionally offer the position of City Manager to David Ross subject to satisfactory reference check, background check and contract negotiations. Council Member Winger **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

E. ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 4:33 p.m.

I certify the above represents accurate minutes of the Kenai City Council Special meeting of November 16, 2022.

Michelle M. Saner, MMC
City Clerk

**KENAI CITY COUNCIL – WORK SESSION
NOVEMBER 16, 2022 – 4:45 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
MAYOR BRIAN GABRIEL, PRESIDING**

NOTES

Council Present: B. Gabriel, H. Knackstedt, J. Baisden, V. Askin, A. Douthit, D. Sounart. T. Winger

Beautification Committee Present: L. Gabriel,

Harbor Commission Present: D. Peck

Parks & Recreation Commission Present: C. Stephens, J. Joanis, D. Rigall

Planning & Zoning Commission Present: J. Coston, G. Woodard, J. Glendening

Others Present: City Manager P. Ostrander, Finance Director T. Eubank, City Clerk S. Saner, Airport Director E. Conway, Parks & Recreation Director B. Walker, Police Chief D. Ross, Public Works Director S. Curtin, Public Works Assistant L. List

A. CALL TO ORDER

Mayor Gabriel called the work session to order at 4:45 p.m.

B. INTRODUCTION

City Manager Ostrander welcomed everyone, stating that the purpose of the work session was to have an open forum discussion on the projects as presented in the 2024-2028 Capital Improvement Plan.

C. DISCUSSION ITEM

- 1. City of Kenai Fiscal Year 2024-2028 Capital Improvement Plan.

Director Curtin presented an overview projects within Capital Improvement Plan; the overviews included summaries related to the total City share portion of the projects; grant funding availability and grants applied for to date; and outlined the funding challenges related to the projects for the Waste Water Treatment Plant.

There was discussion regarding the number of previously approved projects that were still in progress; and committees and commission of the City had previously reviewed projects related to their commission or committee and recommended approval of the projects as presented within the plan.

D. PUBLIC COMMENTS – None.

E. ADJOURNMENT

The work session adjourned at 5:35 p.m.

Notes were prepared by:

Michelle M. Saner, MMC, City Clerk

**KENAI CITY COUNCIL – REGULAR MEETING
NOVEMBER 16, 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 November 16, 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 | James Baisden, Vice Mayor |
| Teea Winger (<i>remote participation</i>) | Deborah Sounart |
| Alex Douthit | Victoria Askin |
| Henry Knackstedt | |

A quorum was present.

Also in attendance were:

- **Silas Thibodeau, Student Representative
- Paul Ostrander, City Manager
- Scott Bloom, City Attorney
- Terry Eubanks, Finance Director
- Eland Conway, Airport Manager
- Christine Cunningham, Human Resource Director
- Tony Prior, Fire Chief
- Dave Ross, Police Chief
- Shellie Saner, City Clerk

3. Agenda Approval

Mayor Gabriel noted the following additions to the Packet:

- Add item D.2. **Public Hearing – Resolution No. 2022-76**
 - Amendment Memo
- Add item J.1. **Administrative Reports – City Manager**
 - 2022 Annual Personal Use Fishery Report

MOTION:

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

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

4. Consent Agenda

MOTION:

Council Member Knackstedt **MOVED** to approve the consent agenda. Vice Mayor 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 – None.

C. UNSCHEDULED PUBLIC COMMENTS

David Haeg addressed the Council regarding the ongoing Grand Jury investigation.

Marion Nelson invited everyone to attend the Mural 2022 Exhibition and reported on the building updates.

D. PUBLIC HEARINGS

1. **Resolution No. 2022-75** - Authorizing the Purchase of Real Property Described as Lot 7, Block 19, Original Townsite of Kenai, Located Within Section 5, T5N, R22W, Seward Meridian, and Designated as Kenai Peninsula Borough Parcel Number 04710307 From Julian Errea et al. and Dan Hilderbrand, for the Public Purpose of Including the Property in the Bluff Erosion Restoration Project and Determining that the Public Interest Will Not be Served by an Appraisal. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-75. Council Member Askin **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 parcel was necessary to complete the Bluff Erosion Project and was the last purchase needed; additional property easements were still needed.

UNANIMOUS CONSENT was requested.

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

2. **Resolution No. 2022-76** - Authorizing a Contract for Employee Health Care Effective January 1, 2023. (Administration)

MOTION:

Council Member Askin **MOVED** to adopt Resolution No. 2022-76. 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 one of the objectives was to bring the City onto a calendar year; the plan type allowed for more flexibility and cost sharing and over the next year the City would coordinate with a consultant on benefit utilization and employee needs.

MOTION TO AMEND:

Council Member Knackstedt **MOVED** to amend Resolution No. 2022-76 by filling in the blanks as follows:

The sixth whereas to read, “the administration recommends the City enter into a contract with PREMERA Blue Cross Blue Shield of Alaska to provide group medical, dental and vision insurance to the employees of the City of Kenai effective January 1, 2023 for an estimated annual premium of \$2,783,821; and,”

Section 1 to read, “That the City Council authorizes the City Manager to execute a contract with PREMERA Blue Cross Blue Shield of Alaska to provide group medical, dental, and vision insurance to the employees of the City of Kenai effective January 1, 2023 for an estimated annual premium of \$2,783,821.”

Council Member Douthit **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend.

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

UNANIMOUS CONSENT was requested on the main motion as amended.

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

3. **Resolution No. 2022-77** - Authorizing the Sole Source Purchase of a Team Eagle Edge-Lite Runway Edge Light Cleaner Attachment from BSI Equipment LLC for the Kenai Municipal Airport Through the Federal Aviation Administration Airport Improvement Program Grant No. 3-02-0142-072-2022 and Issuance of a Purchase Order. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-77. Vice Mayor 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 the attachment was manufactured in Anchorage and the benefits of this attachment included a reduction in labor, time and fuel.

UNANIMOUS CONSENT was requested.

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

E. MINUTES

1. *Regular Meeting of November 2, 2022. (City Clerk)

F. UNFINISHED BUSINESS – None.**G. NEW BUSINESS**

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

Approved by the consent agenda.

2. ***Action/Approval** – Non-Objection to Liquor License Renewal for Playa Azul. (Administration)

Approved by the consent agenda.

3. ***Ordinance No. 3321-2022** - Repealing Kenai Municipal Code Sections 13.30.030- Night Parking Prohibited, 13.30.050 - Signs Bearing the Legend, and 13.30.100- Parking Prohibited on Kenai

Avenue, and Reenacting and Renaming Kenai Municipal Code 13.30.030- Street Parking Prohibitions, to Allow Greater Flexibility in Regulating Street Parking in the City. (Legal)

Introduced by the consent agenda and Public Hearing set for December 21, 2022.

4. ***Ordinance No. 3322-2022** - Increasing Estimated Revenues and Appropriations in the General Fund for Costs in Excess of Budgeted Amounts for Public Works Street Lighting Repairs and Maintenance. (Administration)

Introduced by the consent agenda and Public Hearing set for December 21, 2022.

5. ***Ordinance No. 3323-2022** - Accepting and Appropriating Grants from the U.S. Department of Homeland Security Passed Through the State of Alaska Department of Military and Veterans' Affairs for the Purchases of Public Safety Radios, Police In-Car Video Systems, and a Cyber Security Assessment. (Administration)

Introduced by the consent agenda and Public Hearing set for December 21, 2022.

6. **Action/Approval** - Confirmation of Mayoral Nomination for Appointment to the Harbor Commission. (Mayor Gabriel)

MOTION:

Council Member Askin **MOVED** to confirm the appointment of John Coston to the Harbor Commission. Council Member Knackstedt **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

No report, next meeting December 8, 2022.

2. Airport Commission

Council Member Askin reported on the November 10, 2022 meeting, next meeting December 8, 2022

3. Harbor Commission

No report, next meeting February 6, 2023.

4. Parks and Recreation Commission

Council Member Knackstedt reported on the November 3, 2022 meeting, next meeting December 1, 2022.

5. Planning and Zoning Commission

No report, next meeting December 13, 2022.

6. Beautification Committee

No report, next meeting January 10, 2023.

I. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Speaking at the American Legion for Veterans Day; and stated his appreciation for all Veterans.
- Attending the Boys and Girls Club Annual Gala; noting the fundraising did very well.

- The Bycatch Review Task Force final report would be going to the Governor at the end of the month.

J. ADMINISTRATION REPORTS

1. City Manager - City Manager Ostrander reported on the following:
 - Review and discussion internally of the condemnation process of certain properties in the City.
 - Continued collaboration with Kenaitze Indian Tribe.
 - Next Leadership training would be in February and focused on accountability.
2. City Attorney - City Attorney Bloom reported on the following:
 - Update on the Special Assessment Improvement settlement process.
3. City Clerk - City Clerk Saner reported on the following:
 - Reported that marijuana license renewal review was behind due to staffing issues at the State of Alaska, Alcohol & Marijuana Control Office.

K. ADDITIONAL PUBLIC COMMENTS

1. Citizen Comments (*Public comments limited to (5) minutes per speaker*)

David Haeg continued is update regarding the Grand Jury investigation.

2. Council Comments

Council Member Douthit reported that the Care Center donated \$100,000 back to the Boys and Girls Club and additional funding from other sources for the project.

Student Representative Thibodeau reported that the Kenai Girls Volleyball Team were undefeated this season.

Council Member Sounart thanked the Veterans for their sacrifice and wished everyone a happy Thanksgiving.

Council Member Askin thanked the Veterans; noted she had attended the Chamber fundraiser; and wished everyone a happy Thanksgiving.

Vice Mayor Baisden wished everyone a happy Thanksgiving.

Council Member Knackstedt thanked Marion Nelson for the update; noted his attendance at the Boys and Girls Club fundraiser; and stated his appreciation for how well the streets had been maintained during the changing weather conditions.

L. EXECUTIVE SESSION – None.

M. PENDING ITEMS – None.

N. ADJOURNMENT

O. INFORMATIONAL ITEMS

1. Race Across Alaska Winter Challenge (RAAWC) Invite

There being no further business before the Council, the meeting was adjourned at 7:03 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of November 16, 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

**KENAI CITY COUNCIL –SPECIAL MEETING
NOVEMBER 22, 2022 – 5:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
MAYOR BRIAN GABRIEL, PRESIDING**

MINUTES

A. CALL TO ORDER

A Special Meeting of the Kenai City Council was held on November 22, 2022, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 5:17 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
Deborah Sounart
Alex Douthit
Henry Knackstedt

James Baisden, Vice Mayor
Teea Winger (*remote participation*)
Victoria Askin (*remote participation*)

A quorum was present.

Also in attendance were:

Scott Bloom, City Attorney
Dave Ross, City Manager applicant
Christine Cunningham, Human Resources Director
Meghan Thibodeau, Deputy City Clerk

3. Agenda Approval

MOTION:

Council Member Knackstedt **MOVED** to approve the agenda and requested **UNANIMOUS CONSENT**. Vice Mayor Baisden **SECONDED** the motion.

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

B. PUBLIC COMMENTS – None.

C. EXECUTIVE SESSION

- 1. Contract Discussion and Negotiation for a City Manager. *[AS 44.62.310(C)(1)(2) May be a Subject that Tends to Prejudice the Reputation and Character of the Applicant and is a Matter of which the Immediate Knowledge may have an Adverse Effect Upon the Finances of the City.]*

- a. **Action/Approval** - Council Action Related to City Manager Recruitment and Hire Process.

MOTION:

Council Member Knackstedt **MOVED** to enter into executive session for contract discussion and negotiation for a City Manager. Pursuant to AS 44.62.310(C)(1)(2) may be a subject that tends to prejudice the reputation and character of the City Manager and is a matter of which the immediate knowledge may have an adverse effect upon the finances of the City.

The executive session will include Mayor Gabriel, City Council Members, City Attorney Bloom, Human Resource Director Cunningham and the applicant David Ross.

Vice Mayor Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

[Clerk's Note: Council Member Winger arrived at 5:33 p.m.]

MOTION:

Council Member Knackstedt **MOVED** to reconvene into regular session. Vice Mayor Baisden **SECONDED** the motion.

[Clerk's Note: City Council entered into Executive Session at 5:20 p.m. and reconvened into regular session at 7:21 p.m.]

Council reconvened in open session and it was noted for the record that Council met in executive session for City Manager contract discussion and negotiation with applicant David Ross and the negotiations were unsuccessful.

A Special Meeting for contract negotiations with applicant Terry Eubank was tentatively scheduled for Tuesday November 29, 2022 at 6:00 p.m. depending on the availability of the applicant.

D. ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 7:22 p.m.

I certify the above represents accurate minutes of the Kenai City Council Special Meeting of November 22, 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.*

**KENAI CITY COUNCIL –SPECIAL MEETING
NOVEMBER 28, 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 Special Meeting of the Kenai City Council was held on November 28, 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
Deborah Sounart
Alex Douthit
Henry Knackstedt

James Baisden, Vice Mayor
Teea Winger (*remote participation*)
Victoria Askin (*remote participation*)

A quorum was present.

Also in attendance were:

Scott Bloom, City Attorney (*remote participation*)
Terry Eubank, City Manager applicant
Christine Cunningham, Human Resources Director
Shellie Saner, City Clerk

3. Agenda Approval

MOTION:

Council Member Knackstedt **MOVED** to approve the agenda and requested **UNANIMOUS CONSENT**. Vice Mayor Baisden **SECONDED** the motion.

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

B. PUBLIC COMMENTS – None.

C. EXECUTIVE SESSION

1. Negotiation for a City Manager Contract with Terry Eubank or Further Recruitment Discussion. *[AS 44.62.310(C)(1)(2) May be a Subject that Tends to Prejudice the Reputation and Character of the Applicant and is a Matter of which the Immediate Knowledge may have an Adverse Effect Upon the Finances of the City.]*

- a. **Action/Approval** - Council Action Related to City Manager Recruitment and Hire Process.

MOTION:

Council Member Knackstedt **MOVED** to enter into executive session for contract discussion and negotiation for a City Manager or further recruitment discussion. Pursuant to AS 44.62.310(C)(1)(2) may be a subject that tends to prejudice the reputation and character of the City Manager and is a matter of which the immediate knowledge may have an adverse effect upon the finances of the City.

The executive session will include Mayor Gabriel, City Council Members, City Attorney Bloom, Human Resource Director Cunningham and the applicant Terry Eubank.

Vice Mayor Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

MOTION:

Council Member Knackstedt **MOVED** to reconvene into regular session. Vice Mayor Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

[Clerk's Note: City Council entered into Executive Session at 6:03 p.m. and reconvened into regular session at 8:04 p.m.]

Council reconvened in open session and it was noted for the record that Council met in executive session for City Manager contract discussion and negotiation with applicant Terry Eubank. The negotiations were satisfactory with applicant Terry Eubank for the position of City Manager subject to a successful completion of a background check.

D. ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 8:05 p.m.

I certify the above represents accurate minutes of the Kenai City Council Special Meeting of November 28, 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.*

**PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: DECEMBER 21, 2022**

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	103,083.28
REBORN AGAIN JANITORIAL	NOVEMBER SERVICES	AIRPORT	REPAIR & MAINTENANCE	4,231.25

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
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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: Eland Conway, Airport Manager

DATE: November 18, 2022

SUBJECT: **Action Approval – Special Use Permit to American Red Cross of Alaska**

American Red Cross of Alaska is requesting a Special Use Permit effective December 1, 2022 through November 30, 2023.

The permit is for approximately 475 sqft of general office space on the second floor at the Alaska Regional Fire Training Center. The American Red Cross provides services to the Kenai Peninsula such as house and forest fire response, smoke alarm installs and preparedness training. The monthly fee for this permit is \$1.00 per month and an additional \$211.44 for utilities per month, plus applicable sales tax.

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

Your consideration is appreciated.

SPECIAL USE PERMIT

THE CITY OF KENAI (CITY) for the considerations and pursuant to the conditions and requirements set forth below, hereby grants **AMERICAN RED CROSS OF ALASKA (PERMITTEE)**, a nonprofit corporation, whose address is 235 E. 8th Ave. Ste. 200, Anchorage Alaska, 99501, the non-exclusive right to use that area described below:

Access to second floor office space, ROOM 228, and parking at the Alaska Regional Fire Training Center, located at 450 Marathon Rd., Kenai, Alaska 99611. Approximately 475 square feet.

1. **TERM.** This special use permit shall commence and be effective on December 1, 2022, and shall extend through November 30, 2023.
2. **PERMIT FEES.** The monthly fee for this permit is \$1.00 per month, plus \$211.44 utilities cost per month, plus applicable sales tax.
3. **USE.** The right to use the ROOM 228 for General Office Space, Training and/or Testing, and Storage. This includes reasonable ingress and egress to and from ROOM 228 through the Building's common areas. Permittee shall not have the right to use any other space in the Building (such as library, conference rooms, break room, coffee room) or any equipment belonging to the City unless given written permission to do so.
4. **LICENSES AND PERMITS; LAWS.** Permittee shall adhere to all federal, state, and local laws, ordinances, and regulations while conducting its activities on the Premises. Permittee shall obtain and maintain all required federal, state, and local licenses, permits, certificates, and other documents required for Permittee's operations under the Permit. Permittee shall provide proof of compliance to the City upon request by the City.
5. **NO EXCLUSIVITY.** This Permit is not intended to grant any exclusive use to the described Premises.
6. **INSURANCE.** Permittee shall provide proof of insurance coverage, including worker's compensation, if necessary, in an amount satisfactory to the City Manager, and listing the City as an additional insured.
7. **INDEMNITY, DEFEND, AND HOLD HARMLESS AGREEMENT.** Permittee agrees to indemnify, defend, and hold the City, its agents, and employees harmless from and against any and all liability, loss, suit, claim, judgment, fine, demand, damage, penalty,

property damage, or personal injury of whatever kind, including sums paid in settlements of claims, attorney fees, consultant fees, expert fees, or costs incurred arising from or connected with the Permittee's use or occupation of the Premises. Permittee shall give the City of Kenai reasonable notice of any such claims or actions. However, Permittee shall not be responsible for any damage or claims from the sole negligence, activities, or omission of the City or its agents or employees.

8. PERSONALITY. Permittee must keep the space and all other materials on the Premises clean and in good condition.

Permittee shall remove any and all personal property from the Premises at the termination of this Permit (or any renewal thereof). Personal property placed or used upon the Premises will be removed and/or impounded by the City, if not removed upon termination of this Permit and when so removed and/or impounded, such property may be redeemed by the owner thereof only upon the payment to the City of the costs of removal plus storage charges of \$25.00 per day. The City of Kenai is not responsible for any damage to or theft of any personal property of Permittee at or from the Premises.

9. NO WAIVER. Failure to insist upon a strict compliance with the terms, conditions, and/or any requirement herein contained, or referred to, shall not constitute or be construed as a waiver or relinquishment of the right to exercise such terms, conditions or requirements.

10. MUTUAL CANCELLATION. This Permit may be cancelled in whole or in part with one month written notice by Permittee or the City.

11. NO DISCRIMINATION. Permittee will not discriminate on the grounds of race, color, religion, national origin, ancestry, age, or sex against any patron, employee, applicant for employment, or other person or group of persons in any manner prohibited by federal or State law. Permittee recognizes the right of the City to take any action necessary to enforce this requirement.

12. ASSUMPTION OF RISK. Permittee shall provide all proper safeguards and shall assume all risks incurred in its use of the Premises.

13. NO JOINT VENTURE. City shall not be construed or held to be a partner or joint venturer of Permittee in the conduct of its business or activities on the Premises.

14. CONTACT INFORMATION. The contact information for Permittee, and the person in responsible charge for Permittee during the term of the Permit, for purposes of notice and all communications from City to Permittee is:

American Red Cross of Alaska
235 E. 8th Ave. Ste. 200
Anchorage, Alaska 99501

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

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

15. RIGHTS OR REMEDIES. No right or remedy herein conferred upon or reserved to each respective party is intended to be exclusive of any other right or remedy. Each and every right and remedy shall be cumulative and in addition to any other right or remedy given hereunder, or now or hereafter existing at law or in equity.

16. GOVERNING LAW; VENUE. The laws of State of Alaska will determine the interpretation of this Agreement and the performance thereof. Any lawsuit brought thereon shall be filed in the Third Judicial District at Kenai, Alaska.

17. AUTHORITY. By signing this Permit, Permittee represents that it has read this agreement and it agrees to be bound by the terms and conditions herein and that the person signing this Permit is authorized to bind Permittee.

CITY OF KENAI

By: _____

City Manager

AMERICAN RED CROSS OF ALASKA

By: _____
Paul Ramage
Regional Facility Coordinator

Approved as to form:

Scott Bloom
City Attorney

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the ____ day of _____, 2022, City Manager of the City of Kenai, an Alaska municipal corporation, on behalf of the City.

Notary Public for Alaska
My Commission Expires: _____

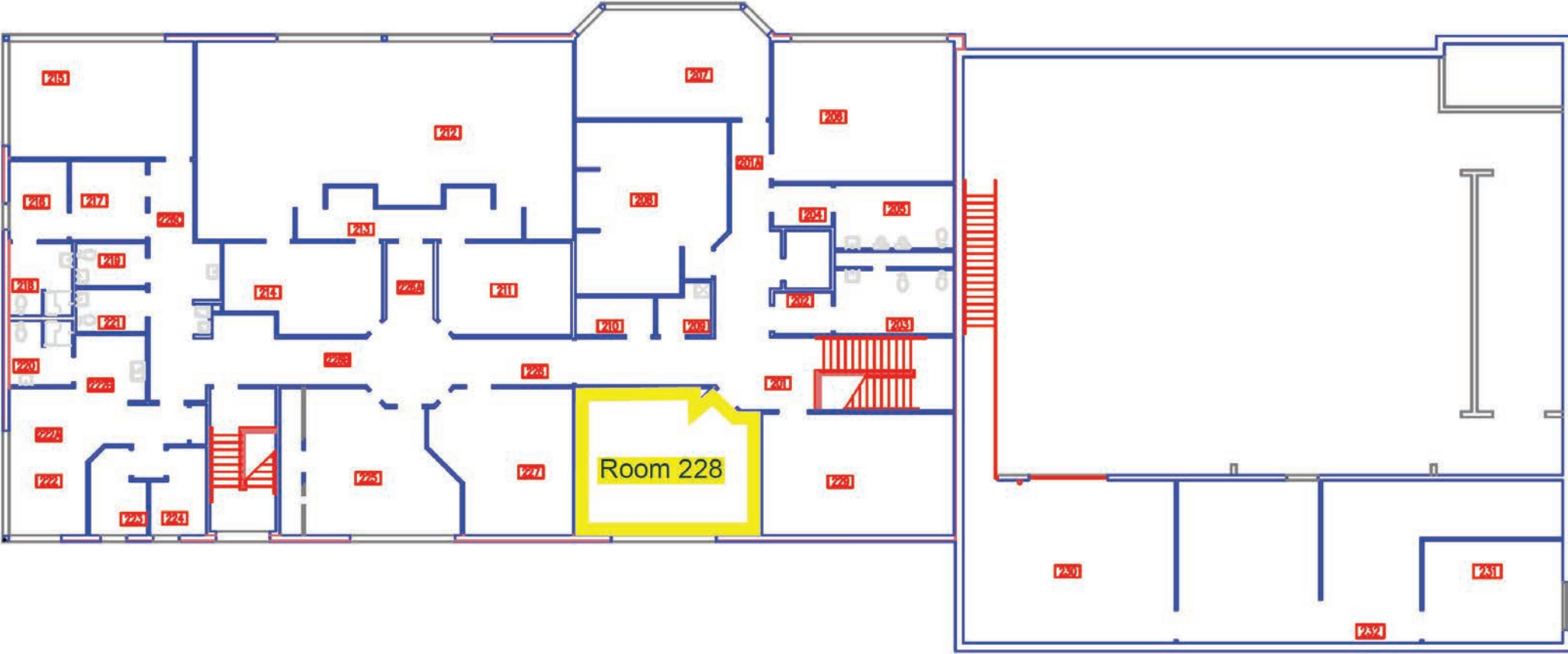
STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ____ day of _____, 2022, the foregoing instrument was acknowledged before me by Paul Ramage, of American Red Cross, an Alaska non-profit corporation, on behalf of the corporation.

Notary Public for Alaska
My Commission Expires: _____

Alaska Regional Fire Training Center

Level 2





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Linda Mitchell, Planning Director
DATE: December 15, 2022
SUBJECT: **Action Approval for Alaska Sure Seal, Inc. – Special Use Permit for Snow Storage**

Alaska Sure Seal, Inc. has requested a Special Use Permit to store snow on approximately 7,500 square feet on Tract C of Daubenspeck Property Subdivision, located at 170 Bridge Access Road. The proposed permit fee is \$475.00 plus applicable sales tax for the remainder of 2022 and a six-month period from January through April, and November through December 2023.

Alaska Sure Seal, Inc. would be required to carry adequate insurance, use the premises only for snow storage, store snow in a manner that would not limit sight lines for drivers or impact City snow clearing, and remove any trash or debris remaining after the snow has melted, such that the premises are returned to their initial condition.

If City Council approves the Special Use Permit, the City Manager will be authorized to execute the Special Use Permit Agreement.

Thank you for your consideration.

Attachments

- Special Use Permit Agreement
- Map of Tract C, Daubenspeck Property Subdivision (170 Bridge Access Road)

SPECIAL USE PERMIT

The **CITY OF KENAI** (City), for the consideration, and pursuant to the conditions set out below, hereby grants to **ALASKA SURE SEAL, INC.** (PERMITTEE) the non-exclusive right to use 7,500 square feet of area as described below:

T 5N R 11W SEC 5 SEWARD MERIDIAN KN 0790049 DAUBENSPECK PROPERTY
SUB TRACT C

and as further shown in the attached Exhibit A.

1. **TERM.** This special use permit shall be for approximately six (6) months from January 1, 2023 to April 30, 2023, and from November 1, 2023 to December 31, 2023.
2. **PERMIT FEES.** The Permittee shall be charged a permit fee of \$475.00 plus applicable sales tax.

The Permittee shall pay the City the permit fee on or before January 1, 2023.

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

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

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

adjacent and contiguous lands or facilities. Use of the Premises is subject to the following conditions:

- A. Permittee shall use the Premises only for snow storage.
 - B. Snow must be stored in a manner that will not limit sight lines or create other unsafe driving conditions on adjacent right-of-ways.
 - C. The premises shall be returned to its current condition prior to the end of the term of this Special Use Permit. This shall include the removal of any trash or debris that remains after the snow has melted in the spring. Failure to do so will result in Permittee being ineligible for future Special Use Permits for snow storage.
 - D. Snow must be stored in a manner that will not impact any City snow clearing or moving activities.
4. **INSURANCE.** Permittee shall secure and keep in force adequate insurance, as stated below, to protect City and Permittee. Where specific limits are stated, the limits are the minimum acceptable limits. If Permittee's insurance policy contains higher limits, the City is entitled to coverage to the extent of the higher limits.
- A. Garage Liability or Commercial General Liability Insurance, including Premises, all operations, property damage, personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit. The policy must name the City as an additional insured.
 - B. Worker's Compensation Insurance with coverage for all employees engaged in work under this Permit or at the Premises as required by AS 23.30.045. Permittee is further responsible to provide Worker's Compensation Insurance for any subcontractor who directly or indirectly provides services to Permittee under this Permit.
 - C. Commercial Automobile Coverage with not less than \$1,000,000 combined single limit per occurrence. This insurance must cover all owned, hired, and non-owned motor vehicles the Permittee uses for snow moving and storage activities to, from, or on the Premises. The policy must name the City as an additional insured.
 - D. All insurance required must meet the following additional requirements:
 - i. All policies will be by a company/corporation currently rated "A-" or better by A.M. Best.
 - ii. Permittee shall submit to the City proof of continuous insurance coverage in the form of insurance policies, certificates, endorsements, or a combination thereof, and signed by a person authorized by the insurer to bind coverage on its behalf.

- iii. Permittee shall request a waiver of subrogation against City from Permittee's insurer and the waiver of subrogation, where possible, shall be provided at no cost to City.
 - iv. Provide the City with notification at least 30 days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.
 - v. Evidence of insurance coverage must be submitted to City by January 7, 2022. The effective date of the insurance shall be no later than January 17, 2022.
 - vi. This insurance shall be primary and exclusive of any other insurance carried by the City of Kenai. This insurance shall be without limitation on the time within which the resulting loss, damage, or injury is actually sustained.
5. **INDEMNITY, DEFEND, AND HOLD HARMLESS AGREEMENT.** The Permittee shall fully indemnify, hold harmless, and defend the City of Kenai, its officers, agents, employees, and volunteers at its own expense from and against any and all actions, damages, costs, liability, claims, losses, judgments, penalties, including reasonable Attorney's fees of or for liability for any wrongful or negligent acts, errors, or omissions of the Permittee, its officers, agents or employees, or any subcontractor under this Permit. The Permittee shall not be required to defend or indemnify the City for any claims of or liability for any wrongful or negligent act, error, or omission solely due to the independent negligence of the City. If there is a claim of or liability for the joint negligence of the Permittee and the independent negligence of the City, the indemnification and hold harmless obligation shall be apportioned on a comparative fault basis. Apportionment shall be established upon final determination of the percentage of fault. If any such determination is by settlement, the percentage of fault attributed to each party for purposes of this indemnification provision shall only be binding upon the parties included in the settlement agreement. "Permittee" and "City" as used in this article include the employees, agents, officers, directors, and other contractors who are directly responsible, respectively, for each party. The term "independent negligence of the City" is negligence other than in the City's selection, administration, monitoring, or controlling of the Permittee.
6. **PERMITTEE'S OBLIGATION TO PREVENT AND REMOVE LIENS.** Permittee will not permit any liens, including mechanic's, laborer's, construction, supplier's, mining, or any other liens obtainable or available under existing law, to stand against the Premises or improvements on the Premises for any labor or material furnished to Permittee or to any related entity or claimed entity. The Permittee shall have the right to provide a bond as contemplated by State of Alaska law and contest the validity or amount of any such lien or claimed lien. Upon the final determination of the lien or claim for lien, the Permittee will immediately pay any judgment rendered with all proper costs and charges and shall have such lien released or judgment satisfied at Permittee's own expense.
7. **PERSONALTY.** Permittee shall remove any and all personal property, including all vehicles, from the Premises at the termination of this Permit. Personal property placed or used upon the Premises and not removed upon termination of this Permit will be removed and/or impounded by the City. Property removed or impounded by the City may be

redeemed by the owner thereof only upon the payment to the City of the costs of removal plus a storage fee of \$25 per day. The City of Kenai is not responsible for any damage to or theft of any personalty of Permittee or its customers.

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

CITY OF KENAI

ALASKA SURE SEAL, INC.

By: _____
Paul Ostrander
City Manager

By: _____
Jonathon Paramore
Director

ACKNOWLEDGMENTS

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

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

Notary Public for Alaska
My Commission Expires: _____

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ____day of _____, 20__, the foregoing instrument was acknowledged before me by Jonathon Paramore, Director of Alaska Sure Seal, Inc., an Alaska C Corporation, on behalf of the corporation.

Notary Public for Alaska
My Commission Expires: _____

ATTEST:

Shellie Saner, City Clerk

SEAL:

APPROVED AS TO FORM:

Scott Bloom, City Attorney

EXHIBIT A

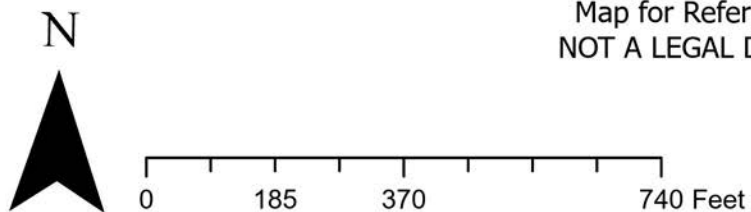


Alaska Sure Seal
Special Use Permit - Snow Storage
Tract C, Daubenspeck Property Subdivision
170 Bridge Access Road
KPB Parcel ID: 04705602



Date Printed: 12/15/2022

Map for Reference Only
NOT A LEGAL DOCUMENT



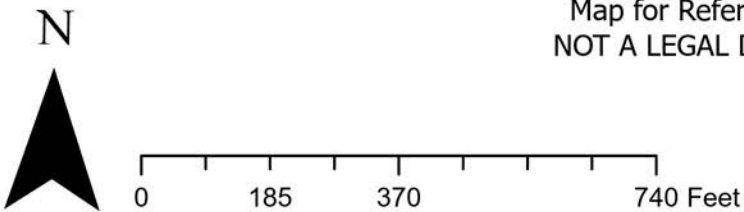


Alaska Sure Seal
Special Use Permit - Snow Storage
Tract C, Daubenspeck Property Subdivision
170 Bridge Access Road
KPB Parcel ID: 04705602



Date Printed: 12/15/2022

Map for Reference Only
NOT A LEGAL DOCUMENT





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Linda Mitchell, Planning Director

DATE: December 15, 2022

SUBJECT: **Action Approval for Schilling Alaska, Inc. – Special Use Permit for Snow Storage**

Schilling Alaska, Inc. (“Schilling”) has requested a Special Use Permit to store snow on approximately 7,500 square feet on Tract C of Daubenspeck Property Subdivision, located at 170 Bridge Access Road. Schilling has been granted special use permits for the Uptown Motel to store snow since 2018. Schilling has been compliant with the terms of their special use permits during the last year. The proposed permit fee is \$475.00 plus applicable sales tax for the remainder of 2022 and a six-month period from January through April, and November through December 2023.

Schilling would be required to carry adequate insurance, use the premises only for snow storage, store snow in a manner that would not limit sight lines for drivers or impact City snow clearing, and remove any trash or debris remaining after the snow has melted such that the premises are returned to their initial condition.

If City Council approves the Special Use Permit, the City Manager will be authorized to execute the Special Use Permit Agreement.

Thank you for your consideration.

Attachments

Special Use Permit Agreement

Map of Tract C, Daubenspeck Property Subdivision (170 Bridge Access Road)

SPECIAL USE PERMIT

The **CITY OF KENAI** (City), for the consideration, and pursuant to the conditions set out below, hereby grants to **SCHILLING ALASKA, INC.** (PERMITTEE) the non-exclusive right to use 7,500 square feet of area as described below:

T 5N R 11W SEC 5 SEWARD MERIDIAN KN 0790049 DAUBENSPECK PROPERTY
SUB TRACT C

and as further shown in the attached Exhibit A.

1. **TERM.** This special use permit shall be for approximately six (6) months from January 1, 2023 to April 30, 2023, and from November 1, 2023 to December 31, 2023.
2. **PERMIT FEES.** The Permittee shall be charged a permit fee of \$475.00 plus applicable sales tax.

The Permittee shall pay the City the permit fee on or before January 1, 2023.

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

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

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

adjacent and contiguous lands or facilities. Use of the Premises is subject to the following conditions:

- A. Permittee shall use the Premises only for snow storage.
 - B. Snow must be stored in a manner that will not limit sight lines or create other unsafe driving conditions on adjacent right-of-ways.
 - C. The premises shall be returned to its current condition prior to the end of the term of this Special Use Permit. This shall include the removal of any trash or debris that remains after the snow has melted in the spring. Failure to do so will result in Permittee being ineligible for future Special Use Permits for snow storage.
 - D. Snow must be stored in a manner that will not impact any City snow clearing or moving activities.
4. **INSURANCE.** Permittee shall secure and keep in force adequate insurance, as stated below, to protect City and Permittee. Where specific limits are stated, the limits are the minimum acceptable limits. If Permittee's insurance policy contains higher limits, the City is entitled to coverage to the extent of the higher limits.
- A. Garage Liability or Commercial General Liability Insurance, including Premises, all operations, property damage, personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit. The policy must name the City as an additional insured.
 - B. Worker's Compensation Insurance with coverage for all employees engaged in work under this Permit or at the Premises as required by AS 23.30.045. Permittee is further responsible to provide Worker's Compensation Insurance for any subcontractor who directly or indirectly provides services to Permittee under this Permit.
 - C. Commercial Automobile Coverage with not less than \$1,000,000 combined single limit per occurrence. This insurance must cover all owned, hired, and non-owned motor vehicles the Permittee uses for snow moving and storage activities to, from, or on the Premises. The policy must name the City as an additional insured.
 - D. All insurance required must meet the following additional requirements:
 - i. All policies will be by a company/corporation currently rated "A-" or better by A.M. Best.
 - ii. Permittee shall submit to the City proof of continuous insurance coverage in the form of insurance policies, certificates, endorsements, or a combination thereof, and signed by a person authorized by the insurer to bind coverage on its behalf.

- iii. Permittee shall request a waiver of subrogation against City from Permittee's insurer and the waiver of subrogation, where possible, shall be provided at no cost to City.
 - iv. Provide the City with notification at least 30 days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.
 - v. Evidence of insurance coverage must be submitted to City by January 7, 2022. The effective date of the insurance shall be no later than January 17, 2022.
 - vi. This insurance shall be primary and exclusive of any other insurance carried by the City of Kenai. This insurance shall be without limitation on the time within which the resulting loss, damage, or injury is actually sustained.
5. **INDEMNITY, DEFEND, AND HOLD HARMLESS AGREEMENT.** The Permittee shall fully indemnify, hold harmless, and defend the City of Kenai, its officers, agents, employees, and volunteers at its own expense from and against any and all actions, damages, costs, liability, claims, losses, judgments, penalties, including reasonable Attorney's fees of or for liability for any wrongful or negligent acts, errors, or omissions of the Permittee, its officers, agents or employees, or any subcontractor under this Permit. The Permittee shall not be required to defend or indemnify the City for any claims of or liability for any wrongful or negligent act, error, or omission solely due to the independent negligence of the City. If there is a claim of or liability for the joint negligence of the Permittee and the independent negligence of the City, the indemnification and hold harmless obligation shall be apportioned on a comparative fault basis. Apportionment shall be established upon final determination of the percentage of fault. If any such determination is by settlement, the percentage of fault attributed to each party for purposes of this indemnification provision shall only be binding upon the parties included in the settlement agreement. "Permittee" and "City" as used in this article include the employees, agents, officers, directors, and other contractors who are directly responsible, respectively, for each party. The term "independent negligence of the City" is negligence other than in the City's selection, administration, monitoring, or controlling of the Permittee.
6. **PERMITTEE'S OBLIGATION TO PREVENT AND REMOVE LIENS.** Permittee will not permit any liens, including mechanic's, laborer's, construction, supplier's, mining, or any other liens obtainable or available under existing law, to stand against the Premises or improvements on the Premises for any labor or material furnished to Permittee or to any related entity or claimed entity. The Permittee shall have the right to provide a bond as contemplated by State of Alaska law and contest the validity or amount of any such lien or claimed lien. Upon the final determination of the lien or claim for lien, the Permittee will immediately pay any judgment rendered with all proper costs and charges and shall have such lien released or judgment satisfied at Permittee's own expense.
7. **PERSONALTY.** Permittee shall remove any and all personal property, including all vehicles, from the Premises at the termination of this Permit. Personal property placed or used upon the Premises and not removed upon termination of this Permit will be removed and/or impounded by the City. Property removed or impounded by the City may be

redeemed by the owner thereof only upon the payment to the City of the costs of removal plus a storage fee of \$25 per day. The City of Kenai is not responsible for any damage to or theft of any personalty of Permittee or its customers.

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

CITY OF KENAI

SCHILLING ALASKA, INC.

By: _____
Paul Ostrander
City Manager

By: _____
David Schilling
President

ACKNOWLEDGMENTS

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

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

Notary Public for Alaska
My Commission Expires: _____

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ____day of _____, 20__, the foregoing instrument was acknowledged before me by David Schilling, President of Schilling Alaska, Inc., an Alaska corporation, on behalf of the corporation.

Notary Public for Alaska
My Commission Expires: _____

ATTEST:

Shellie Saner, City Clerk

SEAL:

APPROVED AS TO FORM:

Scott Bloom, City Attorney

EXHIBIT A

Schilling Alaska, Inc.

Special Use Permit - Snow Storage

Tract C, Daubenspeck Property Subdivision

170 Bridge Access Road

KPB Parcel ID: 04705602



Date Printed: 12/15/2022

Map for Reference Only
NOT A LEGAL DOCUMENT

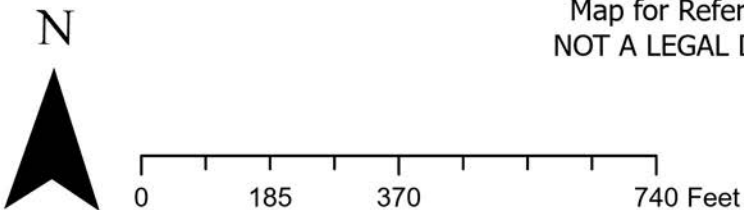


Schilling Alaska, Inc.
Special Use Permit - Snow Storage
Tract C, Daubenspeck Property Subdivision
170 Bridge Access Road
KPB Parcel ID: 04705602



Date Printed: 12/15/2022

Map for Reference Only
NOT A LEGAL DOCUMENT





Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3324-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT SPECIAL REVENUE AND AIRPORT SNOW REMOVAL EQUIPMENT CAPITAL PROJECT FUNDS AND AUTHORIZING THE PURCHASE OF AIRPORT SNOW REMOVAL EQUIPMENT.

WHEREAS, Resolution 2022-18 adopting the City’s Capital Improvement Plan for Fiscal Years 2023 - 2027 included the purchase of two Runway Broom Replacements; and,

WHEREAS, the Kenai Municipal Airport (ENA), Airport Improvement Program (AIP) Entitlement Funds balance through federal fiscal year 2023 is \$2,350,000; and,

WHEREAS, the ENA Airport Capital Improvement Program in coordination with Federal Aviation Administration (FAA) has programmed the replacement of two pieces of Snow Removal Equipment (SRE) in federal fiscal year 2023; and,

WHEREAS, the Airport anticipates federal AIP funding to replace two pieces of SRE by May 2023; and,

WHEREAS, the Airport anticipates federal AIP funding to be 93.75% of eligible costs; and,

WHEREAS, the Airport will fund the remaining 6.25% of eligible costs; and,

WHEREAS, current manufacturer lead times exceed 365 days; and,

WHEREAS, the State of Alaska Contract Award CA2284-21 allows for Alaska political subdivisions to cooperatively purchase from this contract; and,

WHEREAS, KMC 7.15.070(b)(4) allows for purchases of equipment purchasable under contract of another governmental agency; and,

WHEREAS, the estimated cost for each piece of equipment excluding shipping from Seattle to ENA is \$816,000; and,

WHEREAS, the estimated cost of shipping all equipment from Seattle to ENA is \$80,000; and,

WHEREAS, approval of this Ordinance is in the best interest of the Airport and the City.

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 execute an Agreement with M-B Companies, Inc. in the amount of \$1,712,000.

Section 2. That the following budget revision is authorized:

Airport Special Revenue Fund:

Increase estimated revenues –

Appropriation of Fund Balance

\$1,720,000

Increase Appropriations –

Transfer to Airport Snow Removal Equipment Capital Project Funds	<u>\$1,720,000</u>
Airport Improvement Capital Fund:	
Increase Estimated Revenues –	
Transfer from Airport Special Revenue Fund	<u>\$1,720,000</u>
Increase Appropriations –	
Equipment	<u>\$1,720,000</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 4TH DAY OF JANUARY, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced:	December 21, 2022
Enacted:	January 04, 2023
Effective:	January 04, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Paul Ostrander, City Manager
FROM: Eland Conway, Airport Manager
DATE: December 6, 2022
SUBJECT: **Ordinance No. 3324-2022 - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing the Procurement of Airport Snow Removal Equipment**

The purpose of this memo is to request Council's approval to appropriate funds to enter into an agreement with M-B Companies, Inc. for the procurement of two pieces of airport Snow Removal Equipment (SRE). Both pieces of equipment were programmed in the City of Kenai FY 2023 - 2027 Capital Improvement Plan adopted by Council through Resolution 2022-18.

Through the FAA Airport Improvement Program (AIP), the airport has carried over a balance of entitlement funds in the amount of \$2.35M as of federal FY2023. These funds are earmarked for these two pieces of SRE and expected to be made available to the Airport by May 2023.

Current lead times for the MB2 multi-tasking snow removal chassis with cradling broom exceed 365 calendar days. Appropriating airport funds will allow the airport to enter into an agreement with M-B Companies, Inc. in advance of FAA funding, and allow the airport to receive the SRE in a reasonable amount of time for use next winter.

Historically the airport has appropriated funds to expedite/facilitate AIP projects and generally received reimbursement prior to project completion or upon project closeout.

On May 1, 2021 the State of Alaska awarded a contract (CA2284-21 Amendment 1) to M-B Companies, Inc. for the purchase of Tractors and Towed Cradling Brooms. This contract allows other Alaska political subdivisions to cooperatively purchase from the resulting contract. The contract does not include shipping from Seattle to Kenai, these shipping costs have been estimated based on recent SRE shipping costs.

Your consideration and support is respectfully requested.



Qty.	Description	Total	FAA Grant Funding (93.75%)	\$	1,604,946
2	MB2	\$ 1,631,943	Airport Funding (6.25%)		106,997
2	Shipping - Seattle to Kenai (Estimated)	\$ 80,000			
	Total Estimated Cost Delivered	<u>\$ 1,711,943</u>			



Sponsored by: Administration



**CITY OF KENAI
ORDINANCE NO. 3325-2022**

AN ORDINANCE ACCEPTING AND APPROPRIATING DONATIONS TO THE KENAI COMMUNITY LIBRARY FOR THE PURCHASE OF PROGRAM SUPPLIES AND EQUIPMENT.

WHEREAS, the Kenai Community Library received \$1,600 from the Friends of the Kenai Community Library; and,

WHEREAS, the Library received \$1,000 for general support from Derek Kaufman Fund, a Hilcorp donor advised fund of the Alaska Community Foundation; and,

WHEREAS, the Library received a \$100 donation from a community member in memory of Barbara Hultberg; and,

WHEREAS, the funds will be used to purchase supplies and equipment for children, teen, and adult programming and library operations; and,

WHEREAS, acceptance of these donations to further the mission of the Kenai Community Library is in the best interest of the City and its residents.

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 these funds in the amount of \$2,700.

Section 2. That the following budget revision is authorized:

General Fund:

Increase Estimated Revenues–
Miscellaneous Donation \$2,700

Increase Appropriations –
Library - Operating & Repair Supplies \$2,700

Section 3. That the City Manager is authorized to expend these funds in line with the intentions of the donors.

Section 4. 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 5. 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 4TH DAY OF JANUARY, 2023.

New Text Underlined: [DELETED TEXT BRACKETED]

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:



Introduced:

December 21, 2022

Enacted:

January 04, 2023

Effective:

January 04, 2023



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: Katja Wolfe, Library Director
DATE: December 13, 2022
SUBJECT: **Donations to the Kenai Community Library**

The Kenai Community Library received the following donations:

- \$1,600 from the Friends of the Kenai Community Library
- \$100 in memory of Barbara Hultberg
- \$1,000 for general support from the Derek Kaufman Fund, a Hilcorp donor advised fund of the Alaska Community Foundation.

Library staff intend to use these donations to purchase a new story time rug and cushions, along with other supplies and equipment for programming and library operations. We appreciate our donors' support and generosity!

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3326-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND PARKS, RECREATION AND BEAUTIFICATION DEPARTMENT, AND AUTHORIZING AN INCREASE TO THE MULTI-PURPOSE FACILITY MANAGEMENT SERVICES PURCHASE ORDER TO RED LINE SPORTS FOR ADDITIONAL ICE MAINTENANCE SERVICES.

WHEREAS, Red Line Sports was awarded a contract to provide Facility Management and Ice Machine Services for the 2022/2023 season with the expectation the contract would be adjusted, if needed, based on actual ice rental hours and required maintenance needs; and,

WHEREAS, by prior resolution the Multi-Purpose Facility (MPF) contract was amended to start two months earlier in July to provide ice to the hockey community; and,

WHEREAS, the amended contract did not include an increase in the remuneration of the contract; and,

WHEREAS, no additional funds were appropriated to support the amended contract; and,

WHEREAS, the revenue from additional ice sales will exceed the additional ice maintenance cost.

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

Section 1. That the Kenai City Council authorizes the City Manager to authorizes an increase to Purchase Order No.3274-2022 in the amount of \$40,000.

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

General Fund:

Increase estimated revenues –		
Appropriation of Fund Balance		<u>\$40,000</u>

Increase expenditures –		
Parks & Recreation – Professional Services		<u>\$40,000</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 4TH DAY OF JANUARY, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced:	December 21, 2022
Enacted:	January 04, 2023
Effective:	January 04, 2023



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Brad Walker, Parks & Recreation Director
DATE: December 8, 2022
SUBJECT: Ordinance No. 3326-2022 Multi-Purpose Facility PO Increase

The purpose of this memo is to recommend the adoption of Ordinance No. 3326-2022 increasing the Multi-purpose Facility (MPF) Management Services purchase order to Red Line Sports.

Extension of contracted services

The Soldotna Regional Sports Complex and the Kenai Multi-Purpose Facility planned to be closed for the summer months of August and September, 2023 to complete facility maintenance. The Hockey community approached both Cities and asked for one of them to install and rent ice, or it would be detrimental to their youth programs. Kenai obliged these groups and was able to complete their maintenance early. In doing so, the Multi-Purpose facility contract was extended by two months by Resolution 2022-55. While two more months were added to the contractor's agreement, no additional funds were appropriated for ice maintenance services.

Funds

The current purchase order to Red Line Sports has nearly expired due to the contract extension. Using projections from previous years, it is estimated that an appropriation of \$40,000 is needed to meet the hockey community's needs at the MPF. Projected ice sales exceed projected maintenance costs.

Conclusion

The City of Kenai was able to provide ice for the local hockey community when the Soldotna Regional Sports Complex was under maintenance which greatly benefitted the local hockey programs. However, the MPF was only designed to operate in the colder winter months (October-March.) In the future, administration is recommending that ice only be available during the winter months (October-March.)



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3327-2022**

AN ORDINANCE INCREASING AND DECREASING ESTIMATED REVENUES AND APPROPRIATIONS TO REALLOCATE GRANT FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION OF A PEDESTRIAN BRIDGE IN THE KENAI MUNICIPAL PARK TO PLAYGROUND EQUIPMENT REPLACEMENT AT THE SOFTBALL GREENSTRIP.

WHEREAS, the City was awarded a grant from the State of Alaska, DHSS, Division of Public Health in support of creating and sustaining healthy and equitable communities that strategically aim to build infrastructure to improve health outcomes for high risk, underserved populations; and,

WHEREAS, the grant amount of \$86,596.90 is comprised of the City's allocation of \$43,298.45 and an additional \$43,298.45 from the Kenai Peninsula Borough allocation that was approved by Kenai Peninsula Borough Ordinance 2021-19-29; and,

WHEREAS, a list of projects was submitted to the Program Manager for pre-approval and on November 3, 2021 two priorities were presented to Council, with Council voting for the Municipal Park Trail Boardwalk Project pedestrian bridge; and,

WHEREAS, the second project "Replace Green Strip Playground Equipment" was identified and discussed by Council and was on the pre-approved projects for the grant; and,

WHEREAS, the available grant funding is wholly insufficient to complete the pedestrian bridge project but is sufficient to replace the softball Green Strip Playground equipment; and,

WHEREAS, the existing equipment has met it useful life and replacing it would provide the community with improved and safer recreation activity; and,

WHEREAS, it is in the best interest of the City to utilize the funds to complete the alternative Green Strip Playground Equipment project, rather than not be able to utilize the funds.

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

Section 1. That estimated revenues and appropriations be decreased as follows:

Trail Construction Capital Project Fund:	
Decrease estimated revenues –	
Federal Grants	<u>\$86,596.90</u>
Decrease estimated appropriations –	
Construction	<u>\$86,596.90</u>

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

Playground Improvement Capital Project Fund:	
Increase estimated revenues -	
Federal Grants	<u>\$86,596.90</u>

Increase estimated appropriations –
Construction

\$86,596.90

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 4TH DAY OF JANUARY, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced: December 21, 2022
Enacted: January 4, 2023
Effective: January 4, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Brad Walker, Parks and Recreation Director

DATE: December 7, 2022

SUBJECT: Ordinance No. 3327-2022 – Health and Equitable Grant Transfer

In November of 2021 the City of Kenai was notified of an award from the State of Alaska, Division of Public Health for grant funding in support of creating and sustaining healthy and equitable communities. Funding for this program is based on the population of each community within Alaska and is calculated by the Alaska Health Equity Index. The City of Kenai was awarded by the State \$43,298.45. Additionally, the City of Kenai worked with the Kenai Peninsula Borough who directly awarded us additional funding of \$43,298.45, bringing our total grant funding to \$86,596.90.

On January 25, 2022 the Memorandum of Agreement between the Division of Public Health and the City of Kenai was signed thus completing the requirements of the grant.

A list of projects was submitted to the Program Manager for pre-approval. On November 3, 2021 two priorities were presented to Council, with Council voting for the Municipal Park Trail Boardwalk Project as the project to move forward.

This memo is requesting to reallocate funding from the approved Municipal Park Trail Boardwalk Project to funding the replacement of the Steve Shearer Memorial Ball Park (also known as the Softball Green Strip) playground. This is an approved project per the Program Manager pre-approval. The available funding is not close to sufficient to complete the Trail Boardwalk Project but is sufficient to make significant improvement to the playground.

Our records indicate the playground was installed April 1995, making this particular playground almost 28 years old. Many repair/replacement parts are now obsolete and the clamps/hardware we can source are becoming increasingly harder to procure. The industry standard for playground equipment is to make updates every 8-10 years with consideration of complete replacement for playgrounds 20 years and older. The Green Strip playground is one of our most used parks and playgrounds in the City of Kenai and was rented almost every weekend from Memorial Day to Labor Day.

There will be an immediate impact with the installation of this new playground at the Green Strip. This project has the potential to benefit all who visit and use the Green Strip Park. Thank you for your consideration of this ordinance.





Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3328-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT SNOW REMOVAL EQUIPMENT CAPITAL PROJECT FUND TO PROVIDE SUPPLEMENTAL FUNDING FOR THE KENAI MUNICIPAL AIRPORT'S SNOWBLOWER AND INCREASING THE EXISTING PURCHASE ORDER TO CRAIG TAYLOR EQUIPMENT.

WHEREAS, Council previously approved Ordinance 3201-2021 which provided \$800,000 in funding from the Airport Special Revenue Fund to allow the LaRue Snow Removal Equipment to be purchased in advance of receiving Federal grant funds; and,

WHEREAS, Ordinance 3229-2021 appropriated \$715,586 as the typical Federal Share (93.75%); and,

WHEREAS, Ordinance 3246-2021 appropriated an additional \$47,706 in Federal grant funds to cover the City's share, which resulted in the purchase being 100% funded through grant funds; and,

WHEREAS, this Ordinance is providing final adjustments to the purchase which had previously included estimated freight charges; and,

WHEREAS, the final purchase price of the unit delivered to Kenai is \$780,390.20, with \$763,292 having been previously appropriated through the Ordinances outlined above; and,

WHEREAS, the difference of \$17,098.20 is eligible for 100% Federal grant funding as well as an additional \$1,000 for project admin for a total of \$18,098.20; and,

WHEREAS, Purchase Order 122926 to Craig Taylor Equipment will be increased to \$780,390.20.

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 additional Federal grant funding in the amount of \$18,098.20, and to Increase Purchase Order 122926 to Craig Taylor Equipment to a total amount of \$780,390.20.

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

Airport Snow Removal Equipment Capital Project Fund:

Increase Estimated Revenues –
Federal Grants

\$18,098.20

Increase Appropriations –
Equipment

\$18,098.20

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 4TH DAY OF JANUARY, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced: December 21, 2022
Enacted: January 4, 2023
Effective: January 4, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin, Public Works Director
DATE: December 13, 2022
SUBJECT: Ordinance No. 3328-2022 – SRE Supplement

The purpose of this memo is to provide supplemental funding to close out the purchase of the Kenai Municipal Airport LaRue Snow Blower / Broom. The equipment was purchased through the State of Alaska Fleet contract with freight charges estimated at time of purchase. The equipment has been delivered and placed into service with the final invoices now in receipt with the actual freight charges now determined.

The breakdown of the costs are as follows:

- LaRue Snow Blower / Broom \$745,450.00
- CO#1 Added Shotgun Chute \$2,975.00
- Total Contract \$748,425.00
- Total Freight Charges \$31,965.20
- Total Admin Costs \$1,000.00
- Total Cost \$781,390.20

Previous legislation provided \$763,292 in funding, an additional \$18,098.20 is needed to settle the balance. This purchase will be 100% funded by Federal Aviation Administration Grants. Approval of this Ordinance is in the best interest of the City.

Council's support is respectfully requested.





Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3329-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL AND VISITOR CENTER IMPROVEMENT CAPITAL PROJECT FUNDS TO PROVIDE SUPPLEMENTAL FUNDING FOR THE ROOF REPLACEMENT PROJECT.

WHEREAS, the Visitor’s Center asphalt roof has reached the end of its intended life, Construction Bid Documents were developed in the Spring 2022 with a formal Invitation to Bid for Construction released on June 21, 2022; and,

WHEREAS, two bids were received on July 19, 2022 well in excess of budgeted amounts; and,

WHEREAS, it was determined that due to cost escalation factors and an excessive amount of work in the area limiting available competition, that the project would be delayed and released under more favorable time lines; and,

WHEREAS, the Public Works Department intends to release the project for bids in January/February 2023 with construction intended for May/June 2023; and,

WHEREAS, the additional funding requested with this Ordinance is intended to account for inflationary factors and additional Scope of Work items not included within the original cost estimate; and,

WHEREAS, completion of this Work is necessary to avoid potential interior damages, and is intended to safeguard the facility for the next 25 years.

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:

Visitor Center Improvement Capital Project Fund:

Increase Estimated Revenues –

General Fund

\$100,000

Increase Appropriations –

Visitor Center Roof Replacement Project

\$100,000

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 4TH DAY OF JANUARY, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced: December 21, 2022
Enacted: January 4, 2023
Effective: January 4, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin, Public Works Director
DATE: December 13, 2022
SUBJECT: Ordinance No. 3329-2022 – Visitor Center Roof Replacement

The purpose of this Ordinance is to provide supplemental funding to this project to allow the Department to move forward with bidding. The original project estimate was based on square foot costs of asphalt shingle removal and replacement. As the construction documents were developed additional items were identified that are appropriate to be addressed at this time including various flashings and roof drains, which impacted costs. High oil prices have also contributed to the cost of asphalt shingles, along with the supply chain issues which continue to be more common the last few years.

As stated in the Ordinance the project was originally bid in June 2022. Material costs were high and contractors were busy at that time. Our intentions are to rebid for a construction start earlier in the season, in a more competitive environment.

This project is essential to protect the facility. Completion of the Work is expected to safeguard the roof system for another 25 years. Completion of this Work at this time is in the best interest of the City. Council’s support is respectfully requested.





Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3330-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL AND RECREATION CENTER IMPROVEMENT CAPITAL PROJECT FUNDS TO PROVIDE SUPPLEMENTAL FUNDING FOR THE KENAI RECREATION CENTER IMPROVEMENTS PROJECT.

WHEREAS, the Recreation Center Improvements Project has finalized bid ready construction documents including a cost estimate; and,

WHEREAS, this project is primarily focused on the replacement of the existing roof system along with various mechanical HVAC unit replacements; and,

WHEREAS, during the design numerous code and performance type issues were identified, many of which have been included within the bid documents which is why the additional funding is being requested; and,

WHEREAS, there remains many code and maintenance type issues within the facility that are not being undertaken with this project that would likely require an additional \$1,000,000 in funding to address; and,

WHEREAS, approval of this Ordinance will allow the facility's roof, which is actively leaking in several locations, to be replaced extending the life of the facility and the replacement of multiple failed and end of useful life HVAC units will assist with the long term safeguarding and maintenance of the facility; and,

WHEREAS, completion of this Work 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:

Recreation Center Improvement Capital Project Fund:

Increase Estimated Revenues –

General Fund

\$210,000

Increase Appropriations –

Kenai Recreation Center Improvements Project

\$210,000

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 4TH DAY OF JANUARY, 2023.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:



Introduced:
Enacted:
Effective:

December 21, 2022
January 4, 2023
January 4, 2023



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Scott Curtin, Public Works Director

DATE: December 14, 2022

SUBJECT: **Ordinance 3330-2022 – Kenai Recreation Center Improvements**

The Public Works Department with K+A Architecture have now completed bid ready construction documents for this project. We are preparing to release the project for bidding next month. This Ordinance is intended to appropriate additional funding to cover the cost estimate provided by the design team.

As the project design has proceeded, numerous issues were identified in need of correction. Items that were within the specific project area, touching items associated with the primary goals of roof replacement and mechanical system improvements, were added to the project scope. Others have been avoided, to be addressed in future projects.

The additional \$210,000 being requested with this Ordinance is largely to address significant issues with a lack of roof drains which has contributed to the roof leaks common over the last few years. Numerous new drains have been added within the design and extend to a new storm drain field within the existing parking area. Additionally on the mechanical side six roof top units (RTUs) and five exhaust fans are included with the design for replacement, along with a complete new roof system for the facility.

These repairs represent a substantial investment in this facility. I want to be clear to Council that this work is necessary to protect the facility, however the expenses are adding up. Council should understand that completion of this project and an estimated \$1,000,000 of additional future needs at the facility will total approximately \$2,500,000.

I will be available at the meeting to discuss, thank you for your consideration of this Ordinance.



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Shellie Saner, City Clerk

DATE: December 12, 2022

SUBJECT: **Approving an Employment Agreement Between the City of Kenai and City Manager Terry Eubank.**

The City Council held a Special Meeting on November 28, 2022 for the purpose of City Manager Contract negotiations. Employment Agreement Terms were successfully negotiated with applicant Terry Eubank.



KENAI

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

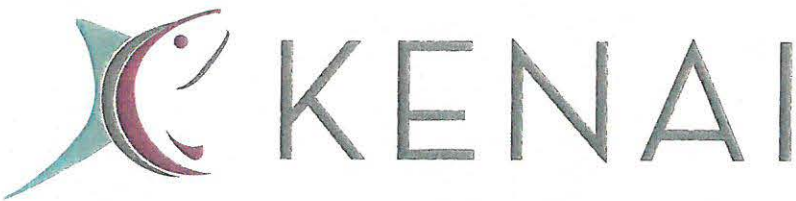
MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
FROM: Meghan Thibodeau, Deputy City Clerk
DATE: December 14, 2022
SUBJECT: **Nomination and Confirmation of Applicants for Appointment to Commissions**

Pursuant to Kenai Municipal Code (KMC) 1.90.010 & 1.90.040, the Mayor has nominated the following individual to be confirmed by City Council to a three-year term beginning January 1, 2023 and ending December 31, 2025:

- Airport Commission:** James Bielefeld
James Zirul
- Beautification Committee:** Sarah Douthit
Emily Heale
Christina Warner
- Council on Aging:** Velda Geller
Barbara Modigh
- Harbor Commission:** Christine Hutchison
- Parks & Recreation Commission:** Sovala Kisena
Kyle Graham (new appointment, replacing Jennifer Dennis)

KMC requires Council confirmation of nominations presented by the Mayor. Your consideration is appreciated.



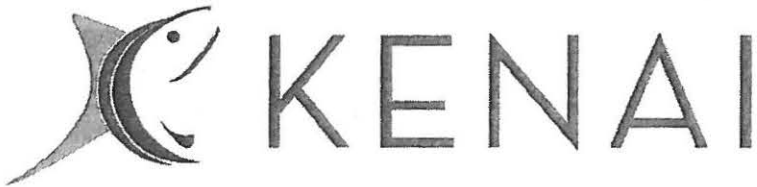
RECEIVED DEC 05 2022

City of Kenai
210 Fidalgo Avenue
Kenai, AK 99611
Phone: 283-8231
Fax: 283-5068
Email: cityclerk@kenai.city

COMMITTEE/COMMISSION APPLICATION

Personal Information	
Name: James L. Bielefeld	Date: 12-5-2022
Resident of the City of Kenai? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	How Long?
Name of Spouse: Karen Bielefeld	
Employer: Grant Aviation	Job Title: Pilot
Contact Information	
Residence Address: 48605 Runners Avenue	
Mailing Address: P.O. Box 46 Kenai	Email Address: kenaiav@yahoo.com
Home Phone No.: Cell - 907-252-5935	Home Fax No.:
Business Phone No.:	Business Fax No.:
May we include your contact information on our webpage? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes, but not all	
Please specify what we can include on our webpage:	
Affiliations	
Current membership in organizations: Experimental Aircraft Association	
Past organizational memberships:	
City committee or commission in which you are interested: Airport	
Why do you want to be involved with this Committee or Commission? I have flown, very actively from the Kenai Airport for many years	
What background, experience, or credentials do you possess to bring to the commission or committee membership? Pilot, business manager, considerable history at the Kenai Airport	

FOR CITY USE ONLY ROUTING: <input type="checkbox"/> Clerk's Office DISTRIBUTION: <input type="checkbox"/> City Council <input type="checkbox"/> File
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COMMITTEE/COMMISSION APPLICATION

City of Kenai
 210 Fidalgo Avenue
 Kenai, AK 99611
 Phone: 283-8231
 Fax: 283-5068
 Email: cityclerk@kenai.city

Personal Information	
Name: <u>James Zivul</u>	Date: <u>11/23/2022</u>
Resident of the City of Kenai? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	How Long?
Name of Spouse: <u>Diana</u>	
Employer: <u>Self</u>	Job Title: <u>Surgeon</u>
Contact Information	
Residence Address:	
Mailing Address:	Email Address:
Home Phone No.:	Home Fax No.:
Business Phone No.: <u>907-283-5440</u>	Business Fax No.: <u>907-283-6443</u>
May we include your contact information on our webpage? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes, but not all	
Please specify what we can include on our webpage: <u>Business #</u>	
Affiliations	
Current membership in organizations: <u>American Osteopathic Assoc, AOPA, American Academy Otolaryngology</u>	
Past organizational memberships:	
City committee or commission in which you are interested: <u>Airport Commission</u>	
Why do you want to be involved with this Committee or Commission? <u>Continue involvement in development of our local Airport</u>	
What background, experience, or credentials do you possess to bring to the commission or committee membership? <u>Pilot, hangar is @ EVA</u> <u>Participation in the Commission for many years</u>	

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COMMITTEE/COMMISSION APPLICATION

City of Kenai
 210 Fidalgo Avenue
 Kenai, AK 99611
 Phone: 283-8231
 Fax: 283-5068
 Email: cityclerk@kenai.city

Personal Information	
Name: Sarah Douthit	Date: 10/16/2022
Resident of the City of Kenai? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	How Long? 13 years
Name of Spouse: Alexander Douthit	
Employer: Kenai Peninsula Driving Instruction	Job Title: Enrollment Specialist
Contact Information	
Residence Address:	
Mailing Address:	Email Address: sarah@douthits.com
Home Phone No.: 907-252-8843	Home Fax No.:
Business Phone No.:	Business Fax No.:
May we include your contact information on our webpage? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes, but not all	
Please specify what we can include on our webpage: Email, home phone	
Affiliations	
Current membership in organizations: KRSA	
Past organizational memberships:	
City committee or commission in which you are interested: Beautification	
Why do you want to be involved with this Committee or Commission? I enjoy being a part of the beautification in the City of Kenai and giving back to my community.	
What background, experience, or credentials do you possess to bring to the commission or committee membership? Beautification Committee 2021-Present, Chair in 2022 Mini Grant Steering Committee 2022- Present	

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From: [Emily Heale](#)
To: [City Clerk](#)
Subject: Form submission from: Commission/Committee Application (Webform)
Date: Wednesday, November 23, 2022 2:25:59 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Submitted on Wednesday, November 23, 2022 - 2:25pm

Submitted by anonymous user: 216.67.11.183

Submitted values are:

Date Wed, 11/23/2022

Name Emily Heale

Resident of City of Kenai? No

If resident, how long?

Residence Address

Mailing Address

Home Telephone

Home Fax

Business Telephone

Business Fax

Email address

May we include your contact information on our website? No

If not all, what may we include?

Employer Cook Inlet Aquaculture Association

Job Title Biologist

Name of Spouse Andy Wizik

Current Membership Organization Kenai River Queens (women's hockey team),
Beautification Committee

Past organizational memberships Kenai River Queens

Committees or commissions in which you are interested Beautification

Why do you want to be involved with this commission or committee?

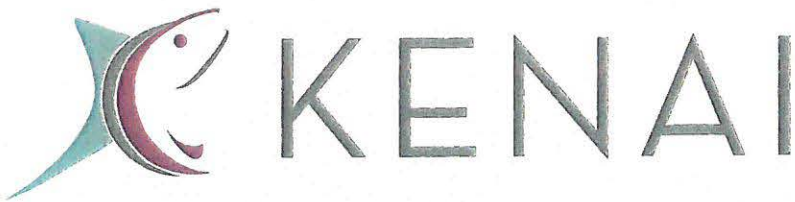
I am currently on the Beautification Committee and would like to continue my involvement. I enjoy being on this committee because it is not a huge time commitment but I feel like I am involved in what is happening in my community. I also enjoy seeing behind the scenes with the planting days and the events hosted by the Parks and Rec department. If there are a lot of applications for the committee seats I suggest going with a new member over me because it is new to get a fresh perspective, but I would happily serve again.

What background, experience, or credentials do you possess to bring the board, commission, or committee membership?

I continue to want to be involved in my community. I enjoy gardening so the Beautification committee is a good fit for me.

The results of this submission may be viewed at:

<https://www.kenai.city/node/2601/submission/10776>



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City of Kenai
210 Fidalgo Avenue
Kenai, AK 99611
Phone: 283-8231
Fax: 283-5068
Email: cityclerk@kenai.city

COMMITTEE/COMMISSION APPLICATION

Personal Information	
Name: <u>Christina Warner</u>	Date: <u>12.01.2022</u>
Resident of the City of Kenai? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	How Long? <u>35 years</u>
Name of Spouse: <u>Kevin Warner</u>	
Employer: <u>Kenai Aviation</u>	Job Title: <u>Customer service rep.</u>
Contact Information	
Residence Address:	
Mailing Address: <u>P.O. Box # 911 Kenai</u>	Email Address:
Home Phone No.:	Home Fax No.:
Business Phone No.:	Business Fax No.:
May we include your contact information on our webpage? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes, but not all	
Please specify what we can include on our webpage: <u>mailing address</u>	
Affiliations	
Current membership in organizations: <u>Beautification Committee</u>	
Past organizational memberships: <u>Moose Lodge, Elks lodge, Junior Achievement</u>	
City committee or commission in which you are interested: <u>Beautification committee</u>	
Why do you want to be involved with this Committee or Commission? <u>I have enjoyed the past year serving on this committee</u>	
What background, experience, or credentials do you possess to bring to the commission or committee membership?	

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From: [Velda Geller](#)
To: [City Clerk](#)
Subject: Form submission from: Commission/Committee Application (Webform)
Date: Thursday, October 27, 2022 10:48:21 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Submitted on Thursday, October 27, 2022 - 10:48am

Submitted by anonymous user: 63.140.120.2

Submitted values are:

Date Thu, 10/27/2022

Name Velda Geller

Resident of City of Kenai? Yes

If resident, how long? 53 years

Residence Address 1315 4th Avenue Kenai, Alaska

Mailing Address 1315 4th Avenue, Kenai, Alaska

Home Telephone 907-283-4329

Home Fax

Business Telephone

Business Fax

Email address bgandv.g@gci.net

May we include your contact information on our website? Yes

If not all, what may we include?

Employer Retired

Job Title Retired

Name of Spouse

Current Membership Organization Council on Aging, Kenai Senior Connection, Inc.,

Past organizational memberships First Baptist Church of Kenai

Committees or commissions in which you are interested Council on Aging

Why do you want to be involved with this commission or committee?

I have been a part of the Council on Aging for quite a while and really enjoy working with the Senior Center.

What background, experience, or credentials do you possess to bring the board, commission, or committee membership? I am a senior living in the City of Kenai.

The results of this submission may be viewed at:

<https://www.kenai.city/node/2601/submission/10754>



COMMITTEE/COMMISSION APPLICATION

City of Kenai
210 Fidalgo Avenue
Kenai, AK 99611
Phone: 283-8231
Fax: 283-5068
Email: cityclerk@kenai.city

Personal Information	
Name: <i>Barbara Modigh</i>	Date: <i>12/8/2022</i>
Resident of the City of Kenai? <input type="checkbox"/> Yes <input type="checkbox"/> No	How Long?
Name of Spouse: <i>—</i>	
Employer: <i>Retired</i>	Job Title:
Contact Information	
Residence Address: <i>381 Senior Ct, #115 Kenai, AK 99611</i>	
Mailing Address: <i>Same</i>	Email Address:
Home Phone No.: <i>407-375-2302</i>	Home Fax No.: <i>—</i>
Business Phone No.: <i>—</i>	Business Fax No.: <i>—</i>
May we include your contact information on our webpage? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes, but not all	
Please specify what we can include on our webpage: <i>Address, phone</i>	
Affiliations	
Current membership in organizations: <i>AARP</i>	
Past organizational memberships: <i>AHA, American Nurses Assoc, Assoc Critical Care Nurses</i>	
City committee or commission in which you are interested: <i>Council on Aging</i>	
Why do you want to be involved with this Committee or Commission? <i>Several years experience with active membership</i>	
What background, experience, or credentials do you possess to bring to the commission or committee membership? <i>Geriatric, Acute Care, Pediatric, Administrative Nursing Experience for > 30 yrs.</i>	

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City of Kenai
210 Fidalgo Avenue
Kenai, AK 99611
Phone: 283-8231
Fax: 283-5068
Email: cityclerk@kenai.city

COMMITTEE/COMMISSION APPLICATION

Personal Information

Name: <i>Christine Hukuson</i>	Date: <i>11/7/2022</i>
Resident of the City of Kenai? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	How Long? <i>30 years</i>
Name of Spouse:	
Employer: <i>N/A</i>	Job Title: <i>Retired</i>

Contact Information

Residence Address: <i>same</i>	
Mailing Address: <i>381 Julussen</i>	Email Address: <i>designone@gci.net</i>
Home Phone No.: <i>907/252-7442</i>	Home Fax No.:
Business Phone No.:	Business Fax No.:

May we include your contact information on our webpage? Yes No Yes, but not all

Please specify what we can include on our webpage:

Affiliations

Current membership in organizations:
Republican Party

Past organizational memberships:

City committee or commission in which you are interested:
Harbor or Planning

Why do you want to be involved with this Committee or Commission?
long time appointee; Eager to see bluff

What background, experience, or credentials do you possess to bring to the commission or committee membership?
community interaction, getting people familiar w govt function

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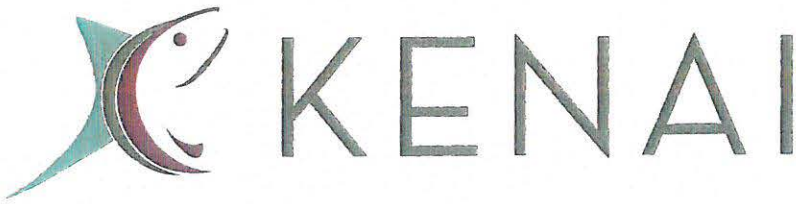


City of Kenai
 210 Fidalgo Avenue
 Kenai, AK 99611
 Phone: 283-8231
 Fax: 283-5068
 Email: cityclerk@kenai.city

COMMITTEE/COMMISSION APPLICATION

Personal Information	
Name: Sovala Kisena	Date: 12/05/2022
Resident of the City of Kenai? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	How Long? 35 Years
Name of Spouse: Rainy Kisena	
Employer: Kenai Peninsula Borough	Job Title: Risk Manager
Contact Information	
Residence Address:	
Mailing Address:	Email Address: sovala@gmail.com
Home Phone No.:	Home Fax No.:
Business Phone No.:	Business Fax No.:
May we include your contact information on our webpage? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes, but not all	
Please specify what we can include on our webpage: Email	
Affiliations	
Current membership in organizations: City of Kenai Parks & Recreation Commission, AMLJIA Municipal Advisory Committee, PRIMA, RIMS	
Past organizational memberships: City of Kenai Parks & Recreation Commission, AMLJIA Municipal Advisory Committee, Kenai Softball Association Board, PRIMA, RIMS, ASSP	
City committee or commission in which you are interested: Parks & Recreation Commission	
Why do you want to be involved with this Committee or Commission? As a lifelong resident of Kenai, I have grown up with a fondness for the parks and recreation opportunities in our community and hope to help shape the future of what my children have available to them. Working with the Parks & Recreation Commission provides a fantastic opportunity to be involved in the planning and development of our parks, trails, campgrounds (hopefully) as well as how we encourage others to engage in the beautiful community we live in.	
What background, experience, or credentials do you possess to bring to the commission or committee membership? I served on the Kenai Softball Association (KSA) board as the Commissioner for nearly five years. I also have governmental experience with financial planning, major maintenance, and capital improvement projects through my position at the Kenai Peninsula Borough. I have also served on the Parks & Recreation Commission for several years.	

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City of Kenai
210 Fidalgo Avenue
Kenai, AK 99611
Phone: 283-8231
Fax: 283-5068
Email: cityclerk@kenai.city

COMMITTEE/COMMISSION APPLICATION

Personal Information	
Name: <u>KYLE GRAHAM</u>	Date: <u>12/2/22</u>
Resident of the City of Kenai? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	How Long? <u>7.5 years</u>
Name of Spouse: <u>Kimber Graham</u>	
Employer: <u>US Fish & Wildlife</u>	Job Title: <u>Habitat Biologist</u>
Contact Information	
Residence Address:	
Mailing Address:	Email Address:
Home Phone No.:	Home Fax No.:
Business Phone No.:	Business Fax No.:
May we include your contact information on our webpage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, but not all	
Please specify what we can include on our webpage: <u>Name (First, Last)</u>	
Affiliations	
Current membership in organizations: <u>Basketball official; Boys & Girls club;</u>	
Past organizational memberships: <u>EMS; Leadership organizations;</u>	
City committee or commission in which you are interested: <u>Parks & Rec</u>	
Why do you want to be involved with this Committee or Commission? <u>Interested in contributing to Kenai. Improve community</u>	
What background, experience, or credentials do you possess to bring to the commission or committee membership? <u>20 employment w/ US Fish & Wildlife as a Biologist Administration, Leadership, communication,</u>	

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MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Paul Ostrander, City Manager
DATE: December 15, 2022
SUBJECT: **Action / Approval – Memorandum of Understanding Between the Kenaitze Indian Tribe and the City of Kenai Fire Department**

The attached Memorandum of Understanding documents the existing service relationship, roles and responsibilities for fire response and suppression services with the Kenaitze service area provided by the Kenai Fire Department.

Formally documenting this relationship allows the Kenaitze Indian Tribe and the City of Kenai to mutually pursue future grants and other funding sources to procure replacement vehicles, additional equipment, and other resources that will be used by the Kenai Fire Department to provide emergency fire services and related activities to Kenaitze Tribal facilities.

This Memorandum of Understanding is an example of the renewed efforts by the Kenaitze Indian Tribe and the City of Kenai to partner on projects that will benefit tribal members and all of the residents of the City.

Administration respectfully requests that the Council approves a motion to authorize the City Manager to execute the attached Memorandum of Understanding.



KENAITZE
INDIAN
TRIBE

MEMORANDUM OF UNDERSTANDING

between the

Kenaitze Indian Tribe

and the

City of Kenai Fire Department

THIS MEMORANDUM OF UNDERSTANDING (MOU) is entered into by the Kenaitze Indian Tribe (Kenaitze or “the Tribe”) and City of Kenai Fire Department (KFD or “the Department”), and authorized by the City of Kenai (“the City”), individually referred to as “Party” or collectively “the Parties.”

WHEREAS, the purpose of this MOU is to document the existing service relationship, roles and responsibilities for fire response and suppression services within the Kenaitze service area, which comprises the communities of Kenai, Soldotna, Sterling, Nikiski, Ridgeway, Kalifornsky, Cooper Landing, Funny River, and Kasilof; and

WHEREAS, Kenaitze is a Federally recognized Indian tribe, with 1,906 Tribal Members and approximately 4,410 Alaska Native/American Indian (AN/AI) residents that live within the Tribe’s service area; and

WHEREAS, the Tribe’s service area spreads across more than 15,000 square miles of rural Alaska and contains nearly 36,000 people, most of whom are non-Native; and

WHEREAS, the Tribe’s headquarters, administration, and service offices are all located in Kenai, Alaska, close to the ancestral fishing grounds of the Kahtnuht’ana Dena’ina (Kenaitze) people where the Kenai River empties into Cook Inlet; and

WHEREAS, KFD provides emergency services to residents and structures located within City limits, an area of approximately 35 square miles that includes 3 miles extending into the waters of Cook Inlet; and

WHEREAS, the City of Kenai borders the City of Soldotna to the east, the unincorporated area of Kalifornsky to the south, and the community of Nikiski to the west in the central Kenai Peninsula Borough (KPB), where tourism and seasonal workers increase this population to nearly 100,000 people in summer months; and

WHEREAS, until 1972, KFD was volunteer-based, but it now utilizes a career workforce that responds to the demand for emergency services across the Kenai community and surrounding areas, provides full-service emergency support with a staff of 19 operational personnel at 2 stations, and provides fire inspections, investigations, and educational fire prevention programs; and

WHEREAS, in 2019, the Tribe was awarded grant funds via the Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation (PDM) Planning program, and as of June 2022, Kenaitze’s PDM Plan was approved by FEMA and adopted by the Tribal Council; and

www.kenaitze.org

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

P.O. Box 988 • Kenai, AK 99611

WHEREAS, for PDM planning purposes, Kenaitze considered itself as a single jurisdiction responding to Tribal facilities and community members, utilizing its own resources to implement hazard-mitigation measures to the greatest extent possible; and

WHEREAS, of the many natural hazards identified in the Tribe’s PDM Plan, “fire” has historically presented a significant problem for KPB wildlands as well as the several communities located within the Kenaitze service area, most of which have a Community Wildfire Protection Plan (CWPP) in place to safeguard community assets; and

WHEREAS, because of the overlapping jurisdictions across the Tribe’s service area, the most effective approach to safeguarding Tribal assets is to document and support existing emergency response relationships—specifically the emergency fire services provided by KFD—rather than duplicate the emergency services system already in place by creating a parallel system operated by Kenaitze intended only to serve Tribal facilities and assets; and

WHEREAS, in recent years, the Tribe has expanded its presence in the City of Kenai with the construction of several new facilities, most notably the Dena’ina Wellness Center and Kahtnuht’ana Duhdeldiht Campus, both of which are tall enough to require specialized vehicles and related equipment in order to suppress emergent fire events.

NOW THEREFORE, the Parties do mutually agree to pursue future grants and other funding sources needed to procure replacement vehicles, additional equipment, and other resources that will be used by KFD to provide emergency fire services and related activities to Kenaitze Tribal facilities, as well as to Tribal Member, AN/AI, and other residents of the central KPB communities of Kenai, Soldotna, Sterling, Nikiski, Ridgeway, Kalifornsky, Funny River, and Kasilof. The Parties also agree to the following:

I. Roles, Responsibilities, and Resources

A. *Role of Kenaitze* — The Tribe is responsible for the following:

- 1. Assistance to KFD and the City in locating and applying for grants and/or other funding opportunities to replace vehicles and provide additional equipment and resources to the Department; and
- 2. Assistance to KFD and the City in locating and applying for grants and/or other funding opportunities to train staff members in the implementation and operations of Emergency Management, supporting the City’s Emergency Operations Plan and the Tribe’s PDM Plan.

B. *Role of KFD* — The Department is responsible for the following:

- 1. KFD is responsible for providing fire response services to all facilities, homes, and structures in the City of Kenai, including the following Tribal facilities:
 - Administration Building
140 and 150 N Willow Street
Kenai, AK 99611
 - Tyotkas Elders Center
1002 Mission Avenue
Kenai, AK 99611
 - Chuq’eya Qenq’a Building
510 Upland Street
Kenai, AK 99611
 - Dena’ina Wellness Center (DWC)
508 Upland Street
Kenai, AK 99611

- Qiz’unch’ Tribal Courthouse
507 Overland Avenue
Kenai, AK 99611
- Toyon Building
1001 Mission Avenue
Kenai, AK 99611
- Hetl Qenq’a and Yuyeh Qiqizdlu
11823 Kenai Spur Highway
Kenai, AK 99611
- Educational Fishery Camp
51369 Dunes Road
Kenai, AK 99611
- Shanteh T’uh Agricultural Facilities
250 and 255 Ames Road
Kenai, AK 99611
- Kahtnuht’ana Duhdeldiht Campus (KDC)
12271 Kenai Spur Highway
Kenai, AK 99611

The Parties acknowledge that fire protection services to Tribal lands and facilities located outside of City limits will be serviced by KPB agencies, including Nikiski Fire Service Area and Central Emergency Services (CES). The City of Kenai Fire Department will assist in fire protection services per any applicable Agreements for Exchange of Automatic Aid or Mutual Aide. KFD will document the amount of assistance provided to the Department and the resources brought to the Department by the Tribe as a result of this MOU. Notwithstanding this provision, nothing in this MOU shall obligate any of the Parties in the expenditure of funds.

II. Administration

1. Amendment: The procedures, terms and conditions of this MOU may be modified at any time by joint written consent of the Parties.
2. Termination: Any Party may terminate this Agreement at any time by giving written notice to the other Parties not less than thirty (30) days in advance of the effective date of termination. If any Party proposes termination of this Agreement, the Party proposing termination will consult with the other Parties to seek alternatives to termination. Should such consultation result in an agreement on an alternative to termination, the Parties will proceed in accordance with that agreement.
3. Duration: This MOU shall remain in effect for a period of five (5) years after the date it takes effect unless it is terminated prior to that time. This Agreement becomes effective when the authorizing Parties sign the Agreement.

III. Principal Contacts

The principal contacts for this MOU follow:

Kenaitze Indian Tribe

Peter Evon,
Executive Director of Tribal Administration

P.O. Box 988
Kenai, Alaska 99611

907-335-7200

City of Kenai Fire Department

Tony Prior,
Fire Chief

105 S Willow St
Kenai, Alaska 99611

907-283-7666

Kenaitze Indian Tribe and the City of Kenai, the authorizing signer on behalf of KFD, voluntarily enter into this Agreement by affixing their respective signatures here on the dates set forth below.

Peter Evon, Executive Director of Tribal Administration
Kenaitze Indian Tribe

Date

Paul Ostrander, Manager
City of Kenai

Date

**KENAI AIRPORT COMMISSION
REGULAR MEETING
NOVEMBER 10, 2022 – 6:00 P.M.
KENAI MUNICIPAL AIRPORT CONFERENCE ROOM
CHAIR GLENDA FEEKEN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

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

a. Pledge of Allegiance

Chair Feeken led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Commissioners Present: G. Feeken, P. Minelga, D. Pitts, J. Caldwell, J. Bielefeld,
J. Daily

Commissioners Absent: J. Zirul,

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

A quorum was present.

c. Agenda Approval

MOTION:

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

2. SCHEDULED PUBLIC COMMENT – None.

3. UNSCHEDULED PUBLIC COMMENT – None.

4. APPROVAL OF MEETING SUMMARY

a. September 8, 2022

MOTION:

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

5. UNFINISHED BUSINESS – None.

6. NEW BUSINESS

a. Discussion/Recommendation – Priority List for the City of Kenai Fiscal Year 2024-2028 Capital Improvement Plan

MOTION:

Commissioner Bielefeld **MOVED** to approve the Airport Capital Improvement Projects Priority List for inclusion within the Draft FY2024-2028 Capital Improvement Plan. Commissioner Caldwell **SECONDED** the motion.

Airport Manager Conway reported on the Airport Capital Improvement Projects (CIP) Priority List, noting that the runway/taxiway project was projected to be larger than originally planned.

Commission discussion included runway/taxiway rehabilitation; elevator maintenance during the terminal remodel; and cost of the Master Plan and inclusion in the CIP list.

UNANIMOUS CONSENT was requested.

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

b. **Discussion** – Lease Lot Availability

Airport Manager Conway addressed Chair Feeken's concerns about available lease lots, presented an Airport Layout Plan and discussed intent to create availability for future development at the float plane basin.

Commissioners agreed that float plane development should be a high priority, sooner than 2028. Possible expansion ideas were discussed.

7. REPORTS

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

- Received FAA concurrence on sold source for Eagle-Edge Lite Cleaner; anticipate arrival at the end of November.
- Enplanements are up 10% year over year.
- Suite 120 inside terminal is up for lease. Looking into other ways to utilize the space.
- Commended operations staff for snow removal efforts.

b. **City Council Liaison** – Council Liaison Askin was not present, as she was attending a City Council special meeting at City Hall.

8. NEXT MEETING ATTENDANCE NOTIFICATION – December 8, 2022

Commissioner Daily noted he would be attending via Zoom.

9. COMMISSIONER COMMENTS AND QUESTIONS

Commissioner Bielefeld expressed concerns with the Airport snow removal.

Vice Chair Minelga wished happy Veteran's Day to those that have served, and a happy Thanksgiving.

10. ADDITIONAL PUBLIC COMMENT – None.

11. INFORMATION ITEMS

- a. August 2022 Enplanements
- b. September 2022 Enplanements

12. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 6:48 p.m.

Meeting summary prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

DRAFT

**KENAI AIRPORT COMMISSION
REGULAR MEETING
DECEMBER 8, 2022 – 6:00 P.M.
KENAI MUNICIPAL AIRPORT CONFERENCE ROOM
CHAIR GLENDA FEEKEN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

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

a. Pledge of Allegiance

Chair Feeken led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Commissioners Present: G. Feeken, P. Minelga, D. Pitts, J. Caldwell, J. Bielefeld,

Commissioners Absent: J. Zirul, J. Daily

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

A quorum was present.

c. Agenda Approval

Chair Feeken noted the following additions to the Packet:

Add item 11.b **Informational Items—**

Ordinance XXXX-2022 - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing the Procurement of Airport Snow Removal Equipment.

MOTION:

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

2. SCHEDULED PUBLIC COMMENT – None.

3. UNSCHEDULED PUBLIC COMMENT – None.

4. APPROVAL OF MEETING SUMMARY

a. September 8, 2022

MOTION:

Commissioner Bielefeld **MOVED** to approve the meeting summary of November 10, 2022 as written. Vice Chair Minelga **SECONDED** the motion. There were no objections; **SO ORDERED**.

5. UNFINISHED BUSINESS – None.

6. NEW BUSINESS

a. **Discussion/Recommendation** – Recommending the Kenai City Council Approve a Special Use Permit to American Red Cross of Alaska for General Office Space on the

Second Floor of the Alaska Regional Fire Training Center.

MOTION:

Commissioner Bielefeld **MOVED** to recommend approval of a Special Use Permit to American Red Cross of Alaska for general office space on the second floor of the Alaska Regional Fire Training Center. Commissioner Caldwell **SECONDED** the motion.

Airport Manager Conway provided further information on the space to be utilized for the special use permit.

UNANIMOUS CONSENT was requested.

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

- b. **Discussion/Recommendation** – Recommending the Kenai City Council Approve a Special Use Permit to Jeffrey Bettis for Towed Vehicle Storage.

Airport Manager Conway reported that the location is on Airport Way, and was previously used as a tow/vehicle storage lot. He noted that Mr. Bettis owns Pro Tow.

UNANIMOUS CONSENT was requested.

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

7. REPORTS

- a. **Airport Manager** – Airport Manager Conway reported on the following:
- A draft ordinance will go before the City Council on December 21, 2022 to appropriate funds to procure airport snow removal equipment.
 - Christmas Comes to Kenai Airport even will be at the Airport terminal on December 16, 2022 from 4:00-6:00 p.m.
- b. **City Council Liaison** – Council Member Knackstedt reported on the actions of the November 16, 2022 City Council meeting.

8. NEXT MEETING ATTENDANCE NOTIFICATION – January 12, 2023

9. COMMISSIONER COMMENTS AND QUESTIONS

Vice Chair Minelga wished everyone a Merry Christmas and Happy New Year.

10. ADDITIONAL PUBLIC COMMENT – None.

11. INFORMATION ITEMS

- a. October 2022 Enplanements

12. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 6:18 p.m.

Meeting summary prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

**KENAI PARKS & RECREATION COMMISSION
REGULAR MEETING
NOVEMBER 3, 2022 – 6:00 PM
KENAI CITY COUNCIL CHAMBERS
VICE CHAIR SOVALA KISENA, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

Vice Chair Kisena called the meeting to order at 6:03 p.m.

a. Pledge of Allegiance

Vice Chair Kisena led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Commissioners present:	S. Kisena, D. Rigall, C. Stephens, M. Bernard, J. Joanis
Commissioners absent:	G. Wisniewski, J. Dennis
Staff/Council Liaison present:	Parks & Recreation Director B. Walker, Council Liaison H. Knackstedt

A quorum was present.

c. Agenda Approval

MOTION:

Vice Chair Kisena **MOVED** to approve the agenda as presented. Commissioner Bernard **SECONDED** the motion. There were no objections; **SO ORDERED**.

2. SCHEDULED PUBLIC COMMENT – None.

3. UNSCHEDULED PUBLIC COMMENT – None.

4. APPROVAL OF MEETING SUMMARY

a. October 6, 2022

MOTION:

Commissioner Bernard **MOVED** to approve the meeting summary of October 6, 2022. Commissioner Rigall **SECONDED** the motion. There were no objections; **SO ORDERED**.

5. UNFINISHED BUSINESS – None.

6. NEW BUSINESS

a. Discussion/Recommendation – Priority List for the City of Kenai Fiscal Year 2024-2028 Capital Improvement Plan.

MOTION:

Vice Chair Kisena **MOVED** to approve the Parks & Recreation Capital Improvement Projects Priority List for inclusion within the Draft FY2024-2028 Capital Improvement Plan. Commissioner Stephens **SECONDED** the motion.

Director Walker provided a staff report of the Parks & Recreation Priority List for the City of Kenai Fiscal Year 2024-2028 as provided in the packet, summarizing each project

The Commission discussed having a work session in January to review past Capital Improvement Plans for Parks and Recreation.

UNANIMOUS CONSENT was requested.

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

7. REPORTS

- a. **Parks and Recreation Director** – Director Walker informed the Commission on the activities of the Parks & Recreation Department as provided in the September 2022 Parks & Recreation Report in the packet.
- b. **Commission Chair** – Vice Chair Kisena reported that he had attended a risk management class in Washington D.C., and discussed the Race Across Alaska Challenge and how it helps to fund the construction of the Alaska Long Trail.
- c. **City Council Liaison** – Council Member Knackstedt reported on the actions of past City Council meetings. He discussed the green strip property that belongs to the Airport, and reported on the City Manager applicants.

8. NEXT MEETING ATTENDANCE NOTIFICATION – December 1, 2022

Commissioners Stephens and Dennis noted that they would be absent.

9. COMMISSION QUESTIONS AND COMMENTS

MOTION:

Commissioner Rigall **MOVED** to hold a work session on January 5, 2023 to discuss past capital improvement projects. Commissioner Stephens **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

10. ADDITIONAL PUBLIC COMMENT – None.

11. INFORMATIONAL ITEMS

- a. Parks & Recreation Report – September 2022

12. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:03 p.m.

Meeting summary prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk



KENAI

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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: December 2, 2022
SUBJECT: November 2022 Monthly Report

This month the Kenai Animal Shelter took in **38** animals. Animal intake and disposition:

DOGS:				
	INTAKE	25	DISPOSITION	15
	Waiver	3	Adopted	3
	Stray	6	Euthanized	0
	Impound	1	Claimed	12
	Protective Custody	4	Field Release	0
	Quarantine	1	Transferred	0
	Microchips	9	Other Dispositions	0
	Other Intakes	1		
CATS:				
	INTAKE	13	DISPOSITION	23
	Waiver	8	Adopted	18
	Stray	5	Euthanized	3
	Impound	0	Claimed	1
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	1

Microchips	0	Other Dispositions	0
Other Intakes	0		0
OTHER ANIMALS:			
INTAKE	0	DISPOSITION	0
Horse	0	Horse	0
Rabbit	0	Rabbit	0
Other	0	Guinea Pig	0
DOA:	6	OTHER STATISTICS:	
Dog	3	Licenses (City of Kenai Dog Licenses)	33
Cat	3		
Rabbit	0		

- 9 Animal dropped with After Hours (days we are closed but cleaning and with KPD)
- 17 Animals are *known* borough animals
- 36 Animals are *known* City of Kenai
- 5 Animals are *known* City of Soldotna
- 0 Animals from unknown location
- 28 Field Investigations & patrols
- 11.25 Volunteer Hours Logged
- 3 Citations
- 1 Educational Outreach

Statistical Data:

- 655 2020 YTD Intakes
- 556 2021 YTD Intakes
- 457 2022 YTD Intakes





KENAI

City of Kenai - Animal Control | 510 N. Willow St, Kenai, AK 99611 | 907.283.7353 | www.kenai.city

Attn: Robert Sundbert
WAXIE Sanitary Supply
4005 Spenard Rd
Anchorage, AK 99517

Dear Robert Sundberg,

Thank you for your generous donation of two 55 gallon drums of Husky 890 veterinary disinfectant cleaner (valued at \$3,200) to the Kenai Animal Shelter. This donation will help us continue to maintain a clean facility to ensure the animals within our facility stay healthy during their time with us.

As we look towards the future, the main goal of the Kenai Animal Shelter and the staff, is to continue to serve the individuals and animals within our community. We hope to achieve this through, public education, spaying/neutering, and ensuring our staff continues to operate in a humane manner in accordance with city, state and national standards regarding animal welfare.

Thank you again on behalf of the animals, staff, volunteers and the Kenai community.

Sincerely,

Jessica J. Hendrickson
Chief Animal Control Officer
Kenai Animal Shelter

thank you





MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Terry Eubank, Finance Director

DATE: December 15, 2022

SUBJECT: Finance Department Mid-Month Report – December 2022

The fiscal year 2022 Annual Comprehensive Financial Report (ACFR) has been delayed with the implementation of a new accounting standard, GASB 87. GASB 87 deals with accounting for leases. Progress is being made and issuance of the ACFR should be completed in early January.

The FY2024 Budget is now a major focus of the department with preparation packets being prepared for distribution to department heads. The Council is scheduled to receive its first draft of the FY2024 budget in April. A preparation calendar is being finalized and will be provided to Council in January. There is much work to be done by all City departments over the next couple of months.

The department is also preparing for a portfolio review of the Airport Land Sale and General Land Sale Permanent funds. Representatives from Alaska Permanent Capital will be scheduled to present a portfolio review at the February 1, 2023 Council meeting. The review will include a summary of 2022 performance, the allowable transfer amount for each permanent fund, and a recommendation for establishment of 2022 asset allocations and evaluation benchmarks.

Recruitment for a new Finance Director is underway with the initial application period closing on December 23rd.



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Paul Ostrander, City Manager
FROM: Tony Prior, Fire Chief
DATE: December 13, 2022
SUBJECT: Fire Department Mid-Month Report – November

Calls for service for November almost doubled compared to 2021 as we saw a significant increase in medical calls for service, bringing our overall increase over last year to almost 10%. Here is the breakdown for November 2022 calls for service.

November	2021	2022	% change
Totals	98	146	49.0%
EMS	74	117	58.1%
All Other	24	29	20.8%
Year total	1274	1398	9.7%

Training:

- All personnel completed their biennial Advanced Cardiac Life Support (ACLS) and Pediatric Advanced Life Support (PALS) training and recertification.
- Chief Prior participated in a training and update to the Joint Information System and drill to stand up a Joint Information Center including approximately 25 agencies within the Kenai Peninsula Borough. This system is critical to resource/information sharing during a major event.
- Tabletop exercise of Active Shooter event with KPD, KFD, and Dispatch. Working through managing and operations of an active shooter event involving all local agencies responding to a school shooting.

Projects/Grants:

- Fire Marshal Hamilton has been working with Public Works on updates and amendments to Code based on the 2021 International Fire Code and International Building Code. State of Alaska has already adopted the 2021 Codes.
- Gulley Project is moving forward with our CWPP. We conducted a zoom meeting with interested companies on the place holder list. With the help of Division of Forestry, we answered question from potential bidders and posted those on an addendum that was

sent to all agencies interested in the project. Due to the number of questions, we extended the RFP to December 13th for final submission from interested parties.

- Chief Prior is working with CM Ostrander on a Memorandum of Agreement with Kenaitze Indian Tribe that will allow us to enter into grant funding opportunities together. This collaboration will enhance each of our opportunities for grant funding on projects that have mutual benefits and fosters a strong, longstanding relationship.





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Christine Cunningham, Human Resources Director
DATE: December 14, 2022
SUBJECT: Human Resources Activity – November 2022

Recruitment

Human Resources worked with the City Council and City Attorney to actively recruit and hire a City Manager, worked with the City Manager's office to actively recruit a Part-Time Grant Writer, and worked with the Public Works Department to recruit a Temporary Equipment Operator in the Public Works Department. The City is currently recruiting for a Finance Director. Applications continue to trend low, with all classified job postings requiring an extension to allow for a larger applicant pool.

Safety/Training

One accident that resulted in an employee injury was reported and one cumulative injury was reported.

Special Projects

Human Resources worked with Finance and the City's health and life insurance benefits consultant to provide eligible employees with an online platform for this years' benefits enrollment beginning in the calendar year 2023. This years' open enrollment was an active enrollment, which began on November 29, and included the Medical, Prescription Drug, Vision and Dental plan offered through Premera, the Voluntary Life/AD&D and the suite of additional voluntary products offered through Unum, and Flexible Spending Accounts (FSA's).





Human Resources continued 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.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Katja Wolfe, Library Director
DATE: December 12, 2022
SUBJECT: Library Mid-Month Report for November 2022

November 2022 at a Glance

Items Borrowed		Nov-21	Nov-22	2022 YTD
Physical		5,616	5,876	71,446
Digital		1,413	1,446	16,813
Services				
New Memberships		81	44	582
Room Reservations		71	130	1,328
Programs				
Number of Programs		22	37	342
Program Attendance		358	267	5,052
Technology Sessions				
Computer sessions		381	367	5,342
WiFi Sessions		4,564	7,417	81,819
Early Literacy Station		116	236	2,780

November 2022 programming highlights

34 programs attended by approximately 665 individuals

- 10 Story Times (123 total participants)
- 4 Lego Clubs (36 total participants)
- 5 Chess Clubs (11 total participants)
- American Girl Club (6 participants)
- Infant Play Group (20 participants)
- Children's Book Week Challenge (15 participants)
- Recipe Swap (4 participants)
- DIY Heat Pack (5 participants)
- Family game Night (10 participants)
- Digital Literacy classes (7 participants)
- Raspberry Pi Club (7 participant)
- Teen Advisory Board (3 participants)
- Escape Room for teens (11 participants)
- Writing Group (9 participants)

November 2022 library services highlights

- Volunteers logged 28 hours this past month. Tasks included shelving and program support.
- Our study and conference rooms were used by 130 individuals/groups for a total of 279 hours.





MEMORANDUM

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

- The numerous snow events have kept all the park staff busy clearing walks, plowing, and grooming trails. We have assisted the Streets Dept. when called upon for extra help.
- From October 31st to November 27th staff have completed 160 hours of snow removal.
- Park staff have started plowing a walking trail around Municipal park this year. This allows residents a place to hike/walk without snowshoes. (See picture at the end of the report)
- Staff started hanging Christmas decorations in-between snow removal operations. The large amount of snow has made it exceedingly difficult to hang all the normal lights/decorations.
- Staff prepared the Visitor Center for the Christmas comes to Kenai event the Friday after Thanksgiving.
- Staff removed downed trees from Ryan's trail due to heavy snow and winds
- Staff set up and tore down all voting stations for the City of Kenai.
- Staff placed American Flags along the Kenai spur HWY for Veterans Day.
- Director and Assistant Director met with "When I Work" software company to discuss scheduling software options.
- Director and Assistant Director had a conference call with a Marathon Oil rep about a potential grant for a small piece of playground equipment.
- Director and Assistant Director had Zoom meeting my "MyRec" software to work out details of building a flat file for the City of Kenai's financial software.
- Director and Assistant Director attended Leadership Development Class.
- Staff continues to install LED lights in scoreboard at MPF, this will be an ongoing process as we are only getting a few LED lights at time because of availability.
- We received the Power Supply board and Micro-control board for compressor unit #1 on November 29th. The installation of both of these boards will be scheduled for the first week of December.

November Kenai Recreation Center Numbers

Check in Location	Total
Weight/Cardio	965
Racquetball	67
Wallyball	44
Shower/Sauna	305
Gym	1425
Other	41
Total	2847
Private Rentals	Total
Gym Reservations	85
Check in Types	Total
Student (18yr & Under)	1071
Month Pass	630
Punch Card	643
Drop in/Day Pass	178
City Employee	72

Municipal Park Newly Plowed Trail



Page 2 of 4



Staff grooming the ski trails



Plowing Daubenspec Pond to prepare for ice skating





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Linda Mitchell, Planning Director

DATE: December 14, 2022

SUBJECT: Planning and Zoning – November 2022 Monthly Report

Application Summary

Planning and Zoning received five (5) applications in November and carried over 4 applications.

Applications	No. Received	Carried Over	Completed	In Progress
Planning				
Building Permit	1	2	0	3
Conditional Use Permit	1	0	0	1
Easement/Right-of-Way	0	0	0	0
Landscaping/Site Plan	0	0	0	0
Plat	0	0	0	0
Zoning/Text Amendment	0	0	0	0
Lands & Leases				
Purchase	0	1	0	1
New Lease	0	1	0	1
Renewal	0	0	0	0
Assignment	0	0	0	0
Special Use Permit	3	0	0	3
Total	5	4	0	9

Code Enforcement

Planning and Zoning received 1 new complaint in November for a cumulative total of 16 open cases. Planning staff conducted a total of 10 site visits that included follow-up visits to verify compliance and closed 8 cases.

Violations	No. of Open Cases	Carried Over	New	Closed
<i>By Types</i>				
Abandoned Structure(s)	0	0	0	0
Abandoned Vehicle(s)	1	2	0	1
Building (e.g., as-built, damaged or decayed)	3	4	0	1
Conditional Use Permit	0	0	0	0
Junk and/or Refuse	4	4	0	0
Junk Vehicle(s)	5	9	0	4
Livestock	1	3	0	2
Signs	0	0	0	0
Recreational Vehicle(s)	0	0	0	0
Zoning (e.g., structures, setbacks, use)	2	3	1	2
Total	16	25	1	10

Before and After Highlight



List of Open Cases

Property Address	Date of Complaint	Type of Violation
110 Aleene Way	5/4/2022	Junk Vehicle; Junk and/or Refuse
5264 Kenai Spur Hwy	5/12/2022	Junk and/or Refuse
508 Hemlock Avenue	5/13/2022	Junk and/or Refuse
9168 Kenai Spur Hwy	5/16/2022	Junk Vehicle; Junk and/or Refuse
311 Linwood Lane	6/17/2022	Junk and/or Refuse
8195 Kenai Spur Hwy	8/18/2022	Junk and/or Refuse
1715 Fourth Avenue	8/25/2022	Junk Vehicle; Junk and/or Refuse
4215 N Lupine Drive	8/31/2022	Chickens
1009 Second Avenue	8/12/2022	Zoning
107 Tern Avenue	10/20/2022	Building
305 Sterling Court	10/20/2022	Building
700 Cypress Drive	10/24/2022	Junk Vehicle(s)
1616 Tanaga Avenue	10/25/2022	Junk Vehicle(s)
345 Dolchok Lane	10/28/2022	Building
312 Aspen Street	10/26/2022	Abandoned Vehicle(s)
1188 Kenai Spur Hwy	11/17/2022	Zoning

Planning and Zoning Commission

No Planning and Zoning Commission meeting was held in the month of November.





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: David Ross, Police Chief

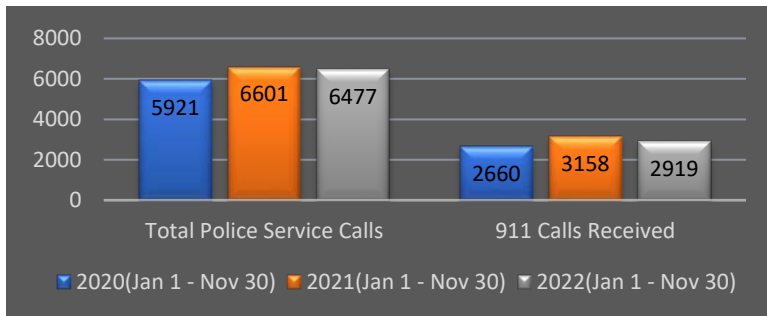
DATE: December 2, 2022

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

Police handled 589 calls for service in November. Dispatch received 251 9-1-1 calls. Officers made 32 arrests. Traffic enforcement resulted in 152 traffic contacts and 41 traffic citations. There were 8 DUI arrests. Officers investigated 10 motor vehicle collisions in November. There were two collision involving a moose and no collisions involving drugs or alcohol.

KPD hosted a police interviewing class for law enforcement statewide, paid for by the Alaska Police Standards Council. Five KPD officers attended the three-day interview training. One investigator attended a three-day Child Maltreatment Conference in Anchorage. KPD hosted an Active Shooter training in Kenai that was put on by the FBI and included over thirty participants from around the Peninsula. Five KPD officers attended the two-day Active Shooter training. The dispatch supervisor completed a year long Registered Public Safety Leadership Course online.

The Department was heavily involved in facilitating the Parade of Lights, which was very well attended this year. The School Resource officer taught internet and cell phone safety classes at Kenai Central High and Kenai Middle School, and DARE classes at Mountain View Elementary.





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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin, Public Works Director
DATE: December 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. The steel for the building is currently stored on site. Change Order 1 has been executed providing a no cost time extension through September 30, 2023. Construction will start in May 2023 and is expected to move quickly from there.
- 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. A monitoring well was installed to verify water table elevation in the project area on June 6th 2022. The water table within the project area is currently very high, measured at 47” below grade on 9/12/22, 46” on 10/6/22, 48” on 10/24/22 after draining the float plane basin. On October 27th staff, contractor and engineers held a meeting where it was decided the project will wait until the Runway Rehabilitation Project begins. This will provide the contractor the most flexibility in leaving dewatering equipment running 24 hours a day with unlimited access to the project area. This has been confirmed with the FAA. Project will now be deferred until 2025.
- Kenai Municipal Airport Snow Removal Equipment (SRE) – Equipment has arrived, old equipment has been surplus auctioned and grant is working through closeout with the FAA. *An Ordinance is being introduced 12/21/22 to cover the additional freight costs to finalize closeout and payments. Final costs are \$781,390.20.*
- 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 4th, 2021 HDL Engineering and staff successfully completed geotech borings of the runway after hours. On October 13th, 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 20th, 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. The EDR is currently being updated to include additional project items, in anticipation of finalizing 35% design documents before calendar year end. 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 were fully executed with MBA on October 31, 2022 for the contracted amount of \$47,726. November 10, 2022 will be the first site meeting with staff and engineering team. Design work is anticipated to continue through the winter months. *65% design documents are anticipated prior to end of December, project remains on schedule.*

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 25th. On March 3rd 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 10th 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 28th. 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. Staff formally submitted Work In Kind (WIK) Requests #2 & #3 to the USACE on November 3, 2022 totaling another \$316,447.30 toward our City Share of project costs. *Project has now entered the BCOES phase (Bid-ability, Constructability, Operability, Environmental & Sustainability Reviews) with the US Army Corps. HDR continues progress toward 95% design documents. Preparations are in process for execution of a PPA (Project Partnership Agreement) with the US Army Corps 1st quarter 2024. Project remains on track and is proceeding well.*

- Community Wildfire Prevention Plan (CWPP) Mitigation – *The City has received grant funds to address beetle kill damages within the City. On November 3^d an Invitation to Bid was released in coordination with the Fire Department and Forest Service to perform mitigation services on approximately 105 acres of land through the No Name Creek Drainage from Redoubt Avenue extending to Cook Inlet. Five Bids were received on 12/13/22 with Doug Koch Professional Tree Service providing the winning bid at a cost of \$282,000. Work is anticipated to take place during allowable time frames over the next year. A Resolution to Award this Contract is before Council at the 12/21/22 Council Meeting.*
- 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 16th packet is combining funding from several smaller projects into this one larger one. On March 21st 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: *100% design documents have been received. An Ordinance to provide supplemental funding to move forward with Construction Bidding is before Council at the 12/21/22 meeting. Pending Ordinance is approved project will Bid in late January 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 18th 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. *Aurora Flooring is now under Contract. Materials are on order and work is anticipated to start first week of January.*
- 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 now complete and project is pending release.*
- 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 25th with proposals due on February 15th 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 1st quarter 2023. *An Ordinance is*



being presented to Council at the 12/21/22 meeting to provide supplemental funding to allow this project to be bid in January 2023.

- Kenai Dog Park – Council has provided \$63,000 in funding toward this project. On October 10th, 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.
- 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. *A Purchase Order increase is being requested at the 12/21/22 Council Meeting to include water and sewer extensions into the current scope of work. This project due to the poor sub-base materials is significantly underfunded, and grant funds are being sought through the State.*

Water & Sewer Fund Projects:

- 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 now working through closeout*
- 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% Construction is anticipated to run through the summer of 2023. Final plan reviews are being conducted with HDL onsite 12/19/22.*



- 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 25th, 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. A formal Invitation to Bid for Construction was released on June 7th, 2022. Bids were originally due on June 28th but the deadline was extended to July 22nd due to a lack of bidders interested in the project. On July 22nd 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. The *Screw press was delivered on 10/27/31*



- 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. *Final*



65% plan reviews are being conducted on site with HDL on 12/19/22, bid documents are expected to be ready 3/1/23 and if funding is in place will be bid immediately, if not will be delayed until funding arrives.

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. No proposals were received, the Department is requesting approval to enter negotiations with RSA Engineering in the hopes of moving the project forward. *RSA Engineering is under contract and is expected to start design in early January 2023.*

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 30th 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.





KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Kathy Romain, Senior Center Director
DATE: December 9, 2022
SUBJECT: November 2022 Monthly Report

November brought about a jam-packed calendar of events at the Kenai Senior Center (KSC) as it entered the heavy holiday season:

- In celebration of Veterans Day, area Veterans were treated to lunch and a presentation by the VFW Color Guard. In addition, quilts were provided to Veterans acknowledging their years of service by the Quilts of Valor Foundation.
- The KSC held its first craft and collectibles fair featuring handmade items and collectibles made and sold by area seniors. This fair was well-attended and seniors reported that they would like to see this event repeated next year.
- To close out the month of November, the KSC was again host to the annual Hilcorp Thanksgiving luncheon. Area seniors were treated to a traditional Thanksgiving meal. Over 200 people attended the meal in-house and an additional 200 meals were delivered to homebound area seniors.

	2022	2021
Home Delivered Meals	1795	2838
Individuals	192	138
Dining Room (Congregate) Meals	932	0
Individuals	207	0
Transportation (1-way rides)	239	0
Individuals	24	0
Grocery Shopping Assistance	14/67	2
Writers Group	21	0
Caregiver Support Group	12	0
Growing Stronger Exercise	168	0
Tai Chi Class	48	0
TOPS Weight Loss Class	53	0
Bluegrass & Music Sessions	99	0
Card Games	69	0
Wii Bowling	16	0
Arts & Crafts	30	0
Total Event Sign-ins *	1706	0
Individuals *	233	0
Vintage Pointe Manor Vacancies	1	4

* (not including home meals clients)



Update from the Board of Directors
Cook Inlet Regional Citizens Advisory Council

John Williams, Vice-President, representing the City of Kenai

The Cook Inlet Regional Citizens Advisory Council met in Anchorage on December 1st and 2nd, 2022. This was our first time back in Anchorage since 2018.

The first day of the meeting was focused on updating CIRCAC's strategic plan. This plan is revisited on a semi-regular basis to track progress on current projects, develop plans for new projects, and refine operational objectives. Science Director Susan Saupe led the discussion, and the organization continues on a good track into the coming year.

A series of presentations was delivered, focused on different aspects of Cook Inlet's winter ice season. Individual topics ranged from United States Coast Guard regulations, to monitoring technology to operations strategies. CIRCAC Director of Operations Steve 'Vinnie' Catalano has been instrumental in establishing the Cook Inlet Ice Camera Monitoring Network, which provides real-time visual data from nearly a dozen locations throughout the Inlet, all based on partnerships developed between industry operators, state and federal regulators, municipalities and others.

Todd Paxton, Cook Inlet Spill Prevention and Response, Inc (CISPRI) General Manager explained to the Council what his organization's response capabilities and responsibilities are during the winter ice season, and in particular the opportunities and operational limits of the Tug Bob Franco, which is owned by Centerline Logistics;

Mary-Beth Schreck, Program Leader for the Sea Ice Analysis Program at the National Weather Service Alaska gave an overview of that program's goals, capabilities and role in forecasting ice conditions;

Captain Leanne Lusk, Commander, Sector Anchorage, United States Coast Guard, explained Ice Guidelines for 2022/2023 and the Coast Guard's role in ensuring vessel safety throughout the winter;

Captain Paul Mehler, Senior Port Captain for Marathon Petroleum Corporation, provided some details about the pre-winter meeting held each year in at AVTEC in Seward. That meeting brings together many of the same groups mentioned above to share information and plans ahead of the coming ice season.

Finally, Captain Debra Cobb, Global Marine Assurance Manager for Marathon explained the marine vessel vetting process for vessels operating in Cook Inlet during ice season. Captain Cobb also shared her personal account of an on-water incident that resulted in fatalities among her shipmates and injuries to

herself, which drove home the importance of constant vigilance at each step of a vessel's journey into and out of Cook Inlet during ice season.

The Council will hold its Annual Meeting on April 14, 2023 in Kenai, at which time elections for board members will be held. Three seats are up for reelection this year: Kenai Peninsula Borough, Kodiak Island Borough, Alaska Native Groups and Environmental Groups. Please contact the CIRCAC office at 907-283-7222 for more information about participating in the elections process.