

**KENAI COUNCIL ON AGING  
REGULAR MEETING  
THURSDAY, OCTOBER 13, 2022 – 3:00 P.M.  
KENAI SENIOR CENTER  
361 SENIOR CT., KENAI, AK 99611  
*\*Telephonic/Virtual Information Below\**  
<http://www.kenai.city>**

- 1. **CALL TO ORDER**
  - a. Pledge of Allegiance
  - b. Roll Call
  - c. Agenda Approval
  
- 2. **SCHEDULED PUBLIC COMMENTS** *(Public comment limited to ten (10) minutes per speaker)*
  
- 3. **UNSCHEDULED PUBLIC COMMENT** *(Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)*
  
- 4. **APPROVAL OF MEETING SUMMARY**
  - a. July 14, 2022 .....Pg. 2
  
- 5. **UNFINISHED BUSINESS**
  
- 6. **NEW BUSINESS**
  - a. **Discussion/Recommendation** – Priority List for the City of Kenai Fiscal Year 2024-2028 Capital Improvement Plan .....Pg. 4
  
- 7. **REPORTS**
  - a. Senior Center Director
  - b. Council on Aging Chair
  - c. City Council Liaison ..... Pg. 12
  
- 8. **NEXT MEETING ATTENDANCE NOTIFICATION** – November 10, 2022
  
- 9. **COMMISSION QUESTIONS AND COMMENTS**
  
- 10. **ADDITIONAL PUBLIC COMMENT**
  
- 11. **INFORMATION ITEMS**
  - a. Ordinance No. 3318-2022 - Cone Memorial Donation Fund..... Pg. 22
  
- 12. **ADJOURNMENT**

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**KENAI COUNCIL ON AGING  
REGULAR MEETING  
JULY 14, 2022 – 3:00 P.M.  
KENAI SENIOR CENTER  
CHAIR RACHAEL CRAIG, PRESIDING**

**MEETING SUMMARY**

**1. CALL TO ORDER**

Chair Craig called the meeting to order at approximately 3:00 p.m.

**a. Pledge of Allegiance**

Chair Craig led those assembled in the Pledge of Allegiance.

**b. Roll was confirmed as follows:**

Members Present: R. Craig, R. Williams, C. Thornton, V. Geller, A. Heckert, J. Straughn, B. Modigh

Members Absent: F. Kilfoyle

A quorum was present.

Staff/Council Liaison: Senior Center Director K. Romain, Administrative Assistant R. Piersee, City Manager Paul Ostrander, and Council Liaison H. Knackstedt

**c. Agenda Approval**

**MOTION:**

Member Thornton **MOVED** for approval of the agenda as presented and Member Williams **SECONDED** the motion. There were no objections. **SO ORDERED.**

**2. SCHEDULED PUBLIC COMMENTS – None.**

**3. UNSCHEDULED PUBLIC COMMENT -- None.**

**4. APPROVAL OF MEETING SUMMARY**

**a. June 9, 2022**

**MOTION:**

Member Williams **MOVED** to approve the June 9, 2022 meeting summary. Member Straughn **SECONDED** the motion. There were no objections. **SO ORDERED.**

**5. UNFINISHED BUSINESS -- None.**

**6. NEW BUSINESS**

**a. Discussion – Update on the Bluff Stabilization Project**

City Manager Ostrander provided a memo and a packet for the members giving the project timeline and current funding for this project. Questions asked from the members were regarding

the location of the project, angle of the repost, construction costs, handicapped accessible trails, and a possible river walk.

b. **Discussion** – Update on the Waterfront Revitalization Project

City Manager Ostrander provided information on the project and community participation in the development process.

7. **REPORTS**

- a. Senior Center Director – Director Romain reported on the following:
  - New ARPA (American Rescue Plan Act) recently submitted for extra personnel during the winter months, employee training, and funds for a raised bed extension to the greenhouse.
  - The Greenhouse Memorial Dedication was well attended. The Osborn family presented a plaque commemorating the dedication.
- b. Council on Aging Chair – Chair Craig reported on the following:
  - The loss of four actively participating seniors during the past weeks.
  - Expressed desire to see increased volunteering at the Center.
  - Work session in September.
- c. City Council Liaison – Council Member Knackstedt reported on the actions of the July 6, 2022, City Council Meetings.

8. **NEXT MEETING ATTENDANCE NOTIFICATION** – September 8, 2022

It was noted that there will be no meeting in August.

9. **COUNCIL MEMBERS COMMENTS AND QUESTIONS**

**MOTION:**

Member Straughn **MOVED** to set the Council on Aging Work Session for Thursday, September 29, at 3:00 p.m. Member Thornton **SECONDED** the motion. There were no objections. **SO ORDERED.**

10. **ADDITIONAL PUBLIC COMMENT** – None.

11. **INFORMATION ITEMS** – None.

12. **ADJOURNMENT**

There being no further business, the Council on Aging meeting adjourned at 4:10 p.m.

Meeting summary prepared and submitted by:

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Meghan Thibodeau  
Deputy City Clerk



# KENAI

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

## MEMORANDUM

**TO:** Council on Aging  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin, Director of Public Works  
**DATE:** October 7, 2022  
**SUBJECT:** Senior Citizens Fund and Congregate Housing Fund Capital Projects Priorities List

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The purpose of this memo is to provide direction and clarification to commissions in submission of Capital Projects for City Council consideration. The attached list of Senior Citizens Fund and Congregate Housing Fund projects is intended to verify the recommendations of the Council on Aging, and to establish a priority for one proposed project over another. The approved list will then be considered for incorporation into the “Draft” FY2024-2028 Capital Improvement Plan (CIP), which will highlight project priorities from all City Departments.

For this evening’s Council on Aging meeting please verify the attached list meets the intentions of the Council on Aging and make the following motion:

### Motion

*“I move to approve the Senior Citizens Fund and Congregate Housing Fund Capital Improvement Projects Priority List for inclusion within the Draft FY2024-2028 Capital Improvement Plan.”*

The Council on Aging should understand this list does not mean these projects will be completed within the indicated years. They are a request to the Administration and City Council for their consideration, and the ability of the City to complete them will be subject to available funds. The Council on Aging should expect that some or all of the projects may be moved with the overall CIP plan in an effort to provide the best chance for their completion. Some of them may be removed altogether, for reconsideration at a later date to allow others an opportunity to be funded.

I would like to say thank you to everyone for providing input toward the development of this plan. Your efforts insure our resources are directed toward meeting the needs of our community. I would like to encourage Council on Aging members to attend the annual Special Work Session where City Council will be presented and discussing the Capital Improvement Plan. The Council on Aging’s support is respectfully requested.

# SENIOR CITIZENS FUND

## FY2023

Project Name	Project No.	Total Project Cost	City Funding	Grant Funding	Description
No Data					
Total					

## FY2024

Project Name	Project No.	Total Project Cost	City Funding	Grant Funding	Description
Emergency Backup Power Generation	1	\$125,000	\$0	\$125,000	
Total		\$125,000	\$0	\$125,000	

## FY2025

Project Name	Project No.	Total Project Cost	City Funding	Grant Funding	Description
Senior Center Landscaping Project Phase I	2	\$40,000	\$0	\$40,000	Landscape the south lawn of the Senior Center to a level area
Total		\$40,000	\$0	\$40,000	

# SENIOR CITIZENS FUND

## FY2026

Project Name	Project No.	Total Project Cost	City Funding	Grant Funding	Description
Senior Center Landscaping Project Phase II	3	\$35,000	\$0	\$35,000	Create a community fire pit area with memorial benches
Total		\$35,000	\$0	\$35,000	

## FY2027

Project Name	Project No.	Total Project Cost	City Funding	Grant Funding	Description
No Data					
Total					

# SENIOR CITIZENS FUND PROJECTS

## EMERGENCY BACKUP POWER GENERATION

Department: Senior Center  
 Total Project Cost: \$125,000  
 Project Phased: Yes  
 Project Type: Building Improvement  
 Funding Source(s): Grant/ Donation  
 Dependent  
 Potential Grant Identified: State  
 Operating Budget Impact: Slight Increase



	2023	2024	2025	2026	2027
COST:		\$125,000			

Details: This project would provide emergency backup power to the Senior Center. The facility is a gathering place for the community and provides needed meal services to the elderly. In the event of a major weather event, earthquake, etc., the ability to provide for the continued operation of the facility is an intricate resource for the City.

## SENIOR CENTER LANDSCAPING - PHASE I

Department: Senior Center  
 Total Project Cost: \$40,000  
 Project Phased: Yes  
 Project Type: Land Improvement  
 Funding Source(s): Grant/ Donation  
 Dependent  
 Potential Grant Identified: State  
 Operating Budget Impact: Minimal or No Impact



	2023	2024	2025	2026	2027
COST:			\$40,000		

Details: This project would landscape the south lawn of the Senior Center to level the area, which now contains sunken areas which prohibit safe access and replant grass and trees as well as construct walkways for easy and safe maneuvering. This would improve lost access to the perimeter of the building, yard, and bluff areas for private rentals and the public, including wheelchair access. The project would be contingent on the construction of the Bluff Stabilization Project.

# SENIOR CITIZENS FUND PROJECTS

## SENIOR CENTER LANDSCAPING - PHASE II

Department: Senior Center  
 Total Project Cost: \$35,000  
 Project Phased: Yes  
 Project Type: Land Improvement  
 Funding Source(s): Grant/ Donation  
 Dependent  
 Potential Grant Identified: State  
 Operating Budget Impact: Minimal or No Impact



	2023	2024	2025	2026	2027
COST:				\$35,000	

Details: This project would create a community fire pit area with wooden all-weather park benches for easy access for seniors and private rentals. Memorial benches and greenery provide an opportunity to generate revenue and celebrate individuals in the community. The project would be contingent on the construction of the Bluff Stabilization Project.



# CONGREGATE HOUSING FUND

## FY2023

Project Name	Project No.	Total Project Cost	City Funding	Grant Funding	Description
Apartment Kitchen and Bathroom Remodel	1	\$100,000	\$100,000	\$0	Remodel the kitchen and bathrooms in 3-6 apartments
Total		\$100,000	\$100,000	\$0	

## FY2024

Project Name	Project No.	Total Project Cost	City Funding	Grant Funding	Description
Apartment Kitchen and Bathroom Remodel	2	\$100,000	\$100,000	\$0	Remodel the kitchen and bathrooms in 3-6 apartments
Vintage Pointe Elevator Major Maintenance	3	\$50,000	\$50,000	\$0	Major elevator maintenance to allow for continued safe operation
Total		\$150,000	\$150,000	\$0	

## FY2025

Project Name	Project No.	Total Project Cost	City Funding	Grant Funding	Description
Apartment Kitchen and Bathroom Remodel	4	\$100,000	\$100,000	\$0	Remodel the kitchen and bathrooms in 3-6 apartments
Total		\$100,000	\$100,000	\$0	

# CONGREGATE HOUSING FUND

## FY2026

Project Name	Project No.	Total Project Cost	City Funding	Grant Funding	Description
Apartment Kitchen and Bathroom Remodel	5	\$100,000	\$100,000	\$0	Remodel the kitchen and bathrooms in 3-6 apartments
Total		\$100,000	\$100,000	\$0	

## FY2027

Project Name	Project No.	Total Project Cost	City Funding	Grant Funding	Description
No Data					
Total					

# CONGREGATE HOUSING FUND PROJECTS

## APARTMENT KITCHEN AND BATHROOM REMODEL

Department: Senior Center  
 Total Project Cost: \$500,000  
 Project Phased: Yes  
 Project Type: Building Improvement  
 Funding Source(s): Congregate Housing Fund  
 Potential Grant Identified: None  
 Operating Budget Impact:  
 Minimal or No Impact

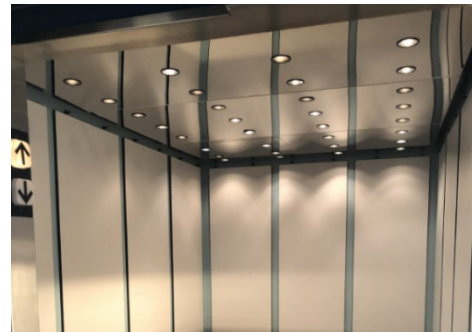


YEAR:	2023	2024	2025	2026	2027
COST:	\$100,000	\$100,000	\$100,000	\$100,000	

Details: This project remodels the kitchen and bathrooms in three to six apartments each year at Vintage Pointe. The project would replace original (1993) tile flooring, cabinetry, countertops, and fixtures in kitchens and bathrooms to bring apartments into compliance with the Americans with Disabilities Act. This project is not eligible for low-income housing grants.

## VINTAGE POINTE ELEVATOR MAJOR MAINTENANCE

Department: Public Works  
 Total Project Cost: \$50,000  
 Project Phased: Yes  
 Project Type: Building Improvement  
 Funding Source(s): Congregate Housing Fund  
 Potential Grant Identified: None  
 Operating Budget Impact:  
 Minimal or No Impact



YEAR:	2023	2024	2025	2026	2027
COST:		\$50,000			

Details: This project will provide for major maintenance of the Vintage Pointe elevator to allow for the continued safe operation of the City's most used elevator. The Vintage Pointe Senior Housing was constructed in 1993 and is approximately 40,450 square feet.



## Kenai City Council - Regular Meeting

September 07, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

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

### Action Agenda

#### A. CALL TO ORDER

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

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

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

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

#### D. PUBLIC HEARINGS

1. **ENACTED WITHOUT OBJECTION. Ordinance No. 3304-2022** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds for Kenai Municipal Airport Disadvantage Business Enterprise Program Updates. (Administration)
2. **ENACTED WITHOUT OBJECTION. 3305-2022** - Conditionally Granting Certain Foreclosed City-Owned Properties Described as Lots 8 & 11, Block 9 and Lot 4, Block 10, Mommsen's Replat of Additions No. 1 & 2 (Parcel Numbers 03910211, 03910208 and 03910304) to Central Peninsula Habitat for Humanity, Inc. for Construction of Housing. (Administration)
3. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-62** - Supporting the Kenai Peninsula Borough's Application for a Safe Streets and Roads for All Action Plan Grant and Authorizing the City of Kenai to be Included as a Joint Applicant. (Administration)
4. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-63** - Awarding a Professional Services Agreement and Corresponding Purchase Order for Professional Mechanical and Electrical Engineering Services for the Kenai Municipal Airport (KMA) Operations Building HVAC Controls and Boiler Replacement Project. (Administration)

#### E. MINUTES

1. \*Regular Meeting of August 17, 2022. (City Clerk)

**F. UNFINISHED BUSINESS**

**G. NEW BUSINESS**

1. **\*Action/Approval** - Bills to be Ratified. (Administration)
2. **\*Action/Approval** - Purchase Orders Over \$15,000. (Administration)
3. **\*Ordinance No. 3306-2022** - Amending Kenai Municipal Code 7.15.020 Purchases Requiring Council Approval, to Provide Increased Flexibility for the Administration to Conduct City Business while Maintaining Sufficient Safeguards to Protect the Public Interest. (Baisden)
4. **\*Ordinance No. 3307-2022** - Amending Kenai Municipal Code 7.25.020 – City Budget Control, to Provide Increased Flexibility in the Expenditure of Funds and Management of City Budgets while Maintaining Adequate Internal Controls to Protect the Public’s Interest. (Baisden)
5. **\*Ordinance No. 3308-2022** - Accepting and Appropriating a Grant from the State of Alaska for the Purchase of Library Materials. (Administration)
6. **\*Ordinance No. 3309-2022** - Accepting and Appropriating Funds from the Public Library Association and AT&T for the Kenai Community Library’s Participation in the PLA Digital Literacy Workshop Training Incentive. (Administration)
7. **\*Ordinance No. 3310-2022** - Increasing Estimated Revenues and Appropriations in the General Fund, Police Department, for the Receipt of a Vehicle Forfeited to the State of Alaska. (Administration)
8. **\*Ordinance No. 3311-2022** - Determining that Real Property Described as Lot 5, Block 1, Gusty Subdivision Addition No. 1, According to Plat No. 83-126 KRD, City-Owned Airport Land Located Outside the Airport Reserve, is not Needed for a Public Purpose, Waiving KMC 22.05.095 Methods of Sale or Disposal and Authorizing the Sale of the Property to Aaron Swanson DBA Forever Business Plaza LLC. (Administration)
9. **\*Ordinance No. 3312-2022** - Determining Lot 4, Block 1, Gusty Subdivision Addition No. 1 Amended is not Needed for a Public Purpose and Approving the Execution of a Lease with an Option to Purchase between the City of Kenai and Aaron Swanson for the Property. (Administration)
10. **\*Ordinance No. 3313-2022** - Accepting and Appropriating Funds from the State of Alaska Department of Natural Resources, Division of Forestry and the United States Department of Agriculture, Forest Service to Support the City’s Spruce Beetle Mitigation and Hazard Fuel Reduction Program and Authorizing the City Manager to Execute a Memorandum of Agreement for this Funding. (Administration)
11. **\*Ordinance No. 3314-2022** - Extending the Time Period for Completion of the Action Items Necessary for the Conditional Donation of an Approximate 2 Acre Parcel to be Subdivided from a Portion of the 6.8 Acre More or Less Portion of the East of Tract 4A, Baron Park 2020 Replat (KPB Parcel No. 04501035) to Triumvirate Theatre for the Development of a Theatre Facility. (Administration)
12. **\*Ordinance No. 3315-2022** - Increasing Estimated Revenues and Appropriations in the General Fund and Public Safety Capital Project Fund for Costs in Excess of Budgeted Amounts for the fire Department Apparatus Bay Floor Refinishing Project. (Administration)
13. ***INTRODUCED AND REFERRED TO THE PLANNING AND ZONING COMMISSION FOR RECOMMENDATION/PUBLIC HEARING SET FOR 9/21/22. Ordinance No. 3316-2022*** - Amending Kenai Municipal Code 14.20.150-Conditional Use Permits, to Further Clarify Roles

and Responsibilities of Applicants, the Planning Director, and the Planning Commission in the Conditional Use Process. (Glendening)

**H. COMMISSION / COMMITTEE REPORTS**

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

**I. REPORT OF THE MAYOR**

**J. ADMINISTRATION REPORTS**

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

**K. ADDITIONAL PUBLIC COMMENT**

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

**L. EXECUTIVE SESSION**

**M. PENDING ITEMS**

**N. ADJOURNMENT**

**O. INFORMATION ITEMS**

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

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## Kenai City Council - Regular Meeting

September 21, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

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

### Action Agenda

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

#### D. PUBLIC HEARINGS

1. **ENACTED WITHOUT OBJECTION. Ordinance No. 3306-2022** - Amending Kenai Municipal Code 7.15.020 Purchases Requiring Council Approval, to Provide Increased Flexibility for the Administration to Conduct City Business while Maintaining Sufficient Safeguards to Protect the Public Interest. (Baisden)
2. **ENACTED AS AMENDED WITHOUT OBJECTION. Ordinance No. 3307-2022** - Amending Kenai Municipal Code 7.25.020 – City Budget Control, to Provide Increased Flexibility in the Expenditure of Funds and Management of City Budgets while Maintaining Adequate Internal Controls to Protect the Public's Interest. (Baisden)
3. **ENACTED WITHOUT OBJECTION. Ordinance No. 3308-2022** - Accepting and Appropriating a Grant from the State of Alaska for the Purchase of Library Materials. (Administration)
4. **ENACTED WITHOUT OBJECTION. Ordinance No. 3309-2022** - Accepting and Appropriating Funds from the Public Library Association and AT&T for the Kenai Community Library's Participation in the PLA Digital Literacy Workshop Training Incentive. (Administration)
5. **ENACTED WITHOUT OBJECTION. Ordinance No. 3310-2022** - Increasing Estimated Revenues and Appropriations in the General Fund, Police Department, for the Receipt of a Vehicle Forfeited to the State of Alaska. (Administration)
6. **ENACTED AS AMENDED WITHOUT OBJECTION. Ordinance No. 3311-2022** - Determining that Real Property Described as Lot 5, Block 1, Gusto Subdivision Addition No. 1, According to Plat No. 83-126 KR, City-Owned Airport Land Located Outside the Airport Reserve, is not

Needed for a Public Purpose, Waiving KMC 22.05.095 Methods of Sale or Disposal and Authorizing the Sale of the Property to Aaron Swanson DBA Forever Business Plaza LLC. (Administration)

7. **ENACTED AS AMENDED BY SUBSTITUTE WITHOUT OBJECTION. Ordinance No. 3312-2022** - Determining Lot 4, Block 1, Gusty Subdivision Addition No. 1 Amended is not Needed for a Public Purpose and Approving the Execution of a Lease with an Option to Purchase between the City of Kenai and Aaron Swanson for the Property. (Administration)
  - **Substitute Ordinance No. 3312-2022** - Determining Lot 4, Block 1, Gusty Subdivision Addition No. 1 Amended is not Needed for a Public Purpose and Approving the Execution of a Lease with an Option to Purchase between the City of Kenai and Aaron Swanson DBA Forever Business Plaza, LLC. for the Property. (Administration)
8. **ENACTED WITHOUT OBJECTION. Ordinance No. 3313-2022** - Accepting and Appropriating Funds from the State of Alaska Department of Natural Resources, Division of Forestry and the United States Department of Agriculture, Forest Service to Support the City's Spruce Beetle Mitigation and Hazard Fuel Reduction Program and Authorizing the City Manager to Execute a Memorandum of Agreement for this Funding. (Administration)
9. **ENACTED AS AMENDED WITHOUT OBJECTION. Ordinance No. 3314-2022** - Extending the Time Period for Completion of the Action Items Necessary for the Conditional Donation of an Approximate 2 Acre Parcel to be Subdivided from a Portion of the 6.8 Acre More or Less Portion of the East of Tract 4A, Baron Park 2020 Replat (KPB Parcel No. 04501035) to Triumvirate Theatre for the Development of a Theatre Facility. (Administration)
10. **ENACTED WITHOUT OBJECTION. Ordinance No. 3315-2022** - Increasing Estimated Revenues and Appropriations in the General Fund and Public Safety Capital Project Fund for Costs in Excess of Budgeted Amounts for the fire Department Apparatus Bay Floor Refinishing Project. (Administration)
11. **POSTPONED TO 10/5/2022 WITH A MOTION TO AMEND ON THE FLOOR. Ordinance No. 3316-2022** - Amending Kenai Municipal Code 14.20.150-Conditional Use Permits, to Further Clarify Roles and Responsibilities of Applicants, the Planning Director, and the Planning Commission in the Conditional Use Process. (Glendening)
12. **POSTPONED TO 10/5/2022. Resolution No. 2022-64** - Approving the Renewal of a Lease Utilizing a Non-Standard Lease Form on Airport Reserve Lands Between the City of Kenai and the Federal Aviation Administration for the Automated Flight Service Station and Satellite Communication Network Facilities on Lot 7A-1 FBO Subdivision No. 5. (Administration)
13. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-65** - Approving the Use of the Fleet Replacement Fund for the Purchase of Four Ford Police Interceptors Utilizing the State of Alaska Equipment Fleet Contract. (Administration)
14. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-66** - Amending the Kenai Municipal Airport Aircraft Parking Fees. (Administration)
15. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-67** - Allowing the City of Kenai, City Manager to Execute Federal Aviation Administration Grant Agreement for Airport Improvement Program Project No. 3-02-0142-072-2022 at the Kenai Municipal Airport. (Administration)
16. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-68** - Authorizing A FY2022 Budget Transfer in the Airport Fund, Airfield Department for Amounts in Excess of Budgeted Amounts Caused by Employee Retirement and Above Average Snow Removal Activity During the Fiscal Year. (Administration)



17. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-69** - Authorizing a FY2022 Budget Transfer in the General Fund, Street Department for Amounts in Excess of Budgeted Amounts Caused by Above Average Snow Removal Activity During the Fiscal Year. (Administration)

**E. MINUTES**

1. \*Regular Meeting of September 7, 2022. (City Clerk)

**F. UNFINISHED BUSINESS**

**G. NEW BUSINESS**

1. \***Action/Approval** - Bills to be Ratified. (Administration)
2. \***Action/Approval** - Special Use Permit for Corvus Airlines, Inc. DBA Ravn Alaska, LLC. for Use of 1,200 Square Feet of Warm Storage of a De-Ice Vehicle. (Administration)
3. \***Ordinance No. 3317-2022** - Increasing Estimated Revenues and Appropriations in the Airport Fund and Appropriating Funds in the Airport Snow Removal Equipment Capital Project Fund for the Purchase of Snow Removal Equipment Attachments and Installation of a Gate. (Administration)
4. **APPROVED AS AMENDED WITHOUT OBJECTION. Action/Approval** - Appointment of the October 4, 2022 Election Precinct Boards for the October 4, 2022 Regular City Election. (City Clerk)
5. **APPROVED WITHOUT OBJECTION. Action/Approval** - Kenai Senior Center as a Residual Beneficiary of the Tamera Diane Cone Testamentary Trust – Options for Management of Funds. (Administration)

**H. COMMISSION / COMMITTEE REPORTS**

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

**I. REPORT OF THE MAYOR**

1. Childhood Cancer Awareness Proclamation
2. Government Finance Officers Association Letter

**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**

1. Discussion for Resolving Delinquent Special Assessment Districts. Pursuant to AS 44.62.310(c)(1) a Matter of which the Immediate Knowledge may have an Adverse Effect upon the Finances of the City. (Administration)

M. **PENDING ITEMS**

N. **ADJOURNMENT**

O. **INFORMATION ITEMS**

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

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**Meeting ID:** 870 9213 9083 **Passcode:** 972752

OR

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

**Meeting ID:** 870 9213 9083 **Passcode:** 972752



## Kenai City Council - Regular Meeting

October 05, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

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

### 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*)

1. "Kenai Police Department Accreditation" Scott Hayes, Executive Director of Oregon Accreditation Alliance.

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

#### **D. PUBLIC HEARINGS**

1. **ENACTED WITHOUT OBJECTION. Ordinance No. 3317-2022** - Increasing Estimated Revenues and Appropriations in the Airport Fund and Appropriating Funds in the Airport Snow Removal Equipment Capital Project Fund for the Purchase of Snow Removal Equipment Attachments and Installation of a Gate. (Administration)
2. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-70** - Authorizing Changes to the Payment Terms of the Set Net Drive Street Improvement Special Assessment District, the Aliak, Mccollum, Japonski Streets Improvement Special Assessment District, the Thompson Park, Beaver Creek Alaska, Mack, Valhalla Heights and Sunset Rim Subdivisions Street Improvement Special Assessment District, the South Ames Road LID Street Improvement District, and the James Street and Kiana Lane Improvement Special Assessment District in an Effort to Resolve the Remaining Delinquent Accounts of the Districts. (Administration)
3. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-71** - Authorizing the City Manager to Execute a Grant from the Alaska Department of Commerce, Community, and Economic Development, Division of Community and Regional Affairs for the Kenai Bluff Stabilization Project. (Administration)
4. **ADOPTED WITHOUT OBJECTION. Resolution No. 2022-72** - Authorizing a Budget Transfer on the General Fund Decreasing City Manager Contingency, Increasing Non-Departmental

Professional Services, and Authorizing a Change to a Purchase Order to Larson Engineering & Design for Tower Study. (Administration)

#### **E. MINUTES**

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

#### **F. UNFINISHED BUSINESS**

1. **ENACTED. Ordinance No. 3316-2022** - Amending Kenai Municipal Code 14.20.150- Conditional Use Permits, to Further Clarify Roles and Responsibilities of Applicants, the Planning Director, and the Planning Commission in the Conditional Use Process. (Glendening) [**Clerk's Note: At the September 21, 2022 City Council Meeting, this Ordinance was Postponed to this Meeting; Motions to Enact and a Motion to Amend are on the Floor.**]
2. **POSTPONED TO 10/19/2022. Resolution No. 2022-64** - Approving the Renewal of a Lease Utilizing a Non-Standard Lease Form on Airport Reserve Lands Between the City of Kenai and the Federal Aviation Administration for the Automated Flight Service Station and Satellite Communication Network Facilities on Lot 7A-1 FBO Subdivision No. 5. (Administration) [**Clerk's Note: At the September 21, 2022 City Council Meeting, this Resolution was Postponed to this Meeting; a Motion to Adopt is on the Floor.**]

#### **G. NEW BUSINESS**

1. \***Action/Approval** - Bills to be Ratified. (Administration)
2. \***Action/Approval** - Purchase Orders Over \$15,000. (Administration)
3. \***Action/Approval** – Consent to Assignment and Assumption of Lease Agreement of ADL 37765, ATS 770, to TK Enterprises, LLC. (Administration)
4. \***Ordinance No. 3318-2022** – Renaming and Amending Kenai Municipal Code Chapter 7.30 Land Sale Permanent Funds to Establish the Kenai Senior Center Cone Memorial Trust and Directing All Proceeds Received as a Residual Beneficiary from the Tamara Diane Cone Testamentary Trust to be Deposited into such Fund. (Administration)
5. \***Ordinance No. 3319-2022** - Increasing Estimated Revenues and Appropriations in the Kenai Bluff Erosion Capital Project Fund for Construction of the Kenai Bluff Stabilization Project. (Administration)
6. **REFERRED TO EMPLOYEE SUBCOMMITTEE. Discussion** – City Manager Job Description (Mayor Gabriel)

#### **H. COMMISSION / COMMITTEE REPORTS**

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

**I. REPORT OF THE MAYOR**

**J. ADMINISTRATION REPORTS**

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

**K. ADDITIONAL PUBLIC COMMENTS**

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

**L. EXECUTIVE SESSION**

**M. PENDING ITEMS**

**N. ADJOURNMENT**

**O. INFORMATION ITEMS**

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

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

**Join Zoom Meeting**

<https://us02web.zoom.us/j/84610467586>

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OR

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**Meeting ID:** 846 1046 7586 **Passcode:** 499690



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**7.30.020 - Investments.**

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



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

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

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

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

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

(1) Investments authorized by KMC 7.22.030.

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

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

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

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

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

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

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

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

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

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

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

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

ATTEST:

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

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



# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Terry Eubank, Finance Director

**DATE:** September 29, 2022

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

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

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

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